

**MEETING**

**PLANNING COMMITTEE**

**DATE AND TIME**

**WEDNESDAY 26TH APRIL, 2017**

**AT 7.00 PM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG**

**TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)**

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

**Councillors**

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

**Substitute Members**

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

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

**Andrew Charlwood – Head of Governance**

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Media Relations contact: Sue Cocker 020 8359 7039

**ASSURANCE GROUP**

## ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 10
2.	Absence of Members	
3.	Declarations of Members' disclosable pecuniary interests and non-pecuniary interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Imperial House, Edgware Road, Colindale, London, NW9 (Colindale Ward)	11 - 14
7.	Tower Service Station 617 Finchley Road London NW3 7BS (Childs Hill)	15 - 70
8.	Land Behind Sheaveshill Court The Hyde London NW9 (Colindale Ward)	71 - 98
9.	Allianz Park, Greenlands Lane, London NW7 (Mill Hill Ward)	99 - 206
10.	West Hendon Estate, West Hendon, London NW9 (West Hendon)	207 - 254
11.	West Hendon Estate, West Hendon, London NW9 (West Hendon Ward)	255 - 346
12.	Any item(s) that the Chairman decides are urgent	

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## Decisions of the Planning Committee

29 March 2017

Members Present:-

AGENDA ITEM 1

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

Councillor Maureen Braun  
Councillor Claire Farrier  
Councillor Eva Greenspan  
Councillor Tim Roberts  
Councillor Agnes Slocombe

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

### 1. MINUTES OF THE LAST MEETING

#### CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting, explained the arrangements for speaking, and changed the running order, as reflected in these minutes.

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

### 2. ABSENCE OF MEMBERS

There were no absences, however the Chairman was informed that Councillor Slocombe was running a little late.

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

Councillor	Item	Interest
Melvin Cohen	Broadfields Primary School	Non-pecuniary interest as he lives half a mile away from the school.
Wendy Prentice	Old Ford Manor Golf Club	Non-pecuniary interest as she knows Mr Hedgecoe, one the speakers on this item
Stephen Sowerby	St Barnabas Church	Non-pecuniary interest as he used to live locally close to the church.

### 4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

**5. CLARIFICATION REPORT ON APPROVED PLANNING APPLICATION 12-18 HIGH ROAD, LONDON N2 (EAST FINCHLEY WARD)**

The Chairman notified the meeting that this item has been withdrawn from the agenda and will be considered at a future date. The applicant and neighbours have been notified.

**6. ASHMOLE ACADEMY SUMMIT WAY SOUTHGATE LONDON N14 (BRUNSWICK PARK WARD)**

The Committee received the report and the addendum which updated the position regarding consultations and highway considerations.

Representations were heard from Mario Michael, Nicholas Scott, Councillor Rutter and Tim Burn, the applicant's agent. The Chairman gave permission for photographs of parking conditions around the residential streets in the school vicinity, taken by a speaker, to be circulated to Members and shared with the Nicholas Scott.

The Chairman invited Member discussion and questions and further clarification by officers in response.

It was **RESOLVED**:

**That the planning application was approved as recommended in the officer report and addendum.**

**The vote was unanimously for approval**

Councillor Slocombe was not in attendance during the start of the presentation of this item and consequently did not vote.

**7. SOLAR HOUSE, 915 HIGH ROAD LONDON N12 (WOODHOUSE WARD)**

The Committee received the report and the addendum to the report which included amendments to the report recommendations.

Representations were heard from Maria Bryne, Julie Pal, and Councillor Geof Cooke. Henry Kendal, applicant, also spoke.

After each speaker the Chairman welcomed questions, and invited planning officers to further clarify or explain the planning report or provide a response to comments received.

The Chairman called for the vote.

It was **RESOLVED** that Members approved the planning application in accordance with the Officer report.

Votes were as follows:

<b>For (approval)</b>	<b>6</b>
<b>Against (approval).</b>	<b>4</b>
<b>Abstained</b>	<b>1</b>

The Chairman suspended the meeting for a 5 minute comfort break at 20:10pm and resumed at 20:15pm.

**8. ST BARNABAS CHURCH 42 HOLDEN ROAD WOODSIDE PARK LONDON N12 (TOTTERIDGE WARD)**

The Committee received the Officer presentation and addendum report with amended recommendations.

A verbal representation was received from Henry Kendal.

Following discussion, questions and Officer input, the Chairman called for the vote.

The Committee received the Officer presentation and addendum report with amended recommendations.

A verbal representation was received from Henry Kendal.

Following discussion, questions and Officer input, the Chairman called for the vote.

It was **RESOLVED:**

**To approve the planning application as per the officer recommendation and addendum.**

Votes were as follows:

<b>For approval</b>	<b>10</b>
<b>Against (approval)</b>	<b>0</b>
<b>Abstained</b>	<b>1</b>

**9. OLD FOLD MANOR GOLF CLUB OLD FOLD LANE BARNET EN5 (HIGH BARNET WARD)**

Committee received the report and addendum which amended condition 13.

Verbal representations were received as follows: Roger Hedgecoe, in support of the application; Simon Parkinson spoke on behalf of Paul Grant regarding his concerns about the number of HGV movements. He also spoke in capacity as a representative of Spaces on the lack of an EIA, confusion regarding the Waste Recovery Plan and concern that trees were being chopped down instead of pollarded. The Agent, Stuart Downs, also spoke.

Member debate and questions followed regarding responsibilities under the 25 year Management Plan and maintaining quality landscaping and re-use and phasing of landscaping, restricting lorry access to the M25 access, and safeguarding the archaeological and historic value of the site.

Councillor Prentice requested that more robust conditions are introduced to safeguard the landscaping and means of access, Cllr Sowerby supported this and questioned whether sufficient recognition had been given to the archaeological interface.

Officers confirmed that Condition 13 had been amended in the Addendum and agreed to amend condition 10 on access and include an informative.

It was **RESOLVED** that **Committee approved the planning application as per the Officer report with the following amendments:**

- **Amendment to Condition 13 as per new wording in addendum.**
- **Amendment to Clause (i) of Condition 10(a) to the following: i) details of the routing of construction vehicles to and from the site from the A1(M) J1/M25 J23 at South Mimms, hours of access, access and egress arrangements within the site and security procedures.**
- **Additional Informative: The applicant is advised that, in respect of the details to be submitted to the Local Planning Authority pursuant to conditions 4, 8 and 9, provision shall be made for the tree removal works to take place on a phased basis with full details of the proposed phasing included as part of those conditions.**

The vote was unanimously in favour of approval.

**10. 12 LARKSPUR GROVE EDGWARE HA8 9GB (HALE WARD)**

The committee received the officer report.

It was **RESOLVED** that the application be approved. The vote was unanimous.

**11. BROADFIELDS PRIMARY SCHOOL ROSEBERRY DRIVE EDGWARE HA8 (EDGWARE WARD)**

The committee received the officer report.

It was **RESOLVED** that the application be approved. The vote was unanimous.

**12. COLINDALE GARDENS (FORMERLY PEEL CENTRE), AERODROME ROAD, NW9 (COLINDALE WARD)**

The committee received the officer report.

It was **RESOLVED** that the application be approved. The vote was unanimous.



**13. COLINDALE STATION, COLINDALE AVENUE, NW9 - SITE TO THE REAR OF COLINDALE STATION PLAZA (COLINDALE WARD)**

It was **RESOLVED** that the application be approved. The vote was unanimous.

**14. MEMBERS ITEM - A REVIEW CONSERVATION AREAS COUNCILLOR SOWERBY**

The Chairman invited Councillor Sowerby to introduce the item.

Councillor Sowerby referred to his written Members Item report which stated that that it is 50 years since the introduction of Conservation Areas. He considered that a review of them was overdue - even the Local List had not been updated since 1986. Conservation Areas were originally meant to be reviewed every five years.

Emma Watson advised that a briefing note had recently been circulated to notify Members on the status of the work programme in the past, present and moving forward and that whilst there is no mandatory requirement to regularly review conservation areas, there is a commitment to keep them updated.

It was agreed that once the Local List review was underway, conservation areas will be looked at with a view to identifying which ones need to be prioritised for review first.

Work will start on a local authority review of the Local List this summer with a view to keeping Planning Committee updated and reporting findings to Policy and Resources Committee.

It was **Resolved that Committee Noted the Members Item.**

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

None.

The meeting finished at 9.30 pm

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## AGENDA ITEM 6

**LOCATION:** Imperial House, Edgware Road, Colindale, London, NW9 5AL

**REFERENCE:** APP/N5090/W/16/3158645      Received:                      22/07/2015

**WARD:** Burnt Oak                                      Expiry:                                      21/10/2016

**APPLICANT:** Imperial House London Ltd.

**PROPOSAL:**                      Redevelopment of Imperial House comprising the demolition of existing buildings and erection of buildings ranging from 3 to 16 storeys to provide 81 residential units (Use Class C3) and 815sqm of replacement office accommodation (Use Class B1) along with landscaped courtyard and provision of 87 basement car parking spaces, 5 motorcycle spaces and 166 cycle parking spaces, vehicular access from The Greenway and vehicle out onto Edgware Road with pedestrian access from Edgware Road

### APPEAL SUMMARY

- 1.1 Please find herewith a briefing note summarising a recent appeal decision relating to the aforementioned site.
- 1.2 The appeal was made by Imperial House London Ltd. against the decision of the Council of the London Borough of Barnet in relation to planning application 15/04442/FUL submitted on 15 July 2015 for the following development:

*Redevelopment of Imperial House comprising the demolition of existing buildings and erection of buildings ranging from 3 to 16 storeys to provide 81 residential units (Use Class C3) and 815sqm of replacement office accommodation (Use Class B1) along with landscaped courtyard and provision of 87 basement car parking spaces, 5 motorcycle spaces and 166 cycle parking spaces, vehicular access from The Greenway and vehicle out onto Edgware Road with pedestrian access from Edgware Road*

- 1.3 The application was recommended for approval by officers at planning committee on 24<sup>th</sup> February 2016 however the planning committee resolved to refuse the application for the following reasons:
  - 1) The proposed development, by virtue of its excessive height, scale and massing would introduce a discordant and visually obtrusive form of development that would fail to respect its local context and the pattern of development in its surroundings, to such an extent that it would be detrimental to the character and appearance of the area. The proposal would therefore not constitute a sustainable form of development and would

be contrary to policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (July 2011, October 2013 and January 2014).

- 2) The proposed development, by virtue of its excessive height and proximity to the residential properties to the north and east would represent an overly dominant form of development that would significantly diminish the outlook of the neighbouring occupiers to the detriment of their living conditions. The application is therefore contrary to CS NPPF and DM01 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policy 3.5 of the London Plan (July 2011, October 2013 and January 2014) and the Barnet Sustainable Design and Construction and Residential Design Guidance Supplementary Planning Documents (April 2013).
- 3) The application does not include a formal undertaking to secure an adequate contribution to affordable housing provision to meet the demand for such housing in the area. The application is therefore unacceptable and contrary to policies CS NPPF, CS4, CS15 and DM10 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.12 and 3.13 of the London Plan (adopted July 2011 and October 2013), the Barnet Planning Obligations (adopted April 2013) and Affordable Housing (adopted February 2007 and August 2010) Supplementary Planning Documents and the Mayoral Housing (adopted November 2012) Supplementary Planning Guidance.
- 4) The application does not include a formal undertaking to secure the planning obligations which are necessary for the development to be found acceptable. The application is contrary to London Plan policies 4.3, 4.12, 6.3, 6.9, 6.10, 8.2, policies DM14, DM17, CS8, CS9 of the Barnet Local Plan Core Strategy and Development Management Policies Document (adopted September 2012), the Barnet Planning Obligations (adopted April 2013) Supplementary Planning Document and the Barnet Supplementary Planning Document on Delivering Skills, Employment and Enterprise Training (SEET) (adopted October 2014).

1.4 The application was subsequently refused by notice dated 15 March 2016.

1.5 Subsequent to the refusal of the application, the applicant exercised their entitlement to a free resubmission and submitted an amended scheme with a reduced height of 14 storeys. This application was subsequently presented to planning committee on 23<sup>rd</sup> May 2016 with a recommendation for approval which was endorsed by members and the application (council ref: 16/1713/FUL) was subsequently approved. The approved application consisted of the following development:

*Redevelopment of Imperial House comprising the demolition of existing buildings and erection of buildings ranging from 3 to 14 storeys to provide 76 residential units and 815sqm of replacement office accommodation (Use Class B1) along with landscaped courtyard and*

*provision of 87 basement car parking spaces, 5 motorcycle spaces and 166 cycle parking spaces, with provisions for refuse and amenity space*

1.6 An appeal was subsequently lodged in relation to the refused application (15/04442/FUL) under the written representations procedure. In assessing the appeal, the inspectorate identified the following key issues:

- The character and appearance of the surrounding area; and
- The living conditions of the occupiers of nearby properties, with particular reference to outlook.

1.7 It should be noted, in relation to the 3<sup>rd</sup> and 4<sup>th</sup> reasons for refusal of the application that a Section 106 Agreement was agreed alongside the appeal which secured all of the planning obligations and contributions that were set out in the recommendation to committee on 23<sup>rd</sup> of May. The Section 106 Agreement was agreed prior to a decision being issued on the appeal in order to ensure that the obligations were secured in the event that the appeal was allowed.

1.8 In relation to the first reason for refusal and the impact of the development on the character and appearance of the locality, the inspector's conclusion can be summarised as follows:

*"...I am not convinced that the appeal scheme would look overly dominant or intrusive or that it would overwhelm the appearance of the properties to the east or appear visually intrusive in relation to them or Green Point. Moreover, given its close relationship with the adjacent 19 storey tower at TQN and the other tall buildings along the Edgware Road corridor... I therefore conclude on this issue that the proposed increase in height of Block A (over and above that approved under reference 16/1713/FUL) would cause no harm to the character and appearance of the surrounding area."*

1.9 In relation to the second reason for refusal and the impact of the development on the living conditions of neighbouring residents (specifically outlook), the inspector's conclusion can be summarised as follows:

*"...the proposal would be 40 metres from the closest rear window in Greenway Close, 65 metres from the closest rear window in Portman Close, and some 100 metres from the nearest properties on the Greenway... it would be some considerable distance away and views would not be taken at particularly close quarters. Block A would also be seen against the backdrop of the other high buildings nearby, notably the taller TNQ on the other side of Edgware Road.... On this basis, I am not convinced that when viewed from the surrounding residential properties, the relatively modest increase in the height of Block A would appear excessively dominant... I therefore conclude on this issue that the proposed increase in height of Block A (over and above that approved under reference 16/1713/FUL) would cause no harm to the living conditions of the occupiers of nearby properties, with particular reference to outlook."*

1.10 In light of the inspector's findings, summarised above, the appeal was allowed subject to the conditions suggested by the LPA and subject to the Section 106 Agreement secured.

**OUTCOME: APPEAL ALLOWED SUBJECT TO CONDITIONS AND S106 AGREEMENT**

## AGENDA ITEM 7

**Location**                      **Tower Service Station 617 Finchley Road London NW3 7BS**

**Reference:**                    **16/5296/FUL**                      Received: 9th August 2016  
Accepted: 26th August 2016

Ward:                              Childs Hill                              Expiry 25th November 2016

Applicant:                        Mr Jeff Shapiro

Proposal:                        Redevelopment of the site and erection of building between 4 to 8 stories for a mixed use development comprising 28 residential dwellings, and flexible uses at ground floor comprising of A3/D1/D2 floorspace with associated works, landscaping and parking at lower ground levels

**Recommendation:** Approve subject to s106

### RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
  
3. Affordable Housing Commuted Sum £640,000
  
4. Affordable Housing Review Mechanism
  
5. Local Employment Agreement
  
6. Monitoring 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 Planning Performance and Business Development Manager/Head of Development Management:

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

008.001 Revision 00  
008.002 Revision 00  
008.003 Revision 00  
008.005 Revision 00  
008.098 Revision 00  
008.099 Revision 06  
008.100 Revision 05  
008.101 Revision 03  
008.102 Revision 01  
008.103 Revision 01  
008.104 Revision 03  
008.105 Revision 01  
008.106 Revision 01  
008.107 Revision 00  
008.108 Revision 01  
008.201 Revision 01  
008.202 Revision 01  
008.203 Revision 01  
008.204 Revision 02  
008.301 Revision 01  
008.302 Revision 01  
008.303 Revision 02  
008.304 Revision 01  
Design and Access Statement  
Transport Assessment  
Planning Statement  
Daylight and Sunlight Assessment  
Statement of Community Involvement  
Flood Risk Assessment  
Energy and Sustainability Statement  
BREEAM Pre-Assessment Report  
Construction Management Plan  
Air Quality Assessment  
Acoustic Report  
Viability Assessment  
Contamination Assessment



Utilities Assessment  
Structural Report

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

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

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

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

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

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

4 a) No development other than demolition work shall take place until details of the location within the development and specification of the 3 units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2015.

5 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).

6 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with Policies DM01 and DM18 of the Development Management Policies DPD (adopted September 2012).

7 Prior to the commencement of the development hereby approved, a full design study for the proposed substation within the basement floor of the building 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 floorspace 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 floorspace within the building hereby approved.

8 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be

carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

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

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

9 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).

10 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.

11 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.

12 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 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.

13 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.

14 Before the development hereby permitted is commenced (Excluding groundworks), the applicant shall provide plans and details of how the Renewable Energy measures in their Sustainability Appraisal will be designed and located. The development shall be constructed in accordance with these details.

Reason: To ensure compliance with policy DM04 of the Adopted Barnet Development Management Policies and policy 5.2 of the London Plan.

15 Before the development hereby permitted commences (Excluding groundworks), the applicant shall provide details of any measures to improve biodiversity on the site. The development shall implemented in full accordance with these details.

Reason: To ensure policy compliance with DM16 of the Adopted Barnet Development Management Policies 2012.

16 Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To comply with the London Plan's SPG on Sustainable Design and

Construction and Policy 7.14 of the London Plan in relation to air quality.

17 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.

18 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.

19 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

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

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

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of

the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

21 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.

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

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

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

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

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

23 a) No development other than demolition works shall take place until 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).

24 All Non Road Mobile Machinery of net power between 37kW and 560kW shall meet at least Stage IIIA of EU Directive 97/68/EC and its amendments. No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use

or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

Prior to works commencing on site, all Non Road Mobile Machinery of net power between 37kW and 560kW shall be registered on the website <https://nrmm.london/>

Reasons: In the interests of good air quality with regard to London Plan policies 5.3 and 7.14

25 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. The report shall include an

assessment of construction dust impacts .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.

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

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. 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 April 2013) and Policies 3.2, 5.3 and 7.14 of the London Plan 2011

26 An Air Quality and Dust Management Plan shall be submitted to, and approved by, the Local Planning Authority, before the development commences whose purpose shall be to control and minimise emissions attributable to the demolition and/or construction of the development.

Reference shall be made to the Mayor of London's SPG, "The Control of Dust and Emissions during Construction and Demolition". The plan shall confirm:

- a. which air quality emission and dust control measures are to be implemented;
- b. which monitoring methods are to be implemented; and
- c. that construction machinery will meet NRMM standards

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality

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

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with

the new development; and in order to avoid adverse environmental impact upon the community.

28 Before the development hereby permitted is occupied 20% active and 20% passive parking spaces shall be installed with electric vehicle charging points. Such spaces shall be permanently retained and maintained thereafter.

Reason:

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

29 The approved development shall make provision for cycle parking and cycle

storage facilities in accordance with London Plan Parking Standards. 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.

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

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

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

31 Prior to the occupation of the development, a Maintenance Agreement for the operation of the car lifts must be submitted to and approval by the Local Planning Authority.

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

32 Before the permitted development commences details of the refuse collection arrangements shall be submitted to and agreed by the Local Planning Authority.

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

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

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

34 Prior to the commencement of the development, details of the amendment to the existing access on A41 Hendon Way would be submitted to Transport for London for approval and works shall only be carried out in accordance with the approved plans.

Reason: To ensure that the works on Transport for London Road Network are approved by Transport for London and works carried out in accordance with Transport for London's requirements to ensure that the works are satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

35 No works on public highway as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the highway authority and works shall only be carried out in accordance with the approved plans. The applicant will be expected to enter into an agreement under Section 278 of the Highways Act with the Highways Authority, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

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

36 Before the development hereby permitted is occupied the proposed parking spaces within the parking area as shown in 008098 Rev.00 and 008.099 Rev. 06 submitted with the planning application shall be provided and the access to the parking spaces will be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

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

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

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

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

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan 2015.

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

Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan 2015.

40 Before the development hereby permitted is occupied details of any proposed green walls or roofs shall be submitted to the Local Planning Authority. The development shall be implemented in full accordance with these details and they shall be permanently maintained thereafter.

Reason: To ensure satisfactory appearance to the development in accordance with policy DM01 of the Adopted Barnet Development Management Policies 2012.

41 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 8 am or after 8 p.m. on any other day.

Reason: To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

42 The premises shall be used for A3/D1/D2 Class uses and for no other purpose (including any other purpose in the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

43 Before any D2 Class use is brought into use, a report should be carried out by an approved acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development with regards to its use as a gym. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety

before (any of the units are occupied/ the use commences).

Reason: To safeguard the residential amenities of future residents.

44 The use hereby permitted at ground floor shall not be open to members of the public before 8am or after 10pm on weekdays and Saturdays or before 9am or after 5pm on Sundays and Bank and Public Holidays.

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

45 The level of noise emitted from the extraction and ventilation plant for the A3/D1/D2 Class usage hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

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

46 a) The A3/D1/D2 Class units shall not be occupied until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the extraction and ventilation plant for the A1/A3/D1/D2 usage, 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.

### RECOMMENDATION III:

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 26/06/2017 unless otherwise agreed in writing, the Head of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

- 1) The proposed development makes no contribution towards affordable housing despite this being found to be viable. The proposals would be contrary to policy DM10 of the Adopted Barnet Development Management Policies 2012.
- 2) The proposed development does not include a formal undertaking to meet the costs of a Local Employment Agreement. 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) and policy DM14 of the Adopted Barnet Development Management Policies 2012.
- 3) The proposed development fails to provide adequate amenity space to serve the development and does not provide a contribution to mitigate this towards local open space provision. 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) and policy DM02 of the Adopted Barnet Development Management Policies 2012

## Informative(s):

- 1 We recommend that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be additional to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our 'Groundwater protection: Principles and practice' document (commonly referred to as GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

The Environment Agency recommends the removal of all underground storage tanks (USTs) that are unlikely to be reused. Once the tanks and associated pipelines have been removed, samples of soil and groundwater should be taken to check for subsurface contamination. If soil or groundwater contamination is found, additional investigations (possibly including a risk assessment) should be carried out to determine the need for remediation.

Refer to 'Pollution Prevention Advice and Guidance on Storing and handling materials and products' <https://www.gov.uk/government/publications/underground-storage-tanks-ppg27-prevent-pollution> and 'Defra - The Groundwater Protection Code: Petrol stations and other fuel dispensing facilities involving underground storage tanks - for England and Wales' <http://archive.defra.gov.uk/environment/quality/water/waterquality/ground/documents/groundwater-petrol.pdf> specifically those sections relating to decommissioning redundant underground fuel storage tanks and infrastructure.

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- From [www.gov.uk](http://www.gov.uk):



Groundwater Protection: Principles and Practice (August 2013)

Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section

Use MCERTS accredited methods for testing contaminated soils at the site

- From the National Planning Practice Guidance:

Land affected by contamination

- British Standards when investigating potentially contaminated sites and groundwater:

BS 5930: 1999 A2 2010 Code of practice for site investigations

BS 10175:2011 Code of practice for investigation of potentially contaminated sites

BS ISO 5667-22 2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points

BS ISO 5667-11 2009 Water quality. Sampling. Guidance on sampling of groundwaters

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

- 2 The applicant must be advised to ensure that the refuse collection arrangement is agreed prior to commencement of construction works as the site is located on the edge of the borough within LBB and the proposed access arrangement falls in LBC on Burgess Hill.

London borough of Barnet (LBB) Refuse Collection Team may not be able to collect from Burgess Hill as it is not part of London Borough of Barnet.

Similarly, London Borough of Camden may not be willing to collect refuse as the properties are not in their borough.

- 3 The applicant is advised that any alteration if required to the public highway (including pavement) will require prior consent of the local highways authority. You may obtain an estimate for this work from Environment and Operations Directorate, Barnet House, 1255 High Road, Whetstone N20 0EJ.  
Informative: Any details submitted in respect of the Demolition Construction and Traffic Management Plan (DCMP) above shall control the hours, routes taken by delivery and construction vehicles, delivery arrangements, means of access and security procedures for construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site

preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

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

The applicant is advised that although the Travel Plan is not required as the development falls below the appropriate Travel Plan thresholds, they are encouraged to develop a Voluntary Travel Plan to promote more sustainable forms of travel. Further advice can be sought via [abetterwaytowork@barnet.gov.uk](mailto:abetterwaytowork@barnet.gov.uk) or tel: 020 8359 7603.

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

The applicant is advised that A598 Finchley Road is Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday and from 9.00am to 4.30pm on Saturday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.

The applicant is advised that the development is located on or near a Strategic Road Network (SRN)/Transport for London Road Network (TLRN) and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence. Informative: The proposed amendment to the existing site access on A41 Hendon Way will require consultation and approval from Transport for London as it is part of a Transport for London Road Network.

- 4 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.

- 5 Gyms can create significant noise disturbance for neighbouring residents. Listed below are some mitigation measures: Gym equipment should be acoustically isolated from the building structure using acoustic matting. Machines should be sited away from structural pillars.  
Amplified music should include a noise limiter. Amplified music should not be allowed from 11pm to 7am.
  
- 6 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.
  
- 7 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.

- 8 The applicant is advised to engage a qualified kitchen extraction consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory smoke and odour control. Please note that:
  - Flue(s) must be 1.5 m\* above eaves or any open able windows in the vicinity (within 20 metres of the flue) if there are sensitive premises in the vicinity. The final discharge must be vertically upwards. There should be no hat or cowl on the top of the flue. If flues are to be attached to neighbouring noise/vibration sensitive premises they must incorporate anti-vibration mounts, flexible couplings and silencers. \*If the flue is in a Conservation area then this height may be reduced to 1m above eaves.
  - 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: DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA, January 2005); DEFRA Odour Guidance for Local Authorities (DEFRA, March 2010). 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.
- 9 The submitted dust and emissions management plan shall include as a minimum details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Bonfire policy
- Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999. Registration of NRMM in the following registry must occur.
- Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation
- Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors
- Copy of an asbestos survey

- 10 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet and further reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance:

1) Environmental Protection UK and IAQM Guidance:

Land-Use Planning and Development Control: Planning for Air Quality, May 2015); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007) 5)

London Local Air Quality Management Technical Guidance LLAQM.TG(16), 6) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014) and 7) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions'.

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.

- 11 Our preferred option would be for all surface water to be disposed of on site using SUDs as per policy 5.13 of the London plan. The London plan Policy 5.13 identifies a hierarchy of drainage options for surface water drainage and as such we would expect the development proposal to follow this. Policy 5.13: The Mayor will, and boroughs should, seek to ensure that surface water run-off is managed

as close to its source as possible in line with the following drainage hierarchy:  
>Store rainwater for later use >Use infiltration techniques, such as porous surfaces in non-clay areas >Attenuate rainwater in ponds or open water features for gradual release to a watercourse >Attenuate rainwater by storing in tanks or sealed water features for gradual release to a watercourse >Discharge rainwater direct to a watercourse >Discharge rainwater to a surface water drain >Discharge rainwater to the combined sewer. The use of sustainable urban drainage systems should be promoted for development unless there are practical reasons for not doing so. Such reasons may include the local ground conditions or density of development. In such cases, the developer should seek to manage as much run-off as possible on site and explore sustainable methods of managing the remainder as close as possible to the site. The Mayor will encourage multi agency collaboration (GLA Group, Environment Agency, Thames Water) to identify sustainable solutions to strategic surface water and combined sewer drainage flooding/overflows. Developers should aim to achieve greenfield run off from their site through incorporating rainwater harvesting and sustainable drainage. Boroughs should encourage the retention of soft landscaping in front gardens and other means of reducing or at least not increasing the amount of hard standing associated with existing homes. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

We require a site drainage strategy that identifies the point(s) of connection and peak flow rates for the pre and post- development scenario for both foul and surface water. As this site falls within the highly flood sensitive Counters Creek Catchment we would expect to see surface water attenuation to Greenfield run-off rates as a minimum. We note Clause 17 of the DEFRA / EA publication Rainfall runoff management for developments but have observed many developments under 1 ha proposing surface water discharge rates significantly below 5 l/s.

- 12 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](http://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 £155,120.00 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £576,315.00 payment under Barnet CIL.

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

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

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

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

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

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



## **Officer's Assessment**

### **1. Site Description**

The site forms an area of approximately 0.11 hectares. The site formerly contained a petrol station which has since been removed from the site.

The site is located at a prominent intersection between a number of roads. The site forms a corner with A598 Finchley Road to the east and to the north A41 Hendon Way. Furthermore the south of the site bounds onto Burgess Hill which falls within the London Borough of Camden.

The surrounding area is predominantly residential with 'Tudorbethan' style blocks at Vernon Court to the west (4-5 storeys) and Wendover Court across the A41 to the north (4 storeys). To the east on Finchley Road are 2-4 storey residential properties within the London Borough of Camden. Burgess Hill is characterised by 2-4 storey flats and dwellings.

The site is not subject to any specific constraints.

### **2. Site History**

None relevant

### **3. Proposal**

The proposals are for the redevelopment of the site and erection of building between 4 to 8 stories for a mixed use development comprising 28 residential dwellings, and flexible uses at ground floor comprising of A3/D1/D2 floorspace with associated works, landscaping and parking at lower ground levels.

The proposals involve construction of a mixed used scheme of up to 8 storeys in height, with floorspace at lower levels.

163 square metres of flexible A3/D1/D2 floorspace would be provided in two units at ground floor level.

Topography varies across the site decreasing to the south and west. In this way the lower ground floor level would partly extend so that it is visible from the Hendon Way and Finchley Road frontages. To Hendon Way the maximum height is 7 storeys + lower ground floor levels not including the clock tower. This would reduce to 6 adjoining Vernon Court and 4 storeys to the rear on Burgess Hill.

To the rear of the site would be a communal amenity space courtyard area.

The lower ground floor would accommodate commercial units and one residential unit where land levels allow this. Parking would be accommodated at lower ground floor levels access via a car lift.

#### **4. Public Consultation**

Consultation letters were sent to 311 neighbouring properties.

82 responses have been received, comprising 80 letters of objection, 2 letters of support.

The objections received can be summarised as follows:

##### Amenity Issues

-Daylight/Sunlight Impact, Do proposals meet BRE standards?

-Increased sense of enclosure, loss of privacy and have an overbearing impact detrimental to the residential amenities

##### Character/Appearance Issues

-The development's size and bulk is out of keeping with the character of the properties in the area.

-All nearby new residential blocks have at least been built out of natural material predominantly red brick.

-The proposed building is too large for the site.

-The area is being swamped with new builds, with no regard to the surrounding buildings.

-The proposed scheme is drastically excessive in height, mass and bulk permitting this amount of expansion would be a very bad precedent indeed

-The proposed design is ugly, and given its prominent location, will be constantly on view, both to passers-by and from afar

-Fears it could harm Tudorbethan mansion flats and the Arts and Crafts houses in Burgess Hill

-This unusually stepped, glass box design is not within keeping of the Arts & Craft and Edwardian style of this area. It will dominate from every perspective, as it towers over all neighbouring properties.

-It is not 8 floors high, as added to this is a huge clock structure perched on top - this is far too high, especially for the residents of Vernon Court and Burgess Hill who will be overlooked from every direction.

-This is an important and highly visible site and is a great opportunity to show case good modern architecture and design.

-The site is located next to A Quennell House (on the Finchley Road). The building is too high and too large and there is too much glass.

-The clock tower is an unacceptable gimmick, is unnecessary and inappropriate.

-Density is excessive.

##### Transport Issues

- Glass will be a driving hazard.
- Unacceptable to offer so much car parking when this area is very well served by public transport.
- This development will result in a massive influx of residents, users of "flexible space", visitors, deliveries and vehicles into the area. Not all will use the underground parking.
- Currently, street parking is scarce and this development will make the situation unmanageable for residents.
- All access to the site will be via Burgess Hill which is a narrow road, where only 1 car can pass at a time.
- At numerous times a day, the traffic is at a standstill here. Added to when we have the frequent coaches from the playing fields, we are already at maximum capacity
- The ground floor plans show that cars entering the basement car park have to use lifts and they are required to wait either on the road or on the pavements while the lifts return to the ground level for reuse.

### Other Matters

- Sewage/Drainage infrastructure and increased pressure on this.
- From an environmental point of view the deep excavation required for this site will put further pressure on the area as far as flooding is concerned.
- Further additional strain on the diminishing public services, such as transport, doctors, schools, libraries in our area
- Air and noise Pollution
- Building will act as wind tunnel
- Subsidence.
- Underground Storage Tanks (USTs) may be removed in accordance with proper procedures? Have tests been performed for contamination by Volatile Organic Compounds (VOCs). During much of the time that the petrol station was at this site, lead-based petrol was dispensed. The site must be tested for lead contamination and proper measures taken to abate contamination of the soil and groundwater by VOCs and lead.
- Access for disabled people.

The representations received can be summarised as follows:

This scheme is for a gateway site, being the feeder road from both the A1 and the M1, so forms a vital introduction into London. It occupies a pivotal position where the A41 meets Finchley Road and deserves to be a dramatic and modern introduction to the dynamism that London now affords to Britain and the broader world. The scheme's concept, articulation, and supporting information is exemplary and deserves to be supported by the Council.

The proposals were advertised by site and press notice dated 01/09/2016. Furthermore the proposals have been advertised as a departure from the development plan.

### Internal Consultation

*Traffic and Transport* - No objection, comments are contained within main report.

*Environmental Health* – No objection but have suggested conditions

*Drainage* – Suggested conditions in event of approval.

*Greenspaces* – No comments made.

*Waste and Recycling* – No response received

*Affordable Housing* - Addressed in main report.

*Urban Design* – Support the scheme.

#### External Consultation

*LB Camden* - No objection

*Transport for London* – Have withdrawn initial objection, discussed in detail in report.

*Metropolitan Police* – No objection, have suggested measures to be incorporated.

*London Fire Brigade* – No response received

*Child's Hill Residents Association* – No response received.

*Burgess Hill Residents Association*– No response received.

#### *Redington Frognaal Association*

This section of Finchley Road is residential, with a good sense of rhythm and continuation as the road progresses north and west. The residential buildings are overwhelmingly Arts and Crafts style, including many by Charles Henry Bourne Quenell. The over-dominant brutalist glass blocks proposed for this prominent site are completely unsuited to this residential Edwardian streetscape located on the Hampstead border - not in Milton Keynes!

There is no precedent for glass blocks here and it would constitute a retrograde leap. The visual impact of the cubist and brutal series of blocks will have a profoundly negative and damaging impact on the streetscape for miles around. It will additionally cause severe harm to the Mock Tudor mansion flats at Wendover, Moreland and Vernon Courts. It will furthermore cause harm to the setting of the Edwardian former banking hall at 575 Finchley Road. A listing by Historic England should be sought for this building, if it is not already listed.

The scarring of the streetscape will also negatively affect views out of the Redington Frognaal Conservation Area.

The excessive height, massing and bulk will, moreover, result in loss of sunlight and daylight for residents of Vernon Court and Burgess Hill.

Finally, we query the need for 37 car parking spaces in a location with a PTAL rating of 4

We urge you to reject this application.

*Lyndale Avenue Residents Association*

Object on grounds of impact of size and appearance of development on area and additional traffic and resulting impact on parking.

*Fortune Green & West Hampstead Hampstead Neighbourhood Development Forum*

'I am writing from the Fortune Green & West Hampstead Hampstead Neighbourhood Development Forum (NDF) to strongly object to this planning application.

The site is just outside the area covered by our Neighbourhood Plan (adopted by Camden Council in September 2015) - but the site's development will affect residents in our area and will be clearly visible from our area.

Our main objection concerns the design and height of the proposed building. The structure is extremely ugly and brutalist - and makes no effort to respect or fit in with the local character. The height is excessive and is out of proportion to neighbouring buildings. It will also block views and will impose itself on the local landscape in an entirely negative fashion.

The proposed building also makes little effort to reduce the dangerously high levels of air pollution in this area. Measures such as planting at the front of the building and pollution absorbing materials should be incorporated into the design of any building on this site.

Furthermore, in order not to add to the high levels of air pollution, this site should be a car-free development - which would conform with policies in our Neighbourhood Plan, as well as a Camden Council planning policies. This would also remove the need for the costly and potentially environmentally damaging construction of a large underground car park. Finally, given the large number of objections to this development, we urge Barnet Council to reject this application and to require that the developer brings forward a scheme that is more in keeping with the site context and which addresses the problems of the local area.'

Andrew Dismore AM has objected on the following grounds:

*'I am objecting to this application in my capacity as London Assembly member for Barnet and Camden.*

*Scale, mass, bulk, context*

*The proposed development represents an overdevelopment of this site with an unacceptably high density of housing. The enormous scale of eight storeys and brutalist modern design would be totally out of context with the surrounding area, adversely*

*affecting the period character and appearance.*

#### *Impact on Neighbours*

*The bulky design would have a detrimental impact on neighbours, causing a loss of light to nearby properties, such as Wendover Court. The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners, as would the inevitable overlooking and loss of privacy.*

#### *Disruption during construction*

*Neighbouring residents are concerned that the proposed development would dig down very deep to site the parking below ground, and that this excavation could cause damaging subsidence for the older surrounding buildings.*

#### *Parking, access and congestion*

*The proposed development would exacerbate parking problems in the local side streets, there are already not enough residents' parking spaces for existing residents, and not enough provision has been made for the number of flats.*

*I am very concerned about the plans for access to the site to be via Burgess Hill. The road is narrow and already extremely congested; realistically only one car at a time can pass through it at a time. This situation would be exacerbated by the new access point on the road. I'm also worried about what this would mean for parking on the road as existing residents and their visitors already find it difficult to park on the street.*

#### *Conclusion*

*The height, mass, scale and bulk of the proposed development is inappropriate and represents an overdevelopment of the site. It is also completely out of context in a mainly Edwardian neighbourhood. There are numerous detrimental impacts on neighbouring properties, such as a loss of light, overlooking and the impact during construction to consider. However, the access and lack of parking will be an acute problem for an already over congested area.*

*In short this application is completely inappropriate, and I urge officers to turn refuse permission.'*

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 27 March 2012.

This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

#### The Mayor's London Plan 2016

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

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

#### Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS8, CS9, CS10, CS11, CS12, CS13, CS14, CS15

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM05, DM08, DM10, DM11, DM13, 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.

Policy DM04 sets out environmental considerations for new development.

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

Policy DM08 sets out priorities for the mix of new housing within the borough.

Policy DM10 advises 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 advises that significant new retail and other appropriate town centre uses outside the town centres or any expansion of existing out of centre sites will be strongly resisted unless they can meet the sequential approach and tests set out in the NPPF or are identified in an adopted Area Action Plan. Edge of centre proposals will not normally be appropriate and therefore should demonstrate why they are not locating in a town centre site.

Policy DM13 advises that new community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres. New community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties.

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

Policy DM17 sets out transport considerations for new development.

Policy CS4 sets out how Barnet will provide housing choice within the borough.

Policy CS5 advises how Barnet will ensure high quality design for new developments and sets out appropriate locations for tall buildings.

Policy CS9 states that we 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 CS13 advises that we will seek to minimise Barnet's contribution to climate change and ensure that through the efficient use of natural resources the borough develops in a way which respects environmental limits and improves quality of life.

Policy CS14 sets out how we will encourage sustainable waste management



## 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 principle of the development is acceptable
- Affordable Housing
- 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 or future residents.
- Transport Issues
- Environmental/Sustainability Issues

## **5.3 Assessment of proposals**

### 1. Principle of Development

#### *1.1 Land Use*

The proposals seek to develop the site for mixed use purposes with flexible use for either A3 (café/restaurant), D1 (Non-residential Institution) or D2 (Assembly/Leisure). The ground floor commercial unit has a floorspace of 163 square metres.

The principle of mixed use with residential units above is considered acceptable. The report shall address the commercial uses in turn against policy.

Officers consider that given the relatively small size of the unit and its location close to a busy interchange, a café use could be appropriate to serve the surrounding area as it is less likely to compete with other centres in the area such as Childs Hill.

Given the limited size of the unit a D1 use is also considered appropriate. Officers have some concern regarding the use of external areas for educational/nursery uses and if this were to be proposed a condition requiring further mitigation would be required.

Similarly whilst a D2 leisure use may be appropriate, there are some concerns regarding noise escape from a gym use and certain conditions would need to be attached.

#### *1.2 Tall Building*

Policy CS5 states that 'will only support proposals for tall buildings in the strategic locations we have identified in Core Strategy Policy CS5 subject to them not having an

unacceptably harmful impact on their surroundings'

The proposed building exceeds 26 metres above ground level by the reason of the clock tower part of the building.

Looking at designated viewing corridors, the site is located closest to views Golders Hill Park towards Harrow on the Hill. The building is lower than 26m with just the clock element extending above the 26m limit..

The background to policy DM05 states that obstructing or harmfully impacting on these views will not be acceptable. The views will be identified on the Proposals Map. Impacting on a Local Viewing Corridor may not necessarily be an issue as some proposals can assist in land-marking an important location within the view provided they don't impede or block its main subject. A view does not have to be one of the designated Local Viewing Corridors. A tall building can affect an existing street view or a view from an open space. Particular care should be taken with tall buildings located on the ridges and higher ground in Barnet as these can affect the skyline. In these situations more distant views should be identified and the effect of the building on them considered.

Taking into account that the only reason the proposals breach the 26m threshold is the clock tower, which is a design feature rather than integral part of the development, it is not considered that this would warrant refusal. It is considered that the proposals would not unduly affect viewing corridors within the surrounding area, and the impact on the appearance of the streetscape is addressed in section 3 of this report.

### *1.3 Density*

The development would be of 255 units per hectare and 763 habitable rooms per hectare. Taking into account that the site is within an urban area and has a Public Transport Accessibility Level of 3, development should be no more than 170 units and 450 habitable rooms per hectare. The site is located close to PTAL zone 4 and it should be noted that the thresholds here rise to 700 habitable rooms, which the proposals would still exceed but to a lesser extent.

It is acknowledged that the thresholds within the London Plan should not be applied mechanistically. In this case the site is close to built up areas and represents an opportunity to redevelop a site that could make greater contribution to the borough's housing stock. On balance it is not considered that the density of the scheme is reason to withhold planning permission.

### *1.4 Unit Mix*

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. Our dwelling size priorities are:*

- i. For social rented housing – homes with 3 bedrooms are the highest priority*
- ii. For intermediate affordable housing – homes with 3/4 bedrooms are the highest priority*
- iii. For market housing – homes with 4 bedrooms are the highest priority, homes with 3 bedrooms are a medium priority.'*

The development comprises:

8 x 1 bedroom units  
14 x 2 bedroom units  
4 x 3 bedroom units  
2 x 4 bedroom units

This is considered to be an appropriate dwelling mix in line with policy DM08.

## 2. Affordable Housing

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.'*

The applicant has submitted an affordable housing financial viability appraisal in support of the scheme by BNP Paribas.

Bespoke Property Consultants have assessed this on behalf of the Council.

Following negotiations, it has been agreed that a contribution of £640,000 can be viably be made towards affordable housing within the borough.

Committed sums are normally only appropriate in exceptional circumstances. Given the size of the contribution, the number of housing units equivalent to this would be unlikely to be of interest to a Registered Provider of affordable housing, it would be unlikely to be viable for them.

In order to ensure that any uplift in value is considered it is suggested that a review mechanism is incorporated within any section 106 agreement to provide this contribution.

## 3. Impact on the character of the area

### *3.1 Layout*

The site forms a prominent corner location in that it fronts three roads, Burgess Hill to the south, Hendon Way to the north and Finchley Road to the east.

Topography across the site decreases to the south and west. In this way as you approach the site from the west on Hendon Way the land rises and the elevated position increases the site's prominence.

From Burgess Hill, the main views of the site are against Vernon Court. Vernon Court has an irregular form, stepping back adjacent to the site.

The proposed layout would be L shaped. It would adjoin Vernon Court to the front facing Hendon Way and would wrap around the corner to Finchley Road. This would leave spacing for amenity areas to the south of the site to Burgess Hill, as well as helping to relieve the massing when viewed against Vernon Court which is stepped on this side.

The proposals include two levels of car parking accessible from car lift on Burgess Hill.

### *3.2 Scale/Massing/Height*

The building would have a stepped appearance, increasing in height from south to north and from west to east to create a corner feature.

The massing of the building draws reference from the stepped heights of the neighbouring 'Tudorbeathan' style flat blocks.

The building would step up from 3 to 7 storeys above ground floor on the east elevation to Hendon Way as you go north.

From west to east the building would increase from 5 where it joins Vernon Court, to 6 (excluding clock tower) to 7 storeys where it adjoins Finchley Road.

The building would inevitably exceed the height of the previous single storey petrol station building. Currently views of the site are of the flank wall of Vernon Court, which is partially glazed to the rear but has a rather blank looking elevation to the front. The proposals would clearly add a building of significantly increased massing to this corner. The stepped nature of the building would help create a feature in the form of the corner of the building and clock tower, whilst stepping down so that it does not appear unduly tall in relation to buildings on Burgess Hill and Finchley Road which are closer to 3-4 storeys in height. Furthermore the building would step down to Vernon Court which would prevent the building from jarring to an unacceptable extent when viewed against this.

Overall although the building is larger than that existing on the site to a great extent, and also to neighbouring buildings to some extent, this is considered an appropriate location for a building of greater presence. It is therefore considered that on balance a building of the massing proposed would be acceptable.

### *3.3 External Appearance*

The proposed design is unashamedly modern in style. It would be formed of square elements. These square elements are treated differently in order to add definition to the building.

The building takes reference from the neighbouring buildings which are stepped in terms of their appearance and have a sawtooth like plan form. Whilst these are more traditional buildings in their appearance, the square elements would tie the proposed building to the form of Vernon Court and prevent the juxtaposition from appearing unduly jarring.

The proposed square elements and glazing would also prevent the building from having a blank and featureless appearance from Burgess Hill.

The existing building at Vernon Court has a rendered blank flank wall which gives a rather unfinished appearance to the building and does not contribute positively to the area. The principle of joining this is therefore considered acceptable subject to acceptable amenity impacts.

*The proposed colour of brickwork would be similar to that of Vernon Court and as such would appear congruous.*

*The proposed clock tower forms a central part of the design.* The clock has 4 faces that form a 6m sided cube. This mirrors the square features above.

The proposed materials include:

- Hand crafted red bricks matched with mortar.
- Low iron glazing with fritted pattern/sandblasted.
- Extruded mesh of varying patterns and transparencies.

In order to address some concerns about the extent of glazing and whether this would fit when viewed against surrounding buildings, the applicant has looked to reduce the amount of glazing and incorporate additional brickwork. It is noted that the majority of buildings in the vicinity are of traditional appearance so this would help ensure that it's appearance is not too commercial looking.

Finalised details of materials can be secured by a planning condition.

It is considered that the proposals would ensure high quality appearance to the development that would contribute positively towards local townscape.

### *3.4 Landscaping*

Scope for landscaping on the site is limited given the shape of the plot. The scheme incorporates living walls, and planting to Hendon Way frontage and rear amenity area. The proposals would make use of green walls to help soften the flank walls of the building particularly to the rear of the site from Burgess Hill. The proposed communal

amenity area would also benefit from planting and a condition is suggested in order to ensure full details of landscaping scheme.

#### 4. Impact on the amenities of neighbouring occupiers

##### *4.1 Sunlight/Daylight*

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

The applicant has provided a daylight and sunlight report accompanying the planning application.

Officers have looked over the daylight and sunlight report and visited the site and also neighbouring properties.

The BRE standards used within the report are industry recognised guidelines however they do not form policy.

Generally, access to daylight is poor within Vernon Court especially at lower levels. The daylight and sunlight report states that Vernon Court and 358 Finchley Road will not achieve full compliance with the BRE Guidelines. The impact on the following rooms would breach BRE Guidelines in respect of the Vertical Sky Component (VSC) test (i.e. reduction of more than 20%):

##### Vernon Court

W3 Ground Floor - Kitchen

W3 First – Bedroom

W4 First – Kitchen

W3 Second – Bedroom

W4 Second – Kitchen

W10 Second – Unknown

##### 358 Finchley Road

W4 Ground - Unknown

It should be noted that only habitable rooms have been considered as impacts on non-habitable rooms are not considered to cause harmful impact to living conditions.

Further analysis has been undertaken against No Sky Line (NSL) Criteria. The following rooms would notice a 20% or greater reduction.

##### Vernon Court

W3 Ground – Bedroom

W3 First – Bedroom

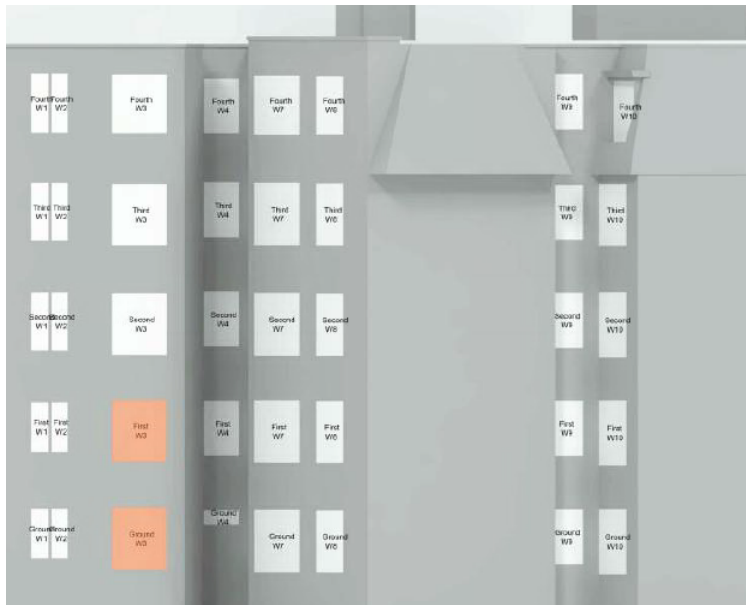


Fig. Image of above windows.

Taking these tests into account, it is considered that a relatively small proportion of the windows at Vernon Court would notice significant reduction in daylight. Furthermore taking into account the relationship of neighbouring windows to the site, any development on this site of any size will inevitably result in BRE transgressions. The urban nature of the site and relationship to neighbouring buildings must be considered.

With reference to sunlight impacts, 19/20 windows at Vernon Court meet the BRE Guidelines in terms of sunlight. The one room which does fall short of the BRE recommendations is W10 at second floor. The use of this room is unknown.

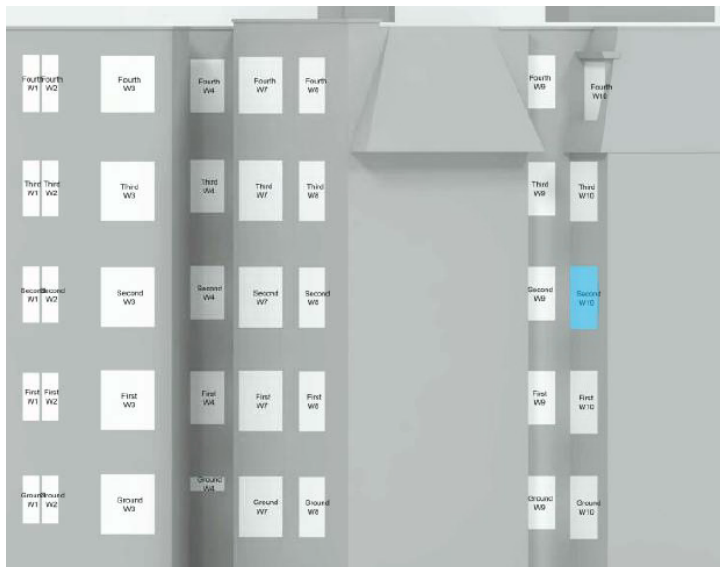


Fig. Image of W10 Second.

In this way it is considered that whilst there may be some impacts in respect of loss of light the applicant has designed the scheme to minimise impacts whilst optimising development of the site.

#### *4.2 Visual Impact*

The proposed building would replace the petrol station that previously existed on site.

In respect of distances to the west and southern boundaries of the site the following dimensions should be noted:

- At ground to third floors the building would be set back 1.7m from the Burgess Hill frontage.
- At fourth floor level the building would be set back 7.7m from the Burgess Hill frontage.
- At fifth floor level the building would be set back 13.6m from the Burgess Hill frontage.
- At sixth floor level the building would be set back 19.8m from the Burgess Hill frontage and would be set back 5.3m from Vernon Court to the west.
- The seventh floor would only be at the northeast most part of the site.

It is considered that the building that will be most impacted by the proposal is Vernon Lodge to the west. The most impacted windows would be the upper floor windows (W7 as specified within the applicant's Daylight and Sunlight Assessment.), which serve habitable rooms. Given the existing nature of the site these currently enjoy unimpeded outlook across the site. However the building has been stepped away in an L shaped form to provide outlook for the windows.

To the east, the building would be approximately 24m from the frontage of properties on Finchley Road. Whilst the building would be considerably taller than that previously on the site, it is not considered that the building would appear unduly dominating or overbearing as viewed from the front windows of these properties given the intervening distance and efforts to step the massing of the building.

To the north, the frontage of Wendover Lodge is approximately 30m away. Given the intervening distance, it is not considered that the building would appear unduly dominating or overbearing as viewed from the front windows of these properties even allowing for the increase in height to the building.

On balance, it is not considered that the proposals would not result in harmful visual impact, dominance or enclosure as perceived from neighbouring residential properties, taking into account the urban nature of the site and its constraints.

#### *4.3 Privacy*

The Supplementary Planning Document: Residential Design Guidance sets out overlooking distances for new development. This states that ' *Privacy can be*



*safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.'*

In looking at these standards it is recognised that they principally relate to more traditional relationships between buildings and perhaps with more domestic scale buildings in mind, noting that the building at approximately 8 storeys above ground level,

To the west of the site is Vernon Court. The proposed development would have windows facing this side. At first floor the flank wall facing Vernon is stepped, so distances to the flank wall of Vernon Court vary between 13m immediately to the rear of the main block, increasing to 14m however in these areas there are no facing windows, so there would be no overlooking.

Further to the south the building at Vernon Court then steps out further to allow for a gap of 19-21m across the remainder of the flank of the building. This would be in broad compliance with the 21m standard. At this part of the site there is a gap of some 9m between Vernon Court and the site. At fifth floor this would increase to 25m, and at sixth floor 27m.

There is a distance of approximately 20.3m to the frontage of nearest property to Burgess Hill opposite, and significantly further to any buildings. There are not windows on this elevation so no overlooking would result to the south.

Given the distance of approximately 29m to the buildings opposite on the east side of Finchley Road it is not considered that harmful overlooking would result, even allowing for the additional height of the building.

The proposals provide a number of external amenity areas and screens which have been taken into account when calculating the above distances.

Overall, it is considered that the proposals are designed to minimise overlooking from windows and balconies. It is not considered that harmful overlooking causing loss of privacy would result from the development.

#### 4.4 Noise

Policy DM04 sets out environmental considerations for new development.

The site is located within a noisy existing environment. As such, the additional

The proposed building to some extent would act as a buffer against existing noise,

screening it to neighbouring residents.

#### *4.5 Light Pollution*

The proposed windows facing Vernon Court are located a significant distance away from these properties. The flats at Vernon Court generally do not have outlook facing solely east towards the site, which would help mitigate any perceived impact.

It is not considered that harmful visual light pollution will occur to neighbouring residents.

### 5. Impact on future occupiers

#### *5.1 Internal Floorspace*

Policy 3.5 of the London Plan states that '*LDFs should incorporate minimum space standards that generally conform with Table 3.3. The Mayor will, and boroughs should, seek to ensure that new development reflects these standards.*'

All units would be fully compliant with the minimum floorspace standards within the London Plan.

All units would be dual aspect and offer good outlook for future residents. It is considered that they would provide satisfactory living accommodation for future residents.

#### *5.2 Amenity Space*

Policy DM02 of the Adopted Barnet Development Management Policies document states that:

Where appropriate, development will be expected to demonstrate compliance with the following national and Londonwide standards supported by the guidance set out in the council's suite of Supplementary Planning Documents with reference to outdoor amenity space, the Sustainable Design and Construction SPD

The Supplementary Planning Document: Sustainable Design and Construction states that higher density development, such as flats may not always be able to provide amenity space to the standards outlined in Table 2.3. Where the standards cannot be met and an innovative design solution is not possible the council will seek a Planning Obligation.

In this case, the applicant has sought to provide balconies serving the development. The proposals are for a high density mixed use development.

A communal area of 262 square metres accompanies the development, as well as 195

square metres of balconies. These serve 19 of 28 units. Overall it is considered that taking into account the constraints of the site, the proposals would provide good quality outdoor amenity space which complies with the aims and objectives of policy DM02.

### *5.3 Commercial Use*

The proposals seek to incorporate flexible use at ground floor level. A gym or nursery for example could form part of this and the documentation states a gym shall be used for residents although it is unclear if it will be used commercially too. Environmental Health officers considered that there should be restriction on its use.

Therefore conditions are suggested in order to ensure that there are not harmful impacts on residents of the development from noise and disturbance.

### *5.4 Playspace*

Policy 3.6 of the London Plan is accompanied by text that states *‘New development including housing should make provision for playspace. This should normally be made on-site and in accordance with LDF play policies for the area. Where development is to be phased, there should be early implementation of the play space. Off-site provision, including the creation of new facilities, improvements to existing provision and an appropriate financial contribution secured by legal agreement towards this provision may be acceptable where it can be demonstrated that it fully satisfies the needs of the development whilst continuing to meet the needs of existing residents.’*

The proposals do not provide specific playspace shown on the proposed plans however the communal garden will be sufficiently enclosed by the proposed building to create private space that is protected from noise. A condition can be attached to ensure that playspace is provided.

### *5.5 Wheelchair Accessibility*

Policy DM03 states that development proposals should meet the highest standards of accessible and inclusive design. London Plan policy 3.8 sets out wheelchair housing requirements.

The proposals make provision for three wheelchair accessible units. This represents 10.7% of the units and is considered acceptable in compliance with policy 3.8 of the London Plan (Housing Choice)

## 6. Transport Issues

### *6.1 Accessibility*

The previous use of the site was as a petrol filling station with exiting access onto A41

## Hendon Way

The proposal is for the redevelopment and erection of new building to provide 28 no self-contained flats comprising 8 x 1bedroom units, 14 x 2bedroom units, 4 x 3bedroom units and 2 x 4bedroom units.

The PTAL rating for the site has been assessed as 3 bordering onto PTAL 4.

### *6.2 Access and Safety*

The vehicular access to the underground car parks is proposed via 2 car lifts operating with electronic fobs. The applicant has confirmed that the default resting position for the lift would be at ground level. This is to ensure that there is not detrimental impact on the free flow of traffic on public highway that could result from vehicles waiting on public highway to access the lifts.

The proposed vehicular car lift access if proposed on Burgess Hill which is part of London Borough of Camden (LBC) therefore the proposed access arrangement and the assessment of the likely impact of the proposed development on the public highway will require consultation with and approval of London Borough of Camden. Camden have been consulted on the proposals and have expressed no objection to the proposals.

The communal residential bin store is to be located at the ground floor level next to central lift and stairs. Private management will ensure that the bins are accessible on the day of collection on Burgess Hill.

A small bin store is being provided for the commercial units on site and a private management company is to ensure bins are accessible for collection.

Transport for London (TfL) have been consulted on the proposals. The applicant has submitted a combined Stage 1 and 2 Road Safety Audit which complies with TfL's standards. TfL's Traffic Asset Assessment Team have since reviewed the Road Safety Audit and the designer's review. TfL initially objected to the location of the proposed loading bay however additional information was provided by the applicant. The applicant has provided a car parking management Plan which demonstrates that vehicles will be regulated when parking on site. TfL is now content that the proposed servicing bay will not impede access to the bus stop, furthermore TfL and the applicant have agreed that a delivery and servicing plan will be secured by condition in consultation with TfL that includes methods to control and enforce which vehicles can use the loading bay and maintenance of the servicing bay. The ground floor commercial unit cannot be occupied until the Delivery and Servicing Plan has been approved by TfL. All outstanding concerns have been addressed and TfL has removed it's objection.

### *6.3 Parking*

37 parking spaces including 4 disabled parking spaces have been provided within

basement levels 1 and 2. Car lift access is proposed for the basement car parks with 2 car lifts.

The proposed development would require parking provision of between 21 and 39 parking spaces in accordance with the parking standards as set out in the Development Management Policy DM17. Therefore the [parking provision of 37 parking spaces is in accordance with the Parking Standards.

20% Active and 20% passive EVCPs are proposed in accordance with London Plan Parking Standards.

62 Cycle parking spaces are proposed in basement level 1 and 2.

## 7 Environmental/Sustainability Issues

### *7.1 Land Contamination*

The application is accompanied by a Phase 1 Land Contamination Assessment.

Residents have raised the issue of underground storage tanks. It is understood that these were removed when the previous use was decommissioned. Furthermore the assessment addresses any issues of underground gasses and volatile organic compounds (VOCs). The report addresses any potential issues relating to unexpected storage tanks found during the construction process.

The assessment recommends the following measures:

- Full quantification of the distribution and amount of asbestos in the ground.
- Full assessment of soils in relation to Waste Assessment Criteria (WAC) to enable appropriate disposal of waste soils from the development. This will require additional chemical testing.
- Assessment of the type of water supply pipe required.
- The risk to below ground concrete from the concentration of sulphates in the ground (London Clay is well known for locally having high concentrations of sulphates which require to be taken into account when designing below ground concrete mixes). This will require additional chemical testing.
- Produce a Remediation Strategy Report – it is envisaged that a relatively short Remediation Strategy could be produced in order to set out:
  - how potential issues relating to asbestos are controlled during the groundworks;
  - how materials on site will be re-used in soft landscape areas;
  - how waste excavation arisings will be managed.
- Geotechnical site investigation to enable the foundations and basement to be designed appropriately in accordance with appropriate British Standards and guidance.

The Environment Agency have been consulted on the proposals and have no objection. They have suggested remediation to ensure that any contamination from the former use

as a petrol station is addressed.

### *7.2 Noise Pollution*

Policy DM04 states that '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.'

Environmental Health Officers have identified that the site is located within a poor quality noise climate. An acoustic report accompanies the planning application.

This states that:

-The majority of the site falls into noise exposure category C of Barnet Council's policy. To meet the target internal noise criteria within habitable rooms of the proposed development, the sound insulation performance of the glazing elements on the north facing façade should achieve 43 dB RW and the glazing elements on the east facing façade should achieve 42 dB RW

-It is understood that the ventilation strategy will be through mechanical means with heat recovery (MVHR) for all habitable rooms. When purge ventilation is required (e.g. for the release of odour or for cooling on very hot days) windows can be opened for short periods of time; although, the internal noise level criteria may be exceeded during this time.

-An assessment of the external amenity areas has also been undertaken. It has been determined that whilst it may not be possible to achieve 55 dB LAeq in all external amenity areas, the development has been designed to achieve the lowest practicable levels for this area and the use of these areas will be at the occupier's discretion.

The report suggests that residential development is appropriate in this location. The Environmental Health Team have been consulted and agree but have suggested conditions to mitigate against any harmful impacts.

### *7.3 Air Pollution*

Policy DM04 states that Development proposals will ensure that development is not contributing to poor air quality and provide air quality assessments where appropriate.

Environmental Health Officers have identified that the site is located within an area of poor air quality. The applicant has provided an Air Quality Report in support of the scheme. This proposes mitigation to prevent harmful impacts such as:

- Sealed windows at ground, first and second floor
- Use of mechanical ventilation

-No external amenity areas on front façade below third floor level.

It is considered that subject to conditions the proposals would not have a harmful impact on air quality for future residents.

#### *7.4 Drainage*

The proposals are accompanied by a Flood Risk Assessment. This has been assessed by the Lead Local Flood Authority.

The details are generally considered acceptable however in some areas more detail is required.

Conditions are suggested to secure a full drainage strategy including details of topography, points of discharge, run-off rates, details of drainage system and water storage. There is scope from rain water harvesting to be considered.

#### *7.5 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) and M4(3). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies.

Policy 5.2 of the Mayor's London Plan states that 'The Mayor will work with boroughs and developers to ensure that major developments meet the following targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations leading to zero carbon residential buildings from 2016 and zero carbon non-domestic buildings from 2019.'. Barnet does not currently have a carbon offset fund, so it is technically not possible to meet zero carbon standards, however this is not any fault of the applicant.

Policy 5.3 states that 'Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.'

The applicant has provided a Sustainability Appraisal in support of the planning application. This states that the proposals will require not only a source for heating, but also cooling due to the more stringent comfort requirements of a central London residential development. Therefore the appropriate systems that could provide both heating and cooling from a single technology are heat pumps.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 35% CO<sub>2</sub> 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 suggested to ensure compliance with the Policy

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

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

### *7.6 Ecology*

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

The site at present has very limited ecological potential. The proposals would provide some scope to provide biodiversity improvements and a condition is suggested in order to ensure that this is secured.

### 8. The impact on local security

The applicant has liaised with the Metropolitan Police Designing Out Crime Officer.

There are three general requirements:

1. Reduce Permeability.
2. Increase Surveillance.
3. Increase Territoriality.

The Designing Out Crime Officer has made the following specific recommendations:

1. Recessed or undercroft areas should be minimised to prevent loitering, with vertical surfaces resistant to attack or graffiti.
2. Under podium /basement car parking should have secure Security certificated doors/gates/roller shutters fitted to the building envelope. Access to this level should only be by encrypted fob, with no visual/audio entry panel.
3. Cycle storage should be located in a secure area with surveillance.
4. Pedestrian side entrance/gates to be a minimum of 2m in height accessed with an encrypted fob only, with doors that are self locking and closing All walk ways to be clear,



wide and unobstructed with legible signage indicating residential and commercial aspects with flooring treatment to emphasize the change of use.

5. Uniform levels of lighting with No bollard lighting..

6. All Duplex units on the ground floor where possible are to be offered with a garden/defensible space, with 1.2 m railings and gate.

7. All doors of the building envelope will be to an acceptable security certification.

8. All opening and accessible windows will be to a security certification.

9. Perimeter around the development (rear and side) should be to a height of at least 2m high, where not protected by the raised podium construction of the site.

10. Asset rooms/ commercial units. These are units/rooms within the development which will require higher levels of security. This will be achieved by fitting of a security certificated door.

11. CCTV if used will be registered and comply with the information commissioners office guidelines and areas of capture

12. Communal Reception/Entrances areas on ground level must have audio/visual access control system with encrypted fobs and data storage facility. A secondary security certificated access controlled door will be fitted to provide a secure location for mail delivery (air lock/draft lobby).

All lifts are to be access/ fob controlled

All communal doors leading to stair cores must be to an acceptable security certification.

The proposals are considered to comply with Secure by design principles in compliance with policy DM02, and a condition is attached to ensure that this is brought forward.

### 9. Employment, Enterprise, Skills and Training.

In accordance with the Supplementary Planning Document on Employment, Enterprise, Skills and Training, the proposals would be expected to provide a Local Employment Agreement.

At the time of writing the report, the Business, Employment and Skills Team had advised that a contribution in lieu of a Local Employment Agreement would be acceptable given the relatively small size of the scheme and the amount will be confirmed in the addendum to the report.

## 10. Other Matters

It is noted that the site falls adjacent to the London Borough of Camden. In determining the acceptability of the proposals it is therefore important to consider whether there may be any cross boundary implications. It is also noted that the site is close to the area covered by the Fortune Green & West Hampstead Neighbourhood Development Forum. It is notable that the London Borough of Camden do not object to the proposals.

## 11. Section 106 Issues

A section 106 agreement covering the following issues would be sought:

Contribution of £640,000 towards affordable housing within the Borough  
Review mechanism  
Contribution towards Open Spaces within the local area  
Local Employment Agreement

Under regulation 123 of the Community Infrastructure Levy Regulations these planning obligations are considered reasonable and fairly related to the development, and are related to planning. These therefore meet the test set out in the National Planning Policy Framework.

## **5.4 Response to Public Consultation**

### Amenity Issues

The issue of Daylight and Sunlight and whether the proposals meet BRE standards is addressed in the main report, as are the visual impacts and privacy implications of the development.

### Character/Appearance Issues

Clearly the issue of the appearance of the development is a subjective matter. Officers are of the view that; whilst noting that the building is of larger size than those in the immediate context the stepped appearance would help mitigate this.

The Urban Design Team are supportive of the scheme.

The proposed clock tower recognises the former use of the site and is intended to be a landmark feature.

The applicant has also amended the scheme to reduce amounts of glazing in recognition that the predominant material in the area is red brick.

The issue of density is discussed within the report.

## Transport Issues

The glass used would be specially designed to reduce reflection and any safety risk.

The proposed parking provision is considered both acceptable to Highways officers and TfL.

The size of the commercial floorspace is relatively low which will help reduce any associated visitor and commercial parking. Whilst there is no commercial parking a Delivery and Servicing Plan would be provided as part of a planning condition to ensure minimal disruption from servicing.

The proposed car parking lift has been considered acceptable by Highways officer who are satisfied it would not result in cars queuing on the public highway.

## Other Matters

Sewage infrastructure is principally a Building Control Matter. It is noted that Thames Water have commented on the proposals and have suggested a planning condition relating to drainage.

The application is accompanied by a Flood Risk Assessment which was found to be acceptable by the Lead Local Flood Authority.

The proposals would make significant contribution to Community Infrastructure Levy which would go towards local infrastructure.

Officers are satisfied that any microclimatic impacts such as wind tunnelling and solar glare would be minimal as the scheme has been designed taking this into account.

Subsidence is a building regulations matter.

The issue of ground contamination is dealt with in the report. Both Environment Agency and Environmental Health Team are satisfied with details proposed.

## **6. Equality and Diversity Issues**

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

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

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

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

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

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

The proposed development would provide mixed use and residential development .

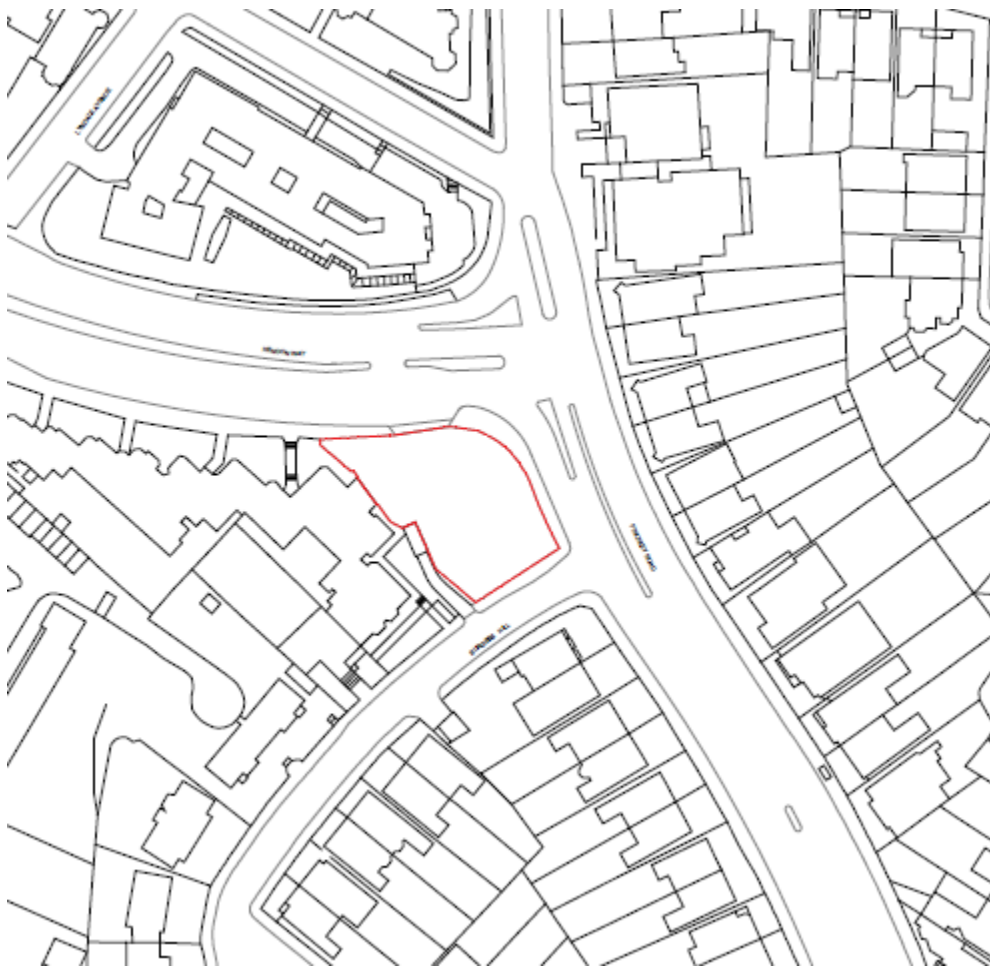
The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## **7. Conclusion**

Overall, it is considered that the following considerations need to be weighed up within the planning balance:

- The proposals would contribute positively to local townscape and are supported by Urban Design Officers
- The proposals attempt to minimise impacts on neighbouring amenity though some impact in terms of daylight and outlook remains.
- The proposals would make a contribution towards affordable housing that is considered to be the maximum viable and this is policy compliant
- The proposals would mitigate air and noise pollution impacts
- The proposals would exceed the density thresholds within the London Plan.

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



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**Location**

**Reference:** 16/6222/FUL Received: 26th September 2016  
Accepted: 5th October 2016  
**Ward:** Colindale Expiry 4th January 2017  
**Applicant:** Ms Christine Coonan

**Proposal:** Demolition of existing garages and stores and the erection of two, three-storey buildings to provide 24no. self-contained flats and 10no. two-storey houses with associated amenity space, refuse and recycling storage and cycle stores. Alterations to hard and soft landscaping. Re-provision of 26 storage sheds. Additional 31 car parking spaces, and 8 disabled car parking spaces

**Recommendation:** Approve subject to s106

**RECOMMENDATION I:**

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

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

The provision and implementation of a landscape management plan.

Monitoring fee: £1000.00

Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;

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

**RECOMMENDATION II:**

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

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

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

A_BA1-S01-DR_0001 rev. -	Existing Site Location Plan
A_BA1-S01_DR_0002 rev. -	Existing Site Plan
A_BA1-S01_DR_0100 rev. B	Proposed Site Plan
A_BA1-S01_DR_0110 rev. -	Existing/Proposed Street Elevations
A_BA1-S01_DR_0111 rev. -	Existing/Proposed Street Elevations
A_BA1-S01_DR_0200 rev. -	Proposed Flat Block B Ground Floor Plan
A_BA1-S01_DR_0201 rev. -	Proposed Flat Block B First Floor Plan
A_BA1-S01_DR_0202 rev. -	Proposed Flat Block B Second Floor Plan
A_BA1-S01_DR_0203 rev. -	Proposed Flat Block B Roof Plan
A_BA1-S01_DR_0204 rev. -	Proposed Flat Block B Ground Floor Plan
A_BA1-S01_DR_0205 rev. -	Proposed Flat Block B First Floor Plan
A_BA1-S01_DR_0206 rev. -	Proposed Flat Block B Second Floor Plan
A_BA1-S01_DR_0207 rev. -	Proposed Flat Block B Roof Plan
A_BA1-S01_DR_0208 rev. A	Proposed Paired Houses Ground Floor Plan
A_BA1-S01_DR_0209 rev. -	Proposed Houses First Floor and Roof Plans
A_BA1-S01_DR_0210 rev. -	Proposed Flat Block A Front Elevation
A_BA1-S01_DR_0211 rev. -	Proposed Flat Block A Rear Elevation
A_BA1-S01_DR_0212 rev. -	Proposed Flat Block A Side Elevations
A_BA1-S01_DR_0213 rev. -	Proposed Flat Block B Front Elevation
A_BA1-S01_DR_0214 rev. -	Proposed Flat Block B Rear Elevation
A_BA1-S01_DR_0215 rev. -	Proposed Flat Block B Side Elevations
A_BA1-S01_DR_0216 rev. A	Proposed Houses Elevations
A_BA1-S01_DR_0217 rev. A	Proposed Houses Elevations
A_BA1-S01_DR_0300 rev. -	1B2PWC Flat Type A1 - Unit Plans
A_BA1-S01_DR_0301 rev. -	1B2P Flat Type A1 - Unit Plans
A_BA1-S01_DR_0302 rev. -	1B2P Flat Type A2 - Unit Plans
A_BA1-S01_DR_0303 rev. -	2B4P Flat Type B1 - Unit Plans
A_BA1-S01_DR_0304 rev. -	3B5P House Type A1 - Unit Plans
A_BA1-S01_DR_0600 rev. -	Typical Bin Store Detail
A_BA1-S01_DR_0601 rev. -	Typical Proposed Pram Store Elevations
L_BA1-S01_DR_0900 rev. A	Illustrative Landscape Plan

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

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



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

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

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

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

4 a) Prior to the felling of any trees along the boundaries shared with the Colin Park Road properties to the rear of the site, the following shall have been submitted to and approved in writing by the Local Planning Authority:

(i) A geotechnical report that outlines any structural issues that may result for neighbouring properties from the felling of the trees, and sets out an acceptable strategy for ensuring that any damage to adjacent the properties is avoided.

(ii) Details of insurance to cover any damage to the neighbouring properties that may occur.

b) Tree felling and site clearance works shall then be carried out only in compliance with the approved geotechnical report.

Reason: To ensure that the proposed development makes proper provision for any structural impacts on adjoining residential properties.

5 a) No site works or works in connection with the development including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development shall be commenced until a biodiversity strategy, to include details of further survey works, details of the protective measures to be

implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques, has been submitted to and approved in writing by the Local Planning Authority.

b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

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

6 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

7 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

8 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority.

b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).

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

9 a) No development shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under b).

d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2015.

## 10 Part 1

Before development commences other than for investigative work:

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

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

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

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

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

## Part 2

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

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

11 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

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

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

12 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority.

It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and Policy 5.3 of the London Plan 2015.

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

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

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

14 The development hereby approved shall not commence until a surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority. All planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development - must use Sustainable Drainage Systems (SUDS) for the management of surface water runoff, unless demonstrated to be inappropriate.

Reason: To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems).

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

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

16 Prior to the first occupation of the development they shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 20% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

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

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

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

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

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

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

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the

Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

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

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

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

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

21 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall be commenced until details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

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

22 Before the development hereby permitted is occupied, parking spaces and the access to the parking spaces shall be provided in accordance with Drawing No. A\_BA1-S01\_DR\_0100 Rev. C submitted with the planning application. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

23 Before the development hereby permitted is occupied 20% active and 20% passive parking spaces shall be installed with electric vehicle charging points. Such spaces shall be permanently retained and maintained thereafter.

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

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

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

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

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

26 Prior to the commencement of the development hereby approved, details of any public right of ways within the site to be stopped under Section 247 of the Town and Country Planning Act shall be submitted to and agreed with the Local Planning Authority.

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

27 a) Buildings A and B (the flats) shall not be occupied until details of the electronically controlled access to these building has been submitted to and approved in writing by the Local Planning Authority and the approved details have implemented.

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

29 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A - H of Part 1 and Classes A, B, D, E and F of Part 2 of Schedule of that Order shall be carried out at the houses within the approved development.



Reason: To safeguard the amenities of neighbouring occupiers and the viability of adjacent retained trees in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

### RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 30 June 2017 unless otherwise agreed in writing, the Assistant 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 contribute to affordable housing and to provide a suitable landscape management plan. The proposal would therefore not address the impacts of the development, contrary to policies DM01, DM02, DM04, DM08, DM10, DM12, DM14 and DM17 of the Barnet Development Management Policies (2012) and Policies CS NPPF, CS1, CS4, CS7 and CS9 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 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £75250.00 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority.

All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £290250.00 payment under Barnet CIL.

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

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

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

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

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

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

- 3 If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 4 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 5 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 6 The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary. Informative: The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 7 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The

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

- 8 The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.
- 9 Provision of a new footway or modification of the existing footway shall be Disability Discrimination Act (DDA) compliant.

## **Officer's Assessment**

### **1. Site Description**

The site comprises a 1940s housing estate set on 1.64ha and located to the east of Edgware Road (the A5). It contains 96 no. 1, 2 and 3 bdr. units in 6 three-storey buildings, which are aligned south-east to north-west along the road frontage. The land between these buildings and the Edgware Road is largely in lawn, with trees planted close to the road frontage boundary. Access is provided to an unadopted estate road in two locations, one at the north-eastern end of the estate, adjacent to number 1 Sheaveshill Court, and the other between numbers 80 and 81. Car parking at the rear currently consists of 69 parking spaces and 22 garages.

In addition to the A5 road frontage, site boundaries are shared with the following properties:

- On the north-western side, by the McDonalds fast food outlet on the corner of Edgware Road and Colindeep Lane;
- to the north-east - the rear of the site - 1-10 Orchard Gate (including 8A) and 5-61 Colin Park Road (odd numbers only) to the north-east; and
- on the south-eastern side, Hendon Tyres on Sheaveshill Avenue, Café Delight at 1 Colin Parade, and the car parking and vehicle access that serves the other properties in Colin Parade.

The adjoining residential properties to the rear, at Orchard Gate and Colin Park Road, are typical 1940s and '50s semi-detached, red-brick houses, with pitched tiled roofs and rear gardens of reasonable size.

The deepest parts of the site are to the rear of 33-96 Sheaveshill Court, where the site extends back to the shared boundaries with 5-61 Colin Park Road. Numbers 1-32 are separated by just the width of the estate access road from the rear of the adjacent properties at Orchard Gate, whereas the deeper spacing towards Colin Park Road is a more open area which is currently occupied by amenity space including lawns, trees and former allotment space along with pram sheds and bin stores.

There are a range of retail outlets and other facilities nearby, including a selection of cafes, pharmacies, a bank, hair and beauty salons, a greengrocer, newsagent, off-licence, dry cleaner, Costcutter supermarket, eat-in restaurants and takeaways, primary and secondary schools, sports fields, and doctors' and dental surgeries.

The site fall largely into an area with a PTAL 2 accessibility rating, with the northern-most part of the site PTAL 3.

The southern part of the site is within an area of Special Archaeological Significance. There are no other planning allocations or site-specific designations for this site.

### **2. Site History**

The site has no relevant planning history.

### **3. Proposal**

The application proposes the demolition of the existing bins stores, pram stores and 22 garages at the site and the development of the amenity space located towards the Colin Park Road boundaries to construct an additional 34 houses and flats, as follows:

- 10 x 3-bed, family units;
- 8 x 2-bed flats;
- 4 x 1-bed, wheelchair accessible flats;
- 12 x 1-bed flats.

The development will be linear in nature with the new buildings to be laid out more or less parallel to the existing Sheaveshill Court development. The flats would be within two separate three-storey buildings, each with 12 flats, Block A to the north and Block B to the south, with five semi-detached pairs of houses between them. The flats would be similar and essentially 'handed' versions of the same design, with two wheel-chair units in each building at ground level and walk-up units above. The five semi-detached pairs as submitted would all be identical, and for the purposes of this report, they are identified as buildings C - G.

It is proposed to introduce on-way traffic along the access road, with the flow from north to south.

An additional 35 car parking spaces will be provided as part of the scheme, and reordering of the existing car parking will result in a total of 104 proposed parking spaces for the whole estate with 10% of the spaces to be designated for wheelchair users. A parking permit scheme is operated for the estate by Barnet Homes, and priority will be given to the re-provision of existing permit holders within the additional spaces prioritised to family units and two bedroom flats.

The proposal is also intended to deliver improved communal amenity space for use by the whole estate, with better surveillance of these spaces. The ten family houses will have also private amenity spaces, and the flatted units will have private balconies.

Storage for refuse and recycling , and cycle storage, is also provided.

All of the homes are for affordable rent, are dual aspect and meet or exceed both internal and external space standards as set out in the London Housing SPG 2016 and the Barnet Sustainable Design and Construction SPD.

#### **4. Public Consultation**

Consultation letters were sent to 481 neighbouring properties.

13 letters of objection have been received, and a petition that opposes the scheme and has 59 signatories has also been submitted. The letters and petition raise the following issues:

- Density and overdevelopment. The height, mass and bulk of the three storey buildings (flats), which is accentuated by the changes in levels.
- Loss of trees which are an important amenity for the area and also block traffic noise from Edgware Road. It is unclear whether trees are covered by Tree Protection Orders or not.
- Structural damage that may result from the removal of large trees.
- Impact on privacy and overlooking.
- Loss amenities for neighbouring residents.

- Impacts on public services and infrastructure. Improvements to social infrastructure are needed including to bus services on Edgware Road.- Highways safety on Edgware Road, parking congestion on local roads and increased traffic.
- Concerns about site drainage.
- Loss of light;
- Non-compliance with London Plan SPGs and with PPS1 and PPS3
- Too much new development in this locality, which brings attendant disruption from construction for residents, particularly on elderly neighbours some of who are unwell.
- Since development was first proposed, Britain has voted to leave the EU - what are the implications for future housing demand ?
- Barnet has not fulfilled its past affordable housing obligations. If it had, this development would not be required now.
- The Council has also allowed an uncontrolled explosion of private extensions.
- Impacts on wildlife

An objection from the Hendon Society was made on a single issue related to archaeology; the Society stated that it would withdraw the objection if an appropriate condition is included in any permission granted.

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

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

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

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

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

#### The Mayor's London Plan 2016

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

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

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

Policy 3.3 - Increasing Housing Supply  
Policy 3.4 - Optimising Housing Potential  
Policy 3.5 - Quality and Design of Housing Developments  
Policy 3.8 - Housing Choice  
Policy 3.9 - Mixed and Balanced Communities  
Policy 5.2 - Minimising carbon dioxide emissions  
Policy 5.3 - Sustainable design and construction  
Policy 6.9 - Cycling  
Policy 6.10 - Walking  
Policy 6.13 - Parking  
Policy 7.2 - An Inclusive Environment  
Policy 7.3 - Designing Out Crime  
Policy 7.4 - Local Character  
Policy 7.5 - Public Realm  
Policy 7.6 - Architecture  
Policy 8.1 - Implementation  
Policy 8.2 - Planning Obligations  
Policy 8.3 - Community Infrastructure Levy

#### Barnet's Local Plan (2012)

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

#### - Relevant Core Strategy DPD Policies:

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

#### - Relevant Development Management DPD Policies:

DM01 Protecting Barnet's character and amenity  
DM02 Development standards  
DM03 Accessibility and inclusive design  
DM06 Barnet's Heritage and Conservation  
DM08 Ensuring a variety of sizes of new homes to meet housing need  
DM09 Specialist housing: Houses in Multiple Occupation, student accommodation and housing choice for older people  
DM10 Affordable housing



DM11 Development principles for Barnet's town centres  
DM12 Maintaining our local centres and parades  
DM17 Travel impact and parking standards

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

### Supplementary Planning Documents

Mayor of London's Housing SPG

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

Residential Design Guidance SPD (adopted October 2016)

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

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

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet. The SPD approach includes providing building sustainability measures over and above those required by the minimum Building Regulations standards, provision for on-site renewable energy sources, and retention and enhancements of biodiversity within development sites.

### Other relevant planning documents

London Borough of Barnet Characterisation Study (2011)

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

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

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

- Whether the living conditions of future occupiers would be acceptable;
- Whether the proposal is acceptable in terms of impacts on the highway network and sustainable transport;
- Whether the proposal is acceptable in terms of impacts on trees and biodiversity;
- Affordable housing provision;
- Building sustainability; and
- Archaeological mitigation.

### **5.3 Assessment of proposals**

#### **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the area and wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether the living conditions of future occupiers would be acceptable;
- Whether the proposal is acceptable in terms of impacts on the highway network and sustainable transport;
- Affordable housing provision;
- Whether the proposal is acceptable in terms of impacts on trees and biodiversity;
- Building sustainability; and
- Archaeological mitigation.

#### **5.3 Assessment of proposals**

##### - Character and appearance

The proposed houses and flats are of contemporary design with brick elevations that provides a material link with the vernacular architecture of the existing estate buildings, Colin Park Road and the other adjacent streets. The development will create a new streetscape within the development drawn from local housing typologies, with the proposed three-storey flats buildings being of similar height to those existing at Sheaveshill Court and the two storey houses providing a link to the scale of the houses at Colin Park Road and Orchard Close. Facing brickwork is the predominant material within the surrounding area, including both Sheaveshill Court and the houses to the rear, and the proposed brick detailing and the angle of the roof pitches on the proposed buildings would be complimentary to these suburban surroundings. Contemporary brick colours and high quality materials including front doors in a range of natural colours, dark grey frames for the large format windows with reveal depths of at least 100mm, and slate grey roof tiles are proposed. Photovoltaic panels would be provided on the roofs. Fascias, soffit boards, rainwater pipes and gutters and balcony balustrades for the flats would also be coloured dark grey to match the window frames.

The proposed architecture and layout of the development is considered to be respectful to its suburban setting, and intended landscaping and improvements to the urban realm will assist in melding the development into the surrounding built environment.

London Plan policy 3.4 - Optimising Housing Potential - sets out a range of densities as a guide to providing new housing at appropriate densities. For mid-sized units (3.1-3.7 habitable rooms per unit), the target density ranges within suburban locations is 40-80 units / hectare, while for urban locations it is 55-145 units ha. Taking into account the

existing 96 flats at the front of the site, density of the estate would rise from 60 to 81 units / hectare, which is at the top of the range for suburban areas. While the site is typically suburban, it is noted that the site also has some more urban characteristics, including the frontage to the busy A5 Edgware Road, and it is considered therefore that this density is appropriate for this location.

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

The development would introduce new housing to the rear of Colin Park Road within an area that currently has generous separation distances from the existing flats. Development of this form must be carefully managed in order to ensure that impacts on the amenities of neighbours is not unacceptable. The Residential Design Guidance recommends minimum separation distances and garden depths which new development should strive to meet. The recommended building separation distance is "about" 21m between facing habitable room windows, with 10.5m being the recommended minimum garden depth., although the SPD notes that these standards may not be met in all instances. With regard to back-to-back distances, it is noted that the alignment of rear boundaries for the properties at Colin Park Road varies, and it appears that this may be due to sections of an old path along the rear of the properties having been absorbed into some of the properties. This is the case at 33, 43, 45, 53 and 55 Colin Park Road, all of which have slightly longer gardens than their neighbours as a result. This means that the proposed back gardens at the application site do not quite meet the 10.5 metre guidance in all cases, and most of the proposed houses have window to legal boundary distances of 10.2m. However there would be no directly facing habitable rooms between the existing and proposed homes which have a separation of less than 21m, while for the new flats the equivalent distances exceed 23m. It is considered that with appropriate boundary treatment in the form of 2m fences topped by the additional height of a trellis, along with new plantings along the boundary, an acceptable level of amenity for these closest neighbours will be retained.

The only other directly neighbouring residential properties are 1 and 2 Orchard Gate. These both have rear gardens approximately 10m in depth at the rear of the houses and there will be no direct views between habitable room windows at either property. 2 Orchard Gate is the closest of the two to the flats Building A, and this has an unusually wide plot, so that the flank wall of Building A will face this side / rear garden rather than the house. There are six windows in the flank wall, one each to serve a bathroom and a secondary living room window on each level. The bathroom windows would be obscure glazed and while this could also be provided by the secondary windows, the distance to this boundary will in itself protect the amenities of the neighbouring occupiers.

Separation distances to the front of the proposed dwellings, to the existing properties at Sheaveshill Court, are also 21m in most instances, although for the houses in Buildings C, D and E this distance is not quite met. However the existing flats and new houses will be separated by the access road, which will take on a more street-like character as a result of the development on either side of it. It is accepted that separation distances will sometimes be closer than the SPD minimum along residential street frontages, and for residents in the closest existing flats, any impacts will be balanced by amenity gains from new landscaping and the resulting improved sense of enclosure along the Edgware Road frontage.

The application includes a very detailed sunlight and daylight analysis which has been carried out in line with the methodology the Building Research Establishment (BRE) Guide 'Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice' (2011). The

results of the analyses confirm that the proposed development would not impact negatively on the surrounding existing properties in terms of daylight, sunlight and overshadowing.

A construction management plan would be required by condition, to ensure that impacts of construction for neighbours both within and adjacent to the estate are properly managed. This would include allowable hours of construction and other on-site works.

Several neighbours have raised concerns regarding the structural impacts of removal of trees on their properties. A recommended condition would require a geotechnical report and insurance to ensure that any impacts of this type on neighbouring properties are properly assessed and mitigated, and that insurance is in place to ensure that any such damage if it occurs is properly rectified.

For the occupiers of the 96 existing flats, the layout provides a new play area for under 5 year olds to be located in front of the flats building B, a shared drying area to the north of that (in front of house pair G), another shared garden to the front of house pair F, and a small quiet shared garden in the front of the flats building A. While these areas are substantially reduced from the large areas of private amenity space currently available for the existing residents, the quality of these play and sitting out areas will be secured through the landscaping recommended condition.

#### - Whether the living conditions of future occupiers would be acceptable

Both the internal spaces within the houses and exterior garden spaces are designed to comply with standards within the London Plan and Barnet SPD, either meeting or exceeding the minimum internal and external space requirements as set out in in Table 3.3 at Policy 3.5 of the London Plan.

Some of the flats within Building B would face directly into the crown of one of the retained trees. While this would inevitably impact on levels of natural light and overall amenity for the applicants, the sunlight and daylight analysis noted above also analysed whether the design of the proposed dwellings would provide good day lighting conditions within the dwellings and gardens, and found that light conditions within the development would be acceptable.

Standard 11 in the Mayor's Housing SPG requires that 90 per cent of new build housing should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulation requirement M4(3) 'wheelchair user dwellings'. The development is designed to comply with these requirements, and a condition is recommended to provide for this.

Standard 13 requires that any access core serving 4 or more dwellings should provide an access control system with entry phones in all dwellings linked to a main front door with electronic lock release. This can also be provided for the flats by way of a suitably worded condition.

#### - Whether the proposal is acceptable in terms of impacts on the highway network and sustainable transport

The Highways Officer's comments are, in summary:

It is proposed that the rearranged estate road will become a one way road with an entrance through the western end (adjacent to McDonald's restaurant) access road and

exit in the central part of the site (via the exiting vehicular access). A short section of the internal road will remain two-way as it is not connection to any further access points. Horizontal Traffic calming measures are proposed in form of chicanes and pinch points on the access road to ensure lower vehicle speeds and maintain accessibility for service and emergency vehicles, as well as for cyclists and pedestrians.

The applicant's consultant has assessed the Trip Generation for the proposed development and predicted that the trip generation is likely to be 33 and 27 two-way people trips during the AM and PM peak hours respectively. Of the predicted person trips, 17 trips during the AM peak and 14 during the PM peak are likely to be vehicle trips.

The development would rationalise the existing parking layout to provide a total of 105 parking spaces across the whole estate. Larger units will be given parking permit priority above smaller units, with each of the 3-bed family houses allocated a space. The proposal for the parking provision is as follows:

- 77 parking spaces for the existing residents with 6 parking spaces designated for the disabled use;
- 10 parking spaces for the new 3 bedroom houses;
- 8 parking spaces for the new 2 bedroom flats;
- 5 parking spaces for the new 1 bedroom units;
- 4 blue badge holder parking spaces assigned to the wheelchair accessible units; and
- 1 visitor parking bay for the new development.

Taking into account the PTAL rating for the site, the assessed car parking requirement for the new dwellings and residents would be 38 parking spaces. 28 additional parking spaces would be being provided, resulting in a shortfall of 10 spaces.

In order to assess whether this shortfall would result in an unacceptable impact on parking demand in the surrounding area, the applicant has therefore undertaken Parking Beat Surveys on four separate dates to assess the parking pressure in the vicinity of the development. These surveyed the availability of parking overnight at on-street locations within a 10 minute walk (500m walk distance), and were required by the Councils Highways Officer to supplement the parking data in the Transport Statement that was submitted with the application. The surveys were between the hours of 0200 and 0500 to account for the maximum demand for residential on-street parking. The applicant's consultants also reviewed the car ownership data within the Census information for 2011 to ascertain the car parking requirement for the proposed development.

This assessment provides a worst case scenario of possible demand for on-street car parking, by assuming that the proposed 34 residential units would generate a car ownership level of 43 vehicles, which is in line with the maximum parking provision level required to meet the Policy DM17 parking standards. The parking surveys showed that there were more than 60 spaces available overnight within a 10 minute walking distance from the site on the dates of the four surveys. Based on this information, the Highways Office is satisfied that the proposed parking provision of 28 parking spaces for the new development is acceptable on highway grounds. In addition, 52 cycle parking spaces are proposed, and cycle lock planters proposed outside the existing flats will provide up to 18 additional on-street cycle spaces.

The proposed one way operation will require installation of appropriate signage to ensure that there is no confusion and consequently no detrimental impact on public highway. This can be provided for by an appropriately worded condition.

## - Impacts on trees and biodiversity

The Tree Survey submitted with the application identifies one 'A' grade trees, 21 'B' grade, 3 'C' grade trees and an unknown number of mainly young saplings in three further groups. The majority of the A and B grade trees are oaks, although there are a number of other native species present including sycamore, cherry, beech and one elm and also one false acacia (not a native species).

Key trees identified on the submitted tree removals plan are as follows:

- On the site of the proposed flats building A: 2 no. B grade and 1 no. C grade sycamores along with a weeping willow (T19) and a good quality hornbeam (T20 - both B grade) to the rear of the proposed building, close to the boundary with 69 and 71 Colin Park Road. The loss of the trees that would directly conflict with the development of the new building is considered to be acceptable; and discussion with the architects has established that it is likely to be possible to retain the good quality hornbeam. This would be provided for in the landscape condition.
- Adjacent to the proposed flats building B: Three good quality trees including the single 'A' grade tree at the site, a 25m oak, will be retained adjacent to the south side of this building. A pollarded willow to the front of the building is identified for removal, while a good quality oak T6 will be retained to the rear of the building.
- On the site of the proposed houses: A group of seven larger oaks with one beech (T11 - T17) and a small group of younger trees of mixed species (G1) are located to the rear of house pairs D, E and F. Apart from one off-site oak in the group which would be retained (T11), these trees are identified for removal to facilitate the siting of these houses. Most of the oaks and the beech are B grade trees and some of them are very substantial oaks that are up to 24m in height (T13, T14, T17). While these trees form an attractive landscape feature, and consideration is being given as to whether any of these trees can be retained within the development, their loss must be balanced against the gains of allowing the development of five of the six semi-detached houses within the house pairs D, E and F. Their removal would be justified if these houses are secured permanently for social rent, and this is noted in the discussion on affordable housing below.

It is recommended that a landscape management plan be provided for the future maintenance of the retained trees, including the hornbeam T20 noted above, and for the eventual removal and replanting of any that might become too large for their locations in the future. As part of this, any younger saplings that have the potential to develop into good quality trees and that do not conflict with the development could be retained to allow for the faster reestablishment of the site's landscape.

An ecology survey was submitted with the application which includes recommendations for biodiversity improvements at the site. These should be incorporated into a biodiversity strategy in line with the recommended condition. It is noted that the position of the rear boundary was unclear at the time that the survey was undertaken in January 2016, due to the presence of two boundary fences adjacent to the Colin Park Road boundaries, and as a result, this part of the site including the group of trees noted above for removal was not covered by the survey,. The biodiversity strategy recommended in this report would include a new survey to be carried out prior to the commencement of clearance works on this part of the site, including an emergence / re-entry survey for bats.

### **Affordable housing provision**

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual private residential and mixed use schemes.

This approach is reflected in Policy CS4 of the Core Strategy and policy DM10 of the Development Management Policies DPD.

While the policy sets a target of 40% affordable housing on sites that meet the 10 units and / or 0.4 hectare thresholds, this proposal is for 100% rental housing and there is no intention for any of the housing to be sold on at this point, whether as shared ownership or open market housing. In order to cover any changed business model that may be operated by the applicant at any point in the future, it would be necessary for a legal obligation to be entered into to secure both the minimum policy compliant proportion of the housing, and the five additional houses that could be developed only by removing trees T12-T17 and G1 as noted above, as socially rented housing in perpetuity. The policy compliant minimum would be 10 flats and 4 houses, equating to 41% of the proposed units, with the five additional houses bringing the total to 10 flats and 9 houses (55% of the units within the development). This.

#### - Building sustainability

A sustainability report was submitted with the application, which was prepared in July 2016. It set out that the development would achieve the following:

- 35% reduction in Carbon dioxide emission with reference to part L1A 2013 of the building regulations
- Code for Sustainable Homes level 4 certification.
- Internal water restrictions to 105 litre/person/day.
- All units would meet part M4(2) of the building regulations where it is technically feasible to do so.

Since the report was prepared, the Government has abolished the Code for Sustainable Homes. The other provisions noted above remain relevant, and provide compliance with the requirements of the Council's Sustainable Design and Construction SPD and the relevant policies in the London Plan. This provision can be secured by the conditions recommended below.

Details of surface water drainage were included with the application, and a condition requiring the submission and approval of a strategy based on the principles of sustainable urban drainage systems is included in the recommended conditions.

#### - Archaeological mitigation

Part of the application site is within a Local Area of Special Archaeological Significance, and considered to have a moderate potential for Medieval evidence along with a low potential for Roman evidence. An investigation of this part of the site's potential for archaeological remains will need to be demonstrated in line with Policy DM06 and advice in the NPPF. A Heritage Statement was provided in the application which sets out the position on this, and a condition is recommended below to provide for an investigation ahead of development taking place.

#### - Conclusion

In conclusion, it is considered that the proposal is acceptable and that, on balance, it not complies with the key policies of the development plan. Subject to the conditions recommended below, it would have an acceptable impact on the character and appearance of the surroundings, and will provide acceptable living standards for future

occupiers while also ensuring that the amenities of neighbouring residents are not adversely impacted on. The application is therefore recommended for approval.

#### **5.4 Response to Public Consultation**

The issues referred to in neighbour letters are addressed in the above discussion.

In addition to the Highway's Officer's comments which are reported in detail above, the following consultee responses have also been received:

- Environmental Health has no objections, subject to conditions which are recommended in this report.
- Sustainable Drainage have also responded and while they note that due to the size of the site a Flood Risk Assessment should have been provided, conditions are also recommended to ensure that the development's drainage is provided in accordance with Sustainable Urban Drainage principles.
- Transport of London have also responded, and again do not object but have requested conditions in any permission granted.
- Historic England has recommended an archaeology condition be included in any planning permission for the scheme.
- Brent Council were also consulted, and have not objected to the scheme.

#### **6. Equality and Diversity Issues**

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

#### **7. Conclusion**

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





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## AGENDA ITEM 9

**LOCATION:** Allianz Park, Greenlands Lane, London

**REFERENCE:** 16/8173/FUL

**Received:** 23/12/2016

**Accepted:** 30/12/2016

**WARD:** Mill Hill

**Expiry:** 31/03/2017

**APPLICANT:** Mr Gordon Banks

**PROPOSAL:** The demolition of existing West Stand and erection of new permanent spectator stand with seating for 3,053 spectators incorporating changing and storage accommodation and ancillary hospitality lounge/restaurant, hospitality suites, and bars. Ancillary education accommodation and shared accommodation and circulation space. Formation of a new permanent means of access for pedestrians and emergency vehicles off Greenlands Way and the laying out of the land in front of proposed West Stand for landscaping and community use. The retention of the existing East Stand and extension of the existing reception area. The erection of ancillary accommodation for storage of athletics and matchday equipment and also a new ticket office and toilet block within the existing Stadium boundary together adaptation of the existing means of enclosure. The retention of existing demountable stands to north, east and south of the exiting pitch during the rugby season . The laying out of a garden for community use to the rear of the existing East Stand. Use of the existing car parking area to the south of existing stadium to provide parking for spectators on matchdays and permanent parking for stadium users and visitors at other times. The resurfacing of the existing permeable area of event parking to the rear of Cophall Cottages for use by media vehicles and spectator coaches on matchdays and for Middlesex University staff at other times. Provision of extended demountable spectator stands to the north and south of existing pitch to increase total stadium capacity to no more than 15,000 spectators for one event each year.

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

**RECOMMENDATION 2:**

Subject to Recommendation 1 above the applicant and any other person having a requisite interest in the site be invited to enter into a Deed of Variation varying the extant section 106 Agreement dated 30 March 2012 pursuant to planning permission H/00928/11 in accordance with the amendments proposed under this planning application.

An additional contribution of £30,000 is required for the widening of the footpath through the car park of the Copthall Leisure Centre. The applicant is also required to carry out a pedestrian and cyclist signage review for the route between Allianz Park and Middlesex University. and enter into a highway agreement under S278 with the highway authority to implement agreed works prior to occupation. Works to be implemented 3 months post occupation.

### **RECOMMENDATION 3:**

That subject to Recommendation 1 and 2, the Chief Planning Officer approve the planning application reference 16/8173/FUL under delegated powers and grant planning permission subject to the following conditions and any amendments to the wording, additions or deletions of the conditions considered necessary by the Chief Planning Officer.

#### **Conditions:**

1. This Development must be commenced 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 – unless agreed in writing with the Local Planning Authority: WMA Plan refs 7347-100 Rev P9; 7347-101 Rev P5; 7347-102 Rev P4-2; 7347-103 Rev 6; 7347-104 Rev P8; 7347-105 Rev P6; 7347-106 Rev P2; 7347-107 Rev P2-2; 7347-111 Rev P1; 7347-112 Rev P2; 7347-113 Rev P1-2; 7347-114 Rev P1; 7347-116 Rev P1; 7347-200 Rev P3; 7347-201 Rev P7; 7347-202 Rev P6; 7347-300 Rev P3; 7347-301 Rev P4; 7347-302 Rev P2; 7347-303 Rev P2; and Aspect Plan Refs; 5418.ASPD001 A; 5418.PP.ASPD002 A; 5418.PP.ASPD003 A; and 5418.PP.ASPD004 A.

Reason: For the avoidance of doubt and in the interests of proper planning, and to ensure that the development is carried out in accordance with the assessments undertaken and operates in compliance with Policies CS NPPF and CS1 and Policy DM01 of the Barnet Local Plan (2012).

#### **Parameters of Consent**

3. The Development hereby permitted shall not exceed the thresholds and parameters assessed under this application including:
- A maximum permanent spectator capacity of no more than 10,500 persons at the Stadium;
  - A maximum of 700 car parking spaces provided on-site – including 79 spaces for disabled users and 15 electric charging spaces; and
  - A maximum of 650 car parking spaces provided in off-site parking locations as set out in the Stadium Travel Plan.

Reason: To ensure that the proposed development does not exceed the parameters assessed and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

4. The Stadium shall not be open to or used by visiting members of the public before 07:00 and after 23:00 on any day without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the assessments undertaken under this application and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012), and to protect the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Barnet Local Plan and Policy 7.15 of the London Plan 2011.

5. No more than 16 professional rugby matches shall be played at the Stadium in each calendar year and all professional standard rugby matches played at the site shall take place only on Saturdays and Sundays and not on any other day of the week.

Reason: To ensure that the development does not exceed the parameters assessed under this application and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

6. Prior to use of the Stadium for the Major Rugby Event (i.e. requiring a temporary increase in capacity to 15,000 spectators) a Travel Action Plan (or equivalent) shall be submitted and agreed in writing with the Local Planning Authority.

Reason: To ensure that the development does not exceed the parameters assessed under this application, and is operated in accordance with the agreed mitigation to ensure compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

7. In addition to the 16 professional rugby matches allowed under Condition 5, no more than 2 other 'Major Events' shall be held at the Stadium site in each calendar year and, in accordance with the Stadium Management Plan, each

should be the subject of a Travel Action Plan submitted to and agreed with the Local Planning Authority.

Reason: To ensure that the development does not exceed the parameters assessed under this application and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

8. At no time shall Stadium be used for the purposes of the playing or spectating of professional or semi-professional football matches.

Reason: To ensure that the development is carried out in accordance with the assessments undertaken and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

9. The Stadium shall not be used for the purposes of accommodating an amplified music concert – other than music directly associated with a Major Event.

Reason: To ensure that the development is carried out in accordance with the assessments undertaken and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012), and to protect the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Barnet Local Plan and Policy 7.15 of the London Plan 2011.

10. Not more than 1,212 m<sup>2</sup> of floor space in the East Stand shall be used for purposes falling within Use Class B1 (of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification. The B1 floorspace hereby approved shall be ancillary to the primary use of the Stadium and shall only be used only by Saracens Rugby Football Club and the Saracens Sport Foundation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not exceed the parameters assessed under this application and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

11. Not more than 200m<sup>2</sup> of floor space in the East Stand shall be used for purposes falling within Use Class A1 (of the Schedule to the Town and Country Planning (Use Classes) Order 1987). The A1 floor space hereby approved shall be used solely for the purpose of the sale of merchandise associated with Saracens Rugby Football Union Club and for no other purpose including any other purpose in Class A1 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 ensure that the development does not exceed the parameters assessed under this application and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

12. Not more than 3,806 m<sup>2</sup> of floor space shall be provided at the Stadium for purposes falling within Use Classes A3 and A4 (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). The A3 and A4 floor space hereby approved shall be used solely for the consumption of food and drink within the Stadium and shall at no time be used to provide any food and drink for consumption outside of the Stadium and its associated facilities.

Reason: To ensure that the development does not exceed the parameters assessed under this application and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

13. Not more than 3,696 m<sup>2</sup> of floor space at the Stadium shall be used for purposes falling within Use Class D1 (of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification. The D2 floorspace hereby approved shall be ancillary to the primary use of the Stadium and shall be used only by Middlesex University and/or the London Sports Institute for educational purposes unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not exceed the parameters assessed under this application and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

### **Management and Control of Operations**

14. Prior to the occupation of the development a new Stadium Management Plan, Stadium Travel Plan and Local Area Management Plan shall be submitted to the Local Planning Authority and will need to be approved in writing prior to First Occupation of the Proposed Development.

Reason: To ensure that the development does not exceed the parameters assessed under this application and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012).

15. Prior to the occupation of the development, a revised Community Development Plan detailing the provisions for community use of the Stadium and its facilities

shall be submitted for approval to the Local Planning Authority. Once approved, the Stadium should operate in accordance with this Plan (or any future revisions agreed with the Local Planning Authority).

Reason: To ensure well managed access and appropriate availability of facilities to the community in accordance with Policy CS10 of the Barnet Local Plan (2012) and Policy 3.16 of the London Plan 2016.

16. Prior to the occupation of the development, the Biodiversity Mitigation and Management Plan setting out the measures to enhance and promote biodiversity on the site shall be submitted the Local Planning Authority. Once approved, the measures shall be implemented in full in accordance with the approved details prior to occupation of the proposed development and then maintained in accordance with the provisions of the S106 Agreement.

Reason: To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with Policies DM01 and DM16 of the Barnet Local Plan (2012) and Policies 5.11 and 7.19 of the London Plan 2016

17. The Proposed Development shall be operated in accordance with the Stadium Travel Plan and Stadium Management Plan implemented and enforceable in accordance with the S106 Agreement.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with Policies CS9 and DM17 of the Barnet Local Plan (2012).

18. The Proposed Development shall operate during Major Events in accordance with the Local Area Management Plan (LAMP) which will be implemented and enforceable in accordance with the Section 106 Agreement.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with Policies CS9 and DM17 of the Barnet Local Plan (2012).

19. The Proposed Development shall be the subject of a programme of Comprehensive Monitoring and Review which will be implemented and enforceable in accordance with the Section 106 Agreement.

Reason: To ensure that the development does not exceed the parameters assessed under this application and continues to operate in accordance with the assessments undertaken.

20. An Operational Waste Management Strategy shall be submitted to the Local Planning Authority and approved in writing prior to First Occupation of the Proposed Development. The Development shall then be operated and managed in accordance with the approved Strategy unless agreed in writing with the Local Planning Authority.



Reason: To ensure that the development operates in compliance with Policy CS14 of the Barnet Local Plan (2012).

21. The Proposed Development shall comply with the recommendations contained in the External Lighting Report submitted with the Planning application and shall not be varied without the written approval of the Local Planning Authority. All floodlights at the Stadium shall be switched off as soon as reasonably practicable and in any event by no later than 22:00 every day.

Reason: To ensure that the development is carried out in accordance with the assessments undertaken and operates in compliance with Policies CS NPPF, CS1 and Policy DM01 of the Barnet Local Plan (2012) and to safeguard the amenity of the locality and ensure that any protected species present are not adversely affected by the development in accordance with Policies DM01 and DM16 of the Barnet Local Plan (2012).

22. The Proposed Development shall be operated in accordance with the Noise Management Plan required by the provisions the S106 Agreement and only varied when agreed in writing with the Local Planning Authority. The public announcement system at the Site shall not be used in any way or tested between the night time hours of 22:00 and 9:00 on any day.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Barnet Local Plan (2012) and 7.15 of the London Plan 2011.

### **Design Details**

23. Prior to the commencement of above ground works details and appropriate samples of the materials to be used for the external surfaces of the buildings, and any hard surfaces shall be submitted to the Local Planning Authority. The Development shall be implemented in accordance with such details as approved.

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

24. Prior to the occupation of the development details of the means of enclosing the Stadium including gates, new turnstiles and upgraded turnstiles as well as other security measures shall be submitted for approval to the Local Planning Authority. The Development shall be implemented in accordance with such details as approved.

Reason: In the interest of community safety in accordance with Policy CS12 and DM02 of the Barnet Local Plan (2012) and with Policy 7.3 of the London Plan.

25. Prior to the occupation of the development details of the Closed Circuit Television System to be installed and other appropriate security measures shall be submitted for approval to the Local Planning Authority. The Development shall then be implemented in accordance with the details then approved.

Reason: In the interest of community safety in accordance with Policy CS12 and DM02 of the Barnet Local Plan (2012) and with Policies 7.3 and 7.13 of the London Plan.

26. Prior to the occupation of the development details of the proposed fire vehicle and delivery vehicle access to the Proposed Development shall be submitted to and agreed by the Local Planning Authority. The Development shall then be implemented in accordance with the details then approved.

Reason: In the interest of highway safety in accordance with Policy CS9 and Policy DM17 of the Barnet Local Plan (2012) and Policy 7.13 of the London Plan 2016.

27. Prior to the occupation of the development details of the fire hydrants to be installed shall be submitted approval by the Local Planning Authority (in consultation with the London Fire and Emergency Protection Authority). The Development shall be implemented in accordance the approved details.

Reason: In the interest of community safety in accordance with Policy CS12 and DM02 of the Barnet Local Plan (2012) and with Policy 7.13 of the London Plan.

28. In accordance with the Energy & Sustainability Strategy accompanying the application, the Proposed Development hereby approved shall achieve BREEAM 'Very Good' level of environmental performance. Before the development is first used the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and Policies 5.2 and 5.3 of the London Plan 2016.

29. The construction of the proposed development shall be carried out in accordance with the Drainage Strategy accompanying the application and shall not be varied without the written consent of the Local Planning Authority.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Barnet Local Plan (2012),

the Sustainable Design and Construction SPD (April 2013) and Policies 5.13 and 5.14 of the London Plan 2016.

30. The construction of the Proposed Development shall be carried out in accordance with the Flood Risk Assessment accompanying the application and shall not be varied without the written consent of the Local Planning Authority.

Reason: To ensure that the development complies with Policy CS13 of the Barnet Local Plan (2012), the Sustainable Design and Construction SPD (April 2013) and Policies 5.12 of the London Plan 2016.

31. All extraction and ventilation equipment to be used in the Proposed Development shall meet the specifications set out in the Plant Noise Assessment Report submitted with the application and can only be varied with the written approval of the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Barnet Local Plan (September 2012) and 7.15 of the London Plan 2016.

32. The Proposed Development shall comply with the recommendations contained in the Environmental Noise Survey and Plant Noise Assessment Report submitted with the Planning application.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Barnet Local Plan (2012) and Policy 7.15 of the London Plan 2016.

29. The level of noise emitted from the fixed plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

## **Landscaping & Maintenance**

33. All hard and soft landscaping shall be carried out in accordance with Aspect Plans 5418.PP.ASPD001A, ASPD001E, ASPD002, ASPD003 and ASPD004 and shall be completed within the first planting and seeding season following completion of the development or occupation of the new buildings, whichever is sooner. 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.

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 and DM16 of the Barnet Local Plan (2012) and Policy 7.5 of the London Plan 2016.

34. 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 proposed landscaped areas are retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policies CS7 and DM16 of the Barnet Local Plan (2012).

## **Management of Construction**

35. The construction of the proposed development shall be carried out in accordance with the Construction Management Plan submitted as Appendix 6 of the Environmental Statement accompanying the application and shall not be varied without the written consent of 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, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and Policies 5.18, 7.14 and 7.15 of the London Plan 2015.

36. In order to minimise damage to trees and hedges the development shall be carried out in strict accordance with the provisions of the with the Construction Management Plan submitted with the application and the Tree Protection Plan contained in Appendix 8.2 of the Environmental Statement.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policies CS5, CS7 and DM01 of the Barnet Local Plan (2012).

37. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interests of good air quality with regard to London Plan policies 5.3 and 7.14, and in accordance with Barnet Council's Sustainable Design and Construction SPD.

#### Highways

38. Before the development is occupied details of petrol and oil interceptors to new car parking areas provided on the site shall have be submitted to and approved in writing by the Local Planning Authority. The petrol and oil interceptors shown shall be implemented in accordance with the agreed details and be retained and maintained as specified unless previously agreed in writing by the Local Planning Authority.

Reason: To prevent polluted discharges entering local watercourses in accordance with policies 5.14 and 5.15 of the London Plan 2015.

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

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

40. Before the development is occupied a Car Parking Management Scheme shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core

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

41. Before the development hereby permitted is occupied; details of cycle parking and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority and such spaces shall be permanently retained thereafter.

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.

42. Before the development hereby is occupied; details showing ingress and egress arrangements and pedestrian walkways shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full in accordance with the approved details.

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

43. Details of the proposed vehicular barrier system including the proposed maintenance agreement and required equipment shall be submitted to and approved by the Local Planning Authority prior to the occupation of the Development.

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

### Informatives

1. A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
2. In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

3. 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](http://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 £202,230 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 £315,360 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](mailto: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](http://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](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](http://legislation.gov.uk)

Please visit:

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

4. The refuse collection point(s) should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
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 the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.



6. The applicant is advised that due to the large number of schools and school children in the area that site deliveries during the construction period should not take place between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
7. The costs of any associated works to the public highway, including reinstatement works, will be borne by the applicants and may require the Applicant to enter into a 278 Agreement under the Highways Act 1980.
8. The applicant is advised that the development is located on or near a Strategic Road Network (SRN)/Transport for London Road Network (TLRN) and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.
9. The applicant is advised that Page Street is Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.

## **MATERIAL CONSIDERATIONS**

### **1.1 Key Relevant Planning Policy**

#### **Introduction**

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

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

#### **National Planning Policy Framework**

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

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

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

### **The Community Infrastructure Levy Regulations 2010:**

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

### **London Plan 2016**

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

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

#### Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

#### London's Places:

2.1 (London in its Global, European and United Kingdom Context)

2.2 (London and the Wider Metropolitan Area)

2.4 (The 2012 Games and Their Legacy)

2.6 (Outer London: Vision and Strategy)

2.7 (Outer London Economy)

2.8 (Outer London Transport)

2.15 (Town Centres)

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

#### London's People:

3.1 (Ensuring equal life chances for all)

- 3.2 (Improving Health and Addressing Health Inequalities)
- 3.6 (Children and young people's play and informal recreation facilities)
- 3.16 (Protection and Enhancement of social Infrastructure)
- 3.18 (Education facilities)
- 3.19 (Sports facilities)

#### London's Economy

- 4.1 (Developing London's Economy)
- 4.2 (Offices)
- 4.3 (Mixed Use Development and Offices)
- 4.5 (London's Visitor Infrastructure)
- 4.6 (Support for and Enhancement of Arts, Culture, Sport and Entertainment Provision)
- 4.7 (Retail and Town Centre Development)
- 4.8 (Supporting a Successful and Diverse Retail Sector)
- 4.12 (Improving Opportunities for All)

#### London's Response to Climate Change:

- 5.1 (Climate Change Mitigation)
- 5.2 (Minimising Carbon Dioxide Emissions)
- 5.3 (Sustainable Design and Construction)
- 5.4 (Retrofitting)
- 5.6 (Decentralised Energy in Development Proposals)
- 5.7 (Renewable Energy)
- 5.8 (Innovative Energy Technologies)
- 5.10 (Urban Greening)
- 5.11 (Green Roofs and Development Site Environs)
- 5.12 (Flood Risk Management)
- 5.13 (Sustainable Drainage)
- 5.14 (Water Quality and Waste Water Infrastructure)
- 5.15 (Water Use and Supplies)
- 5.16 (Waste Self-Sufficiency)
- 5.17 (Waste Capacity)
- 5.18 (Construction, Excavation and Demolition Waste)
- 5.20 (Aggregates)
- 5.21 (Contaminated Land)

#### London's Transport:

- 6.1 (Strategic Approach)
- 6.2 (Promoting Public Transport Capacity and Safeguarding Land for Transport)
- 6.3 (Assessing Effects of Development on Transport Capacity)
- 6.4 (Enhancing London's Transport Connectivity)
- 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure) 6.7 (Better Streets and Surface Transport)

- 6.9 (Cycling)
- 6.10 (Walking)
- 6.11 (Smoothing Traffic Flow and Tackling Congestion)
- 6.12 (Road Network Capacity)
- 6.13 (Parking)
- 6.14 (Freight)

#### London's Living Places and Spaces:

- 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)
- 7.13 (Safety, security and resilience to emergency)
- 7.14 (Improving Air Quality)
- 7.15 (Reducing Noise and Enhancing Soundscapes)
- 7.16 (Green Belt)
- 7.18 (Protecting Open Space and addressing deficiency)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and Woodlands)

#### Implementation, Monitoring and Review

- 8.2 (Planning Obligations)
- 8.3 (Community Infrastructure Levy)

#### Mayoral Supplementary Guidance

##### **The Mayor's Sports Legacy Plan (April 2009)**

This plan aims to increase the number of people participating in regular sport or physical activity in the run up to the 2012 London Games as well as ensuring that an appropriate legacy follows the games.

##### **Social Infrastructure (May 2015)**

This SPG provides advice to Boroughs on planning for and determining applications for new health, education, community, cultural, play, recreation and sports facilities faith and emergency facilities.

##### **Sustainable Design and Construction (May 2006)**

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

follow consideration of vehicular access to the site and potential (noise) impacts on amenity.

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

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

### **Accessible London: Achieving an Inclusive Environment (April 2004)**

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

### **Planning for Equality and Diversity in London (October 2007)**

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

### **All London Green Grid (March 2012)**

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

### **Relevant Local Plan (2012) Policies**

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

#### **Core Strategy (Adopted 2012):**

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

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

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

CS7 (Enhancing and Protecting Barnet's Open Spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive integrated community facilities and uses)

CS11 (Improving health and wellbeing in Barnet)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our Waste)

CS15 (Delivering the Core Strategy)

#### **Development Management Policies (Adopted 2012):**

DM01 (Protecting Barnet's character and amenity)  
DM02 (Development Standards)  
DM03 (Accessibility and Inclusive Design)  
DM04 (Environmental considerations for development)  
DM06 (Heritage and Conservation)  
DM11 (Development Principles in the Town Centres)  
DM13 (Community and education uses)  
DM14 (New and existing employment space)  
DM15 (Green Belt and open spaces)  
DM16 (Biodiversity)  
DM17 (Travel impact and parking standards)

#### Supplementary Planning Documents and Guidance

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

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

#### Copthall Planning Brief

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

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

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

## **1.2 Key Relevant Planning History**

Barnet Copthall Stadium opened in 1964 and in that year it hosted the English Schools Championships, an event which was also staged there in 1977, following track improvements. It continues to accommodate two athletics clubs: Shaftesbury

Barnet Harriers and the Barnet & District Athletic Club. Both clubs provide grass roots participation but the Shaftesbury Barnet Harriers also provides coaching and competition up to Olympic level.

In 1996 an application was made by Barnet Football Club and Newco Ltd (Reference W/00344/AB) to provide 'a new multi sports stadium complex for football, athletics and rugby as well as indoor training facilities and related development. The application was granted planning permission by Barnet Council although the decision was called in by the Secretary of State who refused consent in June 1999 following a public Inquiry.

In 2011 Saracens Rugby submitted a planning application in March 2011 (Reference H/00928/11).

The application proposed the following:

- the erection of new permanent spectator stand to the east of the athletics track for up to 2,856 spectators incorporating hospitality areas, restaurants and bar; ancillary offices and supporters' shop and indoor athletics training facility (1,536 sq metres).
- the erection of four new demountable spectator stands to accommodate up to 5,988 spectators on 16 match days between September and May;
- temporary pitchside standing spectator areas in front of proposed East Stand for a further 600 spectators and hoardings for the 16 match days (all of which are to be removed from the athletics track outside match days);
- a new artificial playing surface for rugby and community sport; the removal of all existing stadium floodlighting and its replacement with more sustainable floodlighting for the pitch and relocated athletics facilities;
- the removal of a hardstanding (used as an overspill parking area) to south east of existing stadium and its replacement with a new permeable surface to allow parking up to 568 vehicles on match days and for other major events at the Stadium;
- the creation of a new permeable surface on a disused all-weather playing surface to the rear of Copthall Cottages for coach and media vehicle parking during major events;
- the remodelling of the field events areas on land to the east of the proposed new East stand;
- the diversion of the existing culvert across the site and the construction of new swale area and reed bed and the reforming of existing ground on the eastern boundary of the site in order to accommodate spoil arising from the works on the proposed East stand;
- retention and reinforcement of existing landscaping (including existing hedgerows) and provision of additional planting along the eastern and southern boundaries; and
- the erection of new 20m high replacement mesh fence on boundary with existing 'Metrogolf' driving range.
- Noise from Helicopter on the 2<sup>nd</sup> April 2017
- Noise from fireworks on the 8<sup>th</sup> April 2017

Planning permission for the scheme was subsequently granted in March 2012 following the completion of a legal agreement.

In May 2013, an application (Reference H/01946/13) was made to allow the conversion of some of the ancillary office accommodation in the East Stand for use by the London Sports Institute (LSI) of Middlesex University. This application was approved in July 2013 and duly occupied by the LSI.

Also of note in relation to the current application an application was submitted by Saracens in July 2015 (Reference 15/06804/CON). The application sought permission for the installation of a revised surface treatment on the south car park – namely ‘grasscrete’ – in order to mitigate problems experienced during use of this parking area on matchdays; this application was approved in November 2015 and works on the northern half of the car park were duly installed.

### **1.3 Pre Application Consultation undertaken by the applicant**

The application is accompanied by a Statement of Community Involvement which details the Applicant’s consultations with the local stakeholders and the community prior to the submission of the application. Consultations were held with all existing users of Allianz Park including Shaftesbury Barnet Harriers (SBH), Barnet and District Athletics Club (BDAC) and Saracens Supporters Groups (SSG), local groups including the Mill Hill Preservation Society (MHPS), Mill Hill Neighbourhood Forum (MHNF), Mill Hill Residents Association (MHRA), Copthall Community Sports Group (CCSG), Mill Hill Observatory and the Copthall Consultation Group (CCG) along with Sports England and UK Athletics. Pre application discussions also took place between Council Officers and the GLA and the scheme was presented to Members at the Pre Application Planning Committee Meeting on the 7<sup>th</sup> November 2016. A Public exhibition was also held on the 10-12 November at Allianz Park.

### **1.4 Public Consultations by the Council and Views Expressed**

#### **Public Consultation**

As part of the consultation exercise 696 letters were sent to neighbouring occupiers on the 2<sup>nd</sup> February 2017. The application was also publicised through site notices and a press notice was published as a departure in the Barnet Press on 9<sup>th</sup> February 2017. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this scale and nature.

As a result of the consultation, a total of 5 responses were received with 4 and 1 letter of support.

Specific Comments were also received from Shaftesbury Harriers Athletics Club and Barnet & District Athletic Club making representations on the proposals.



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

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

Concerns relating to traffic impact of 15,000 spectator match. Resident's permits have been misused by persons attending matches and as such no space for genuine visitors to park.

These permits should be more strictly monitored to check for miss use.

Site is on Green Belt Land and paragraph 89 of the NPPF requires buildings that replace present buildings to be in the same use and not materially larger. The new stand is substantially larger and includes space for Middlesex University and the Saracens Sports Foundation and as such is contrary to Green Belt Policy.

Proposed stand should be reduced in height so it is no larger than existing stand

Site has a low PTAL of 0 and requires walking along dark paths resulting in security issues.

Proposed upgrading of paths to allow for cyclists would be detrimental to the character of existing paths and detrimental to walkers.

Green Belt in area is losing its character and should be protected.

Impact on local residents from parking restrictions.

Provision of car parking for events by other bodies such as Hasmorean for private gain.

Increased car use and pollution.

No need for further expansion which will not benefit local residents.

Summary of points raised in letters of support.

Proposal will demolish the eyesore which is the West Stand and enhance the appearance of the area to the benefit the wider Copthall Area and Barnet.

Shaftesbury and Barnet Harriers Athletics Club

SBH have been the resident athletic club at the site since it was built in 1964 and are of the view that such a substantial investment should not result in an overall detrimental athletics provision and currently are concerned that not all these issues have been satisfactorily addressed.

They wish to ensure three matters are respected in relation to this application

1. The proposals ensure the stadium continues to be fit for purpose to athletic meetings? Will it be clear to those coming to the Stadium it still serves athletics as well as rugby
2. SBH involvement in the Stadium is at least no worse off following the development?
3. Athletics opportunities during construction are acceptable

During the past three months SBH has been in dialogue with SRC during which these matters have been addressed. Several of SBH's concerns have been

accepted and are recorded in writing whilst others are still pending. The purpose of this paper is to set these out and where relevant to ensure these agreements are endorsed on drawings, specifications, conditions or by way of a new Section 106 agreement. If any of these matters are still in dispute SBH seek a meeting between LBB, SRC and SBH before these proposals go before Committee. SBH welcome the statement that SRC are committed to carry out existing obligations under the current Underlease and S106 agreement. SBH would expect LBB to repeat the existing conditions of the existing S 106 in the new S106 forming part of the new planning permission. One specific amendment relates to a revised drawing which we understand still has to be submitted to LBB in relation to sight lines to be achieved in the new West stand.

We have considered the SRC proposals under four headings-

1. Existing clubhouse. This is subject to an updated Underlease between SRC and SBH dated 3 July 2015. A copy of this is attached as Appendix A. During the past four years SRC have used this as a Ticket office and Middlesex University as a "Strength and Conditioning" centre under a Licence dated 14 September 2015. A copy of this is attached as Appendix B. SRC and Middlesex University have agreed to abide by the conditions of that Underlease & Licence. Specifically this includes-
  - 1.1. SRC will engage an architect at their (reasonable) cost to space plan the existing Clubhouse once SRC and MU have vacated.
  - 1.2. SRC will carry out repairs as necessary to the structure of the building including re-roofing, fascia boards, gutters, down pipes and external fabric
  - 1.3. In accordance with the current sub- Underlease obligations SRC will carry out necessary repairs to the building and any making good required due to our use of the clubhouse as a Ticket office. SRC will engage a building surveyor (at SRC cost) to survey and confirm the works required.
  - 1.4. SRC will include a connection to the stadium foul water drainage system as part of the west stand redevelopment works which will allow for future club and small meeting catering to replace the existing west stand catering provision.
  - 1.5. Those using the Clubhouse will also have 24/7 use of the new toilet block on the internal face of the Southern boundary as shown on the planning drawings. These replace those in the existing West stand which were part of the Underlease provisions and which have been taken out of use by SRC over the past 18 months.
  - 1.6. SRC confirm that they will meet all obligations within the sub- Underlease in relation to the repair and maintenance of the building and in relation to the defects created by the removal of the ticket office facility. In addition to these Underlease obligations SRC will, as a gesture of goodwill contribute a further sum towards a refurbishment of the interior of the clubhouse.
  - 1.7. The structural engineer engaged by SRC for the design of the new west stand will carry out a survey of the demise prior to any works commencing to or in the vicinity of the clubhouse.

However SBH look to LBB to agree to the SRC amended drawing which provides an opening (suitably branded for athletics) in the new perimeter wall for SBH to gain access 24/7 as has existed by agreement with all parties over the past 35 years. SBH are concerned as to the proposed relocation of

the SRC plant area being adjacent to the clubhouse but located elsewhere as in previous designs and that this area is dedicated to SBH.

2. Provision of facilities in the new West Stand.

2.1. SBH will have sole use of two rooms on the Ground floor at the SE corner of the West stand, one for their office and the other as a storeroom denoted as athletic store on drawings (storage of SBH kit etc). These are replacements for the existing facilities SBH have in the existing West stand. The new office to have power, telephone and broadband. Size & position of these two rooms to be finalised with SRC.

2.2. SBH will also have the use of a third office which will be available for SBH by arrangement with SRC, in line with the other 'additional facilities', obligations and conditions in relation to their use as detailed within SBH current sub- Underlease. This is located adjacent to the athletic store and will be used on athletic match day general administration, such as issuing of numbers, team managers meetings, and officials' briefings.

2.3. Provision of photofinish room. In addition one of the boxes adjacent to the photofinish room to be allocated to SBH during the summer for athletics events. Please note that there is an operational need to separate photofinish officials from results and announcing team. This room to have power and ability to connect into stadium PA system.

2.4. Note- once the West Stand has been constructed and is in use SRC can confirm that there will be the ability for SBH to have a double ended photo facility. As agreed at a SRC/SBH meeting this would be in the form of an Electrical and Data point. The points would be provided at either end of the stand on the terrace area of the second floor for SBH to plug your equipment into.

2.5. Access to a physio room during athletic training sessions.

2.6. In addition to these facilities SBH will still also be able to use the main Café area on the third floor of the stadium and have the benefit of the additional facilities like the media room and reception areas ( by arrangement) as agreed at SRC/ SBH meetings.

However still to be agreed- Details concerning the use by SBH elite athletes use of the new strength and conditioning facility to be provided by Middlesex University. This concept was agreed as part of the Licence agreement SBH/ SRC/ Middlesex University (Appendix B). SRC advise that this use is subject to further negotiations with Middlesex University and Security. SRC anticipate that once the new Stand is completed the West Stand will be open between 8.00am and 10.00pm Monday to Friday and 9.00am to 5.00pm on non-match day weekends. SBH would seek to have 24/7 access.

3. Use during construction works-

3.1. SBH strongly disagree with the loss of amenity during the rugby season for the construction period of the West Stand, being the reduction to 2 lanes for athletics training. A minimum of 4 lanes must be provided in accordance with the existing S106 Agreement. SRC response being we have endeavoured to keep the disruption to all users of the stadium to a minimum during the build period, but in this instance, we are unable to provide the 4 lanes during the rugby season with the size of the site needed for the contractor and the need for the Rugby set up during the season to comply with the PGB standards. SBH do not accept that a better solution cannot be found.

3.2. SRC will ensure provision of operation photo finish equipment during the build period.

4. Other issues to be re-stated in the Section 106 agreement are-

4.1. Ticket pricing

4.2. Maintaining the athletics facilities as a UK Athletics Class “A” status for events

4.3. Usage of Facilities

#### Barnet & District Athletic Club.

We work closely with the host club at Allianz Park, Shaftesbury Barnet Harriers (SBH) and Saracens (SRC) and have been aware of these plans for some time and are broadly supportive of them. We have used the track & associated facilities alongside SBH for at least 40 years for sessions and have at times been disappointed to see the largely dismissive approach of SRC to the Athletic Stadium in recent years. Whilst their actions are largely in line with the original S106 agreement, we feel these have breached the general spirit in which this was drawn up to protect Athletic use at the site. This new West stand does nothing to enhance the original Athletic stadium facilities for athletic spectators or participants/officials hosting events. There appears to be room within the scope of the design to include a better defined athletics hub in the area of the SBH Clubhouse facility but this has been sidelined to ensure rugby needs are served fully.

We share the stadium on Tuesday and Thursday evenings with several groups of our Athletes and Coaches holding sessions at the track (and indoor facility) throughout the whole year.

In particular on a Tuesday evening, there can be a large number of groups of mixed abilities, ages, experience and speeds sharing the track space.

During the Rugby season (S106 period September to May) when the track is reduced to 4 lanes in places due to the SRC temporary stands, this is already a potential Health & Safety issue. Sessions already have to be closely managed by both Club's coaches to ensure the safety of our Young people in particular.

We have serious concerns at the proposal to reduce the track space in parts to 2 lanes during these works as this will pose an even greater risk to the safety to all athletes and particularly the Young athletes and those that are less experienced & as such to avoid potential injuries the plans should be reviewed to ensure 4 lanes min are retained.

#### Officer Comment

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

## **Elected Representatives.**

No comments received.

## **Consultation responses from neighbouring associations other non-statutory bodies.**

### **Mill Hill Preservation Society**

The site is a 'brownfield site' in the Green Belt with planning permission for a community based sports stadium for rugby, athletics and community activities. This proposal is very much a continuation of what exists already but with a significant intensification of the Middlesex University (MU) functions. The existing West Stand is old and no longer fit for purpose and MHPS agree it needs to be replaced. The London Sports Institute (part of MU) is in part of the East Stand and it is proposed that this expands into the new West Stand alongside the School of Health and Education (SH&E). We struggle to understand how this later function, that includes midwifery, mental health, complimentary health and social work, relates to the understandable symbiotic relationship between a professional sports team and a degree in sports-related activities. Whilst there is an argument for sports facilities in the Green Belt we could find no reference in the NPPF to educational facilities having a similar preference. We can see no 'very special circumstances' for the inclusion of the SH&E.

The development could be considered as 'inappropriate' and there is harm to the Green Belt by virtue of its effect on the openness of the site. We have considered the very special circumstances listed. We accepted that there were considerable benefits related to the East Stand application, and that these benefits have been proven and will still apply to the site with the West Stand. We realize that replacing the dilapidated stand with new is a worthwhile exercise but we do not see it as a 'very special circumstance', more as an intensification of activity within the Green Belt.

We welcome the proposed review of the stadium travel plan, and the proposed one-off bespoke match day Travel Plan, and that MU student parking controls will be the same as for the Hendon Campus. We believe that transport issues can be improved but that the increase in the capacity number from 10,000 to 10,500 will be manageable and that the use of the stadium for an annual one-off match day with up to 15,000 supporters will not present a significant problem given there is no plan to increase cars usage. We have no objections to the main car park having year round

use for organised events. We believe that a wide pedestrian route is required along Greenland Lane where it passes in front of the new West Stand. Currently, fans leaving the stadium on the south side walk along Greenlands Lane sharing it with traffic to reach Champions Way. This is unacceptable.

On the East Stand we were particularly concerned that the end glazing panels to the stadium had vertical elements (to better blend into the background from a distance), and we appreciate that the design for the West Stand follows this. Materials for the West Stand should be sympathetic to the East Stand. The seating colour also concerned us and the East Stand solution with the multi-tone colours does help the mass of seating to blend into the environment. We hope this detail will also be followed in the West Stand. Finally, we resisted any advertising being incorporated into the building fascias on the East Stand as this was inappropriate to the Green Belt setting. The same applies to the west stand and we expect the Council will keep a tight control on advertising issues.

Our submitted report includes greater detail than this summary. Should this planning application be approved, MHPS will expect the applicant to be bound through planning conditions to provide all the community benefits that have been offered as part of the application package, and by a 106 Agreement to deliver full landscaping of the site, and to fund improvements to, and the better management of, the wider landscape of Copthall including meadows, hedgerows and tree stock.

#### Mill Hill Neighbouring Forum

Given the evidence of the last four years, and having talked in detail with the management of Saracens, we firmly believe that the enhancements to local sports and recreation opportunities and also the health and well-being benefits promised for residents can and will be delivered. Additionally, we note:

- The scale of the new stand mainly reflects modern safety standards and the needs of spectators. With just 16 matches a year much of the internal space would be much underutilised without another permanent occupant. The proposal to extend the Middlesex University London Sporting Institute (LSI) facilities therefore seems logical.
- The LSI is already active in the community. As well as working with the Saracens Sports Foundation, it works with the Tottenham Hotspur Foundation through projects such as Shape up with Spurs as well as Dementia Club UK, Fitness Cancer (Macmillan), Fan Active and GP Referral Scheme (Fusion).

- The building footprint will increase by around two thirds. However, the increased use of permeable surfaces, replacing impermeable tarmac and surfaces, will ensure that the total “hardstanding footprint” is no larger than current stadium footprint.
- The requested increase of the maximum attendance to 15,000 is proposed for just one match a year. This seems reasonable, given the position of Saracens within the European game.
- We note that Saracens have listened to comments made by the MHNF and others about car parking in front of the new stand and welcome the decision to remove such proposals.
- We also welcome proposals to limit car parking availability outside of match days, especially on Champions Way and Greenland’s Lane, both of which are narrow and where parking is unsuitable. We also welcome the ban on any Middlesex University students parking on site.

For all the reasons set out above we think the case for “very special circumstance” has been positively made and are **supportive** of it.

**We do consider, though, that there are three issues which should be reviewed before any final decision is made.**

1. As we have already said the proposed new West Stand will have a footprint which is 67% bigger than the current stand. At a height of 20 metres the new West Stand will be taller than the existing stand. The scale and height of the new stand will be somewhat offset by the reduced footprint and lower land position of the new Copthall Leisure Centre which will be built adjacent to Allianz Park. In this context, we note paragraph 8.8 of the planning statement

*“though the new West Stand will undoubtedly be more visible within this immediate area, it will continue to form part of a collection of existing buildings already developed in this part of Copthall”*

However, we do think that the new West Stand proposals should include an assessment of the impact on views and openness across the Copthall site at all times of the year. The Design and Access statement shows some computer-generated simulations of the new West Stand which, on the whole, suggest the scale of the building blends into the landscape. These simulations are shown only in summer when trees are a full foliage. We think the same set of views should be shown when the leaf cover is at a minimum to ensure that the views and the impact across the whole Copthall site are acceptable during the Winter months.

2. We would also like to see strengthened the commitment to improve pedestrian and cycling access to the site especially from Hendon where Middlesex University have their main campus. We think the Council should

agree a clear plan with a timetable and funding agreed with the University and the Club to improve existing routes and create new routes.

- As an example, the subway under the A1 which connects Sunny Hill Park (and the main Middlesex University campus) to the Copthall estate needs considerable improvement.
  - Similarly, the walking and cycling paths within the Copthall site itself need resurfacing and clear route maps need to be provided.
  - These, and similar improvements, should be agreed and timetabled in as part of any agreed development plan for the proposed new West Stand.
  - This will help both minimise the impact of students accessing the LSI and also be of benefit to the local residents in providing improved access across the Borough with a beneficial impact to health and well-being, as well as providing a safer “non-road” environment for users.
3. We would like to see a firm commitment to incorporate the floodlights within the West Stand structure as soon as the necessary technology advances permit. The existing tall freestanding floodlights should then be dismantled and the light spill as seen from many locations in Mill Hill would be significantly reduced

## **Summary**

We believe that the proposed new West Stand could provide considerable additional community uses, support the health and well-being of local residents and aid the development of the Copthall site into a first-class sports and recreational site for the whole of Barnet (and beyond) to use for many years to come.

We recognise the impact of the development on green belt land, but do consider that the positive aspects outlined in the application outweigh this and that the case for “very special circumstances” has been broadly made.

Assuming a satisfactory outcome to the three points we make on pages 3 and 4 of this response, the Mill Hill Neighbourhood Forum would **support** the planning application.

### Hendon and District Archaeological Society

This is a comment on behalf of the Hendon and District Archaeological Society. Although in view of the desk-based assessment submitted with the application and the fact that the site is not in, though it is close to, an Area of Special Archaeological Significance, we do not suggest an archaeological condition. But since with as large a project as this there is the possibility that items of archaeological interest will be found, we ask that this be drawn to the attention of the developers, and they be asked to keep HADAS informed.

## **Consultation Responses from Statutory Consultees**



## **Strategic issues summary**

**Land use: very special circumstances** have been demonstrated to justify the expansion of sports facilities on the previously developed site on **Green Belt**. Additional CGI visuals should be provided in addition to further information on materials and lighting strategy (paragraphs 17-26).

### **Recommendation**

That Barnet Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 46 of this report; but that the possible remedies set out in that paragraph could address these deficiencies. The application does not need to be referred back to the Mayor if the Council resolves to refuse permission, but it must be referred back if the Council resolves to grant permission.

### **Conclusion**

46 London Plan policies on principle of land use, sport facilities on Green Belt, community use, urban and inclusive design, sustainability and climate change, and transport are relevant to this application. The proposed development broadly complies with the London Plan. However, there are few issues that must be addressed as set out below:

- **Principle of land use/sport facilities on Green Belt:** very special circumstances have been demonstrated that could outweigh the harm that may be caused to the Green Belt. However, CGI visuals from agreed key points, and details on materials and lighting should be submitted.
- **Community use:** A detailed community use plan should be developed in a form that can be secured through condition.
- **Sustainability and climate change:** The carbon savings exceed the target set within Policy 5.2 of the London Plan. However, clarification is required related to waste water heat reclaim modelling, site heat network and the energy centre, and the inclusion of photovoltaic panels.
- **Transport:** Existing controls to the public access car parking should be reviewed. Prevention of non-car (HGV, shuttle bus and coaches) vehicles from using the Greenland Lanes access should be retained. The detailed design of cycle parking should be secured. A travel strategy, with measures to mitigate the impact of the additional spectators, should be secured. More information is required before the construction methodology can be considered acceptable. A full construction management plan and delivery and servicing plan should be secured.

## Transport for London

Transport for London make the following comments:

### **Proposal**

The proposals are for the complete demolition of the existing West and construction on a new stand with a capacity of 3,053, a net increase of 179 seats. The new stand will also provide 3696sqm of University teaching facilities. The proposals also involve landscaping around the site. The stadium will operate in two distinct periods match-day and non-matchday

### **Site Description**

The site is located on Greenlands Lane which is a borough road. The nearest section of the Transport for London Road network (TLRN) is the Great North Way 500m to the south whilst the nearest section of the Strategic Road Network (SRN) is 4.3km to the south west at the Hyde. The nearest bus route is the 113 approximately 500m to the north on Pursley Road. A further 8 bus routes are within 1.5km, with the majority connected via Hendon.

Mill Hill East Underground Station is 1km to the East serving the Mill Hill Branch of the Northern Line and Mill Hill Broadway rail station is 2.5km north-west of the site.

Due to the distance from public transport the site records a Public Transport Accessibility Level (PTAL) of 0 which indicates a very poor level of accessibility.

### **Access**

#### *Vehicular access*

The applicant has identified that vehicles can access the site from Champions way to the west and Greenlands Lane to the south which is accessed via the A1 and restricted to left turn in/left turn out only. In a previous application, at this site, a planning obligation was included in the Section 106 agreement to ban non-car (HGV, shuttle bus and coaches) vehicles from using the Greenland Lanes access. TfL expects the same obligation to be included and require approval of this obligation in the drafting of any Section 106 agreement. Pedestrians and Cyclists will also have access the site via Champions Way or Greenlands Lane which TfL have no objection to.

### **Car Parking**

The site currently has 694 parking spaces over four different locations with 79 designed to blue badge standards and 15 fitted with Electric Vehicle Charging Points. No additional car parking proposed in this development which is welcomed and the application seeks to introduce parking controls for the different car parks.

#### *Public Access carpark*

The public access car park comprised of 52 parking spaces to the south west of the stadium serves the recreation fields to the west. TfL acknowledge that this makes it difficult to control students and staff who park and support measures to encourage more sustainable transport options.

#### *Redgra parking area*

The applicant proposes to resurface the 'Redgra' car park, which TfL has no objection to.

## **Cycle Parking**

The proposals will include an additional 70 cycle spaces to the existing 40 spaces to provide 110 cycle spaces overall. The London plan states that there should be a minimum 1 long stay cycle space per 4 staff and 1 space per 20 FTE students and 1 short stay space per 7 FTE students for D1 University uses. The Transport assessment indicates that there will be around 400 students and 50 staff per day and therefore the provision of cycle parking complies with London plan standards and is welcomed.

TfL finds the design of cycle parking broadly acceptable; the plans indicate that cycle parking can accommodate non-standard cycles and the provision of showers and changing facilities is welcome however the applicant should identify the type of stand to be used.

## **Impact Assessment**

The applicant has submitted a multi modal impact assessment for the non-match day use based on survey data from the existing students that attend Allianz Park. TfL find the methodology acceptable and are content that the development will not have a material impact on the transport network.

## **Special Match day circumstances**

Depending on how the Rugby Club perform there could be a scenario where the stadium's capacity is increased to 15,000. No additional car parking is proposed which TfL welcomes, furthermore TfL support the applicant's efforts to promote coach travel from airports' the use of shuttle buses and have no objections with the proposed arrangements subject to any agreement with the Council.

## **Freight**

TfL require the applicant the applicant to identify where servicing will take place from on site and the number of servicing movements expected on site, this should be included in a Delivery and Servicing Plan (DSP) secured by condition.

The applicant has submitted a Construction Management Plan which is welcomed. Before TfL can deem the construction methodology acceptable the plan should illustrate vehicle routing, with use of the TLRN restricted to off peak hours; a site plan including the loading area and number of deliveries on site. Due to the location TfL expects all contractors to be FORS certified. A full CLP should be secured by condition.

Guidance on producing a DSP and CLP is available at: <https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/guidance-by-transport-type/freight>

## **Community Infrastructure Levy**

In accordance with London Plan policy 8.3, *Community Infrastructure Levy*, the Mayor agreed to commence CIL charging for developments permitted on or after 1

April 2012. It is noted that the proposed development is within LB Barnet, where the Mayoral charge is £35 per square metre Gross Internal Area (GIA). The levy will raise £300 million towards the delivery of Crossrail. Further details can be found at:

<http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>.

## **Travel Planning**

The existing stadium currently has a Travel Plan however it is considered unclear and difficult to use, the applicant therefore intends to develop a new Travel Plan in co-ordination with the Council, which TfL have no objection to.

The University will adopt the existing Travel Plan which TfL have no objection to.

## **Summary**

In order to comply with the London Plan TfL request the following:

- A planning obligation in any Section 106 agreement to ban non car vehicles from using Greenlands Lane
- Full details regarding the design of cycle parking
- Delivery and Servicing Plan and Construction Logistics Plan secured by condition

## Sports England

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England' (see link below):

[www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Having assessed the application, given that the current arrangement with the temporary seating at the site would continue and the proposed west stand would not encroach onto the running track, Sport England is satisfied that the proposed development meets the following Sport England Policy exception:

*E2 - The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.*

This being the case, Sport England **does not wish to raise an objection** to this application.

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

### UK Athletics

In addition to consultation with both National Governing Bodies, we welcome the extensive engagement that has taken place between the applicant - Saracens Rugby Club (SRC), and the resident athletics club - Shaftesbury Barnet Harriers (SBH); and note that throughout the design development phase SRC have continually demonstrated a commitment to both listening to and acting upon the feedback and requirements of SBH.

Clearly there are challenges in meeting the differing facility demands of the two main venue sports at Allianz Park: Track & Field Athletics and Rugby Football and, as the governing body for athletics, we are happy that the final plans submitted strike an acceptable balance and therefore support the application.

From an athletics perspective the new development supports the delivery of a number of our core strategic facility objectives:

1. The creation of modern, vibrant training facilities that cater for the full range of club activity.
2. Modern, functional social provision that supports and enhances the “athletics experience.”
3. Facilities offering a mixed economy that supports long term sustainability.
4. High quality competition venues capable of hosting both traditional track and field fixtures and increasingly popular event specific competitions (e.g. Jumps and Throws Festivals). Note: UK Athletics and England Athletics are currently working closely with SRC and SBH with a view to hosting major domestic athletics fixtures at Allianz Park from 2018 onwards.

### Highways England

Highways England has been appointed by the Secretary of State for Transport as the strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this particular case, the M1.

Following the review of the planning application documents, we would require a condition that would implement additional measures to reduce the potential impact on the M1 and its on and off slips, particularly on match days with the proposed increase in the number of spectators (~15,000). This is to be agreed with the local authority in consultation with Highways England.

*Accordingly, we formally request that your authority refrains from determining this application until such time as we have received and considered this and any subsequent requested information. Once we are able to adequately assess what, if any, mitigation may be required for the Strategic Road Network we will provide you with our final formal response.*

*If, in the meantime, your authority wishes to determine the application, please let us know and we will provide you with a formal response based on the then available evidence.*

*Should the Council disagree with our final recommendation, it will need to advise and consult with the Secretary of State for Transport, in accordance with the requirements set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2015, by contacting the Department for Transport via [transportplanning@dft.gsi.gov.uk](mailto:transportplanning@dft.gsi.gov.uk)*

#### Historic England (Archaeology)

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

The site does not lie within an archaeological priority area.

The submitted Archaeological Desk Based Assessment (CGMS, December 2016) identifies that the projected line of a Roman road crosses the eastern half of the site on a north-south alignment. There is therefore the potential for evidence of the road to survive within the site. It is clear however, from the submitted assessment and development plans, that the proposals would not impact upon this alignment. Further to this, archaeological survival in the location of the proposed new west stand will have already been heavily impacted by the construction of the existing west stand, while the proposed new 'Saracens Store', ticket office and new toilet facilities are too small scale to result in a significant impact at this location.

No further assessment or conditions are therefore necessary.

#### Natural England

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

## Metropolitan Police

The Metropolitan police would expect this development to achieve the Secured by Design accreditation covering areas of potential concern including:

1. Public spaces in and around the development, places where people can gather and how these can become managed space.
2. Levels of permeability in to the site, either vehicular or pedestrian that cut through to the internal private space from external public space. Particularly the stand alone athletics building planed on the West aspect of the site. This planed requirement for a separate un-supervised access point with the potential for 24 hr access is aggravated with multiple key holders. This back door in to the development is a real concern for police and may damage the effectiveness of any security strategy.
3. Management of existing pedestrian and vehicular routes in to the public areas of the site (park aspect)
4. Increase of licensed premises for the sale of alcohol within the design for the west stand.

## London Fire Brigade

The Brigade is satisfied with the proposals.

## Internal Consultation responses

### Transport and Highways

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

### Scientific Services

No objections raised subject to attachment of suitable conditions.

## **2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL**

### **2.1 Site Description and Surroundings**

The proposed application site comprises the existing stadium at Allianz Park. It includes the existing East and West Stands, the permanent parking area to the immediate south of the Stadium, together with matchday parking areas to the south and north west of the Stadium, as well as the area of landscaping in front of the existing West Stand. The boundary of the proposed application site is identical to

that of the existing planning consent for Allianz Park that was granted in March 2012 (Ref: H/00928/11).

The application site has a total area of 10.52 hectares and forms part of the wider Barnet Cophall Sports Complex - an extensive area of open space used for organised sport and recreation as well as more casual leisure use. This wider area is bounded by the A1 Great North Way to the south, Holders Hill Road to the East, Devonshire Road, Oakhampton Road and Ashley Road to the North East, Pursley Road to the North and Page Street to the West.

Immediately adjacent to the application site to the north are Cophall Cottages and beyond these the Cophall Leisure Centre (including swimming pool, gym and fitness centre) and the Council's 'Greenspaces' Depot. Planning Permission has been granted for moving the Greenspaces Depot and the Planning Committee has resolved to grant planning permission for the erection of the proposed leisure centre subject to approval by the Mayor of London and the Secretary of State. Also to the north of the application site is the Metro Golf Driving Range (including ancillary American Golf retail outlet and cafe) and, north of the existing Leisure Centre, the Powerleague 5-a-side all-weather football pitches as well as the Chase Lodge Playing Fields.

To the west of the application site are various sports pitches used for both football and cricket. Beyond this is the Hasmorean Girls School where a further planning application to incorporate the Hasmorean Boys School onto a single, expanded site has been resolved to be granted by Barnet's Planning Committee subject to approval from the Mayor of London and the Secretary of State.

The application site and, indeed, the whole Barnet Cophall Leisure complex is designed Metropolitan Green Belt within which National, Strategic and Local Planning policies place strict restrictions on the development of land.

## **2.2 PROPOSED DEVELOPMENT**

The proposed development entails the extension and development of the existing Community Stadium at Allianz Park and the rationalisation of certain elements of the existing consent for the site. Full Planning Permission is being sought for:

*Extension to existing Community Stadium (under Class D2 of the Town & Country Planning (Use Classes) Order 1987 (as amended)) – comprising:*

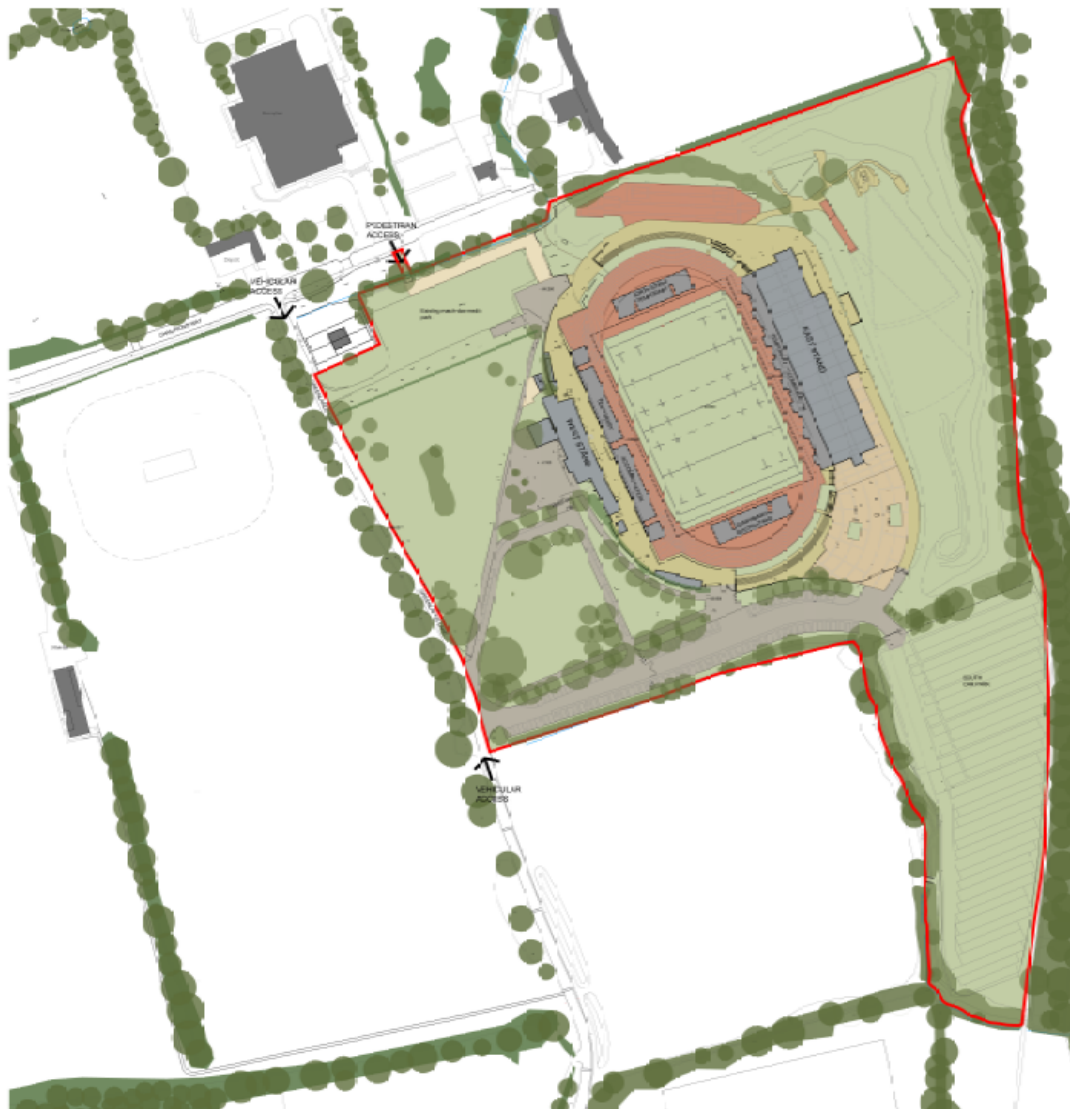
- (i.) the demolition of existing West Stand and erection of new permanent spectator stand with seating for 3,053 spectators – incorporating:*
  - (a) changing and storage accommodation (comprising 1,456 sq.m GIA - under Use Class D2);*
  - (b) ancillary hospitality lounge/restaurant, hospitality suites, and bars (comprising 2,336 sq.m GIA - under Use Class A3 and A4);*



- (c) *ancillary education accommodation (comprising 3,696 sq.m GIA under Class D1); and*
- (d) *shared accommodation and circulation space (comprising 1,681 sq m GIA under Use Class D2);*
- (ii.) *the formation of a new permanent means of access for pedestrians and emergency vehicles off Greenlands Way and the laying out of the land in front of proposed West Stand for landscaping and community use;*
- (iii.) *the retention of the existing East Stand (permitted under permission Ref: H/00928/11) and extension of the existing reception area to provide an additional 30 sq m GIA under Class D2;*
- (iv.) *the erection of ancillary accommodation for storage of athletics and matchday equipment and also a new ticket office and toilet block within the existing Stadium boundary (comprising 224 sq metres GIA – under Use Class D2);*
- (v.) *the retention of existing demountable stands to north, east and south of the exiting pitch during the rugby season (previously permitted under permission Ref: H/00928/11);*
- (vi.) *adaptation of the existing means of enclosure of the Stadium (including retrospective consent for existing entrances located to the south west and south of existing Stadium);*
- (vii.) *The laying out of a garden for community use to the rear of the existing East Stand;*
- (viii.) *Use of the existing car parking area to the south of existing stadium to provide parking for spectators on matchdays and permanent parking for stadium users and visitors at other times;*
- (ix.) *The resurfacing of the existing permeable area of event parking to the rear of Copthall Cottages for use by media vehicles and spectator coaches on matchdays and for Middlesex University staff at other times; and*
- (x.) *Provision of extended demountable spectator stands to the north and south of existing pitch to increase total stadium capacity to no more than 15,000 spectators for one event each year.*

A summary of the existing and additional floorspace for each land use is shown below:

Use Class/type of use	Existing gross internal floorspace (sqm)	Gross internal floorspace to be lost by change of use or demolition (sqm)	Total gross new internal floorspace proposed (including change of use) (sqm)	Net additional gross internal floorspace following development (sqm)
A3- Restaurants and cafes	1,470	0	2,336	2,336
B1 (a)-Office (other than A2)	596	0	616	616
D1-Non-residential institutions	616	616	3,167	1,986
D2-Assembly and leisure	5,869	1,181	3,167	1,986
Total	8,551	1,797	9,815	8,018



### Replacement Stand - External

The development proposed to replace the existing West Stand and the demountable seating provided in front of it, which have the capacity to hold 792 and 2,382 spectators respectively giving a total capacity of 3,174, with a new stand that would have a capacity to hold 3,353 spectators. All other seating and standing capacities would remain unchanged as follows:

- East stand (permanent) – 2,735
- East Stand (demountable) – 1,584
- East Stand (pitch side standing) – 300
- North Stand – 1102
- South Stand – 1102

Hence the proposal will increase the capacity of the ground in rugby mode from 9,997 spectators to 10,176 spectators, an increase of 1.8%. The application seeks to allow an increase in spectator capacity up to a maximum 10,500.

A significant part of the proposal is to provide a facility that meets current design standards, including standards for evacuation. From a supporters' perspective, new stand will increase the space between the tiers of seats and this will improve the comfort level for spectators.

### **Replacement Stand - Internal**

Internally the West Stand would provide accommodation as follows: **Ground floor:** changing, medical, warm up, and communications/media rooms associated with rugby fixtures and rugby use, rooms associated with use of the stadium for athletics, together with 1,551m<sup>2</sup> of teaching floorspace for use by Middlesex University together with ancillary space (reception, toilets etc.); **First Floor:** 2,145m<sup>2</sup> of teaching floorspace for use by Middlesex University together with ancillary space (toilets etc.); **Second Floor:** 548m<sup>2</sup> dual use rugby hospitality/Middlesex University dining space together with match day spectator concourse areas/breakout spaces with kiosks and toilets; **Third Floor:** Hospitality suites with ancillary areas (seating for which is included in the external seating numbers), which on weekdays will form part of the Middlesex University lecture space;

The Middlesex University use would provide 3,696m<sup>2</sup> of new teaching floorspace, plus ancillary space providing for reception, catering and welfare facilities.

Two main uses are proposed by the University for this space, these being:

- to accommodate its London Sports Institute's undergraduate and post graduate courses (elements of which are already held at Allianz Park); and
- to accommodate School of Health and Education courses.

Following the redevelopment all the Middlesex University teaching space would be provided in the new West stand and the existing teaching space in the East stand would be converted to event storage and to provide a new base for the Saracens Pioneers.

### **Increase Stadium Capacity to 15,000 Spectators for One Event Per Year**

The Rugby Club is seeking the option for the stadium capacity to be increased to 15,000 for one of its permitted 16 matches in the circumstance whereby it progresses to a home fixture quarter-final in the European competition, as happened in the 2015/16 European Champions Cup with a home fixture against Northampton Saints although this did not exceed 10,000 this season LBB allowed a one off event on 2<sup>nd</sup> April 2017 against Glasgow Rangers.

### **Amended Plans dated 4<sup>th</sup> April 2017**

As a result of further consideration the applicant provided amended drawings reducing the seating terrace in the proposed West Stand by 340mm in order to improve the site lines for Athletics. This also results in a slightly lowering of the height of the roof line of the new West Stand.

As this amendment involves a reduction rather than an increase it was not considered necessary to undertake a formal reconsultation in relation to these plans although these are the plans under consideration for the determination of the application.

## **3. PLANNING CONSIDERATIONS**

### **3.1 Principle of Development**

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

#### Land Use

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

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

#### Green Belt – Policy Context

## National Policy

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

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

‘(Paragraph 80) Green Belt serves five purposes:

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

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

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

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

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

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

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

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

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

### Open Space

‘(Paragraph 78) Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

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

### Biodiversity

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

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

## Regional London Plan Policies

### Green Belt

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

#### **'Strategic**

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

#### **Planning decisions**

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

### Open Space

Policy 7.18 (Protecting Open Space and addressing deficiency) further advises in



relation to open space that:

**‘Strategic**

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

**Planning decisions**

B The loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area.

Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate.’

Biodiversity

Policy 7.19 (Biodiversity and Access to Nature)

**Strategic**

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

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

**Planning decisions**

C Development Proposals should:

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

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

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

On Sites of Importance for Nature Conservation development proposals should:

a give the highest protection to sites with existing or proposed international designations<sup>1</sup> (SACs, SPAs, Ramsar sites) and national designations<sup>2</sup> (SSSIs, NNRs) in line with the relevant EU and UK guidance and regulations<sup>3</sup>

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

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

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

1 avoid adverse impact to the biodiversity interest

2 minimize impact and seek mitigation

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

### Local Plan Policy

#### Core Strategy

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

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

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

- securing additional on-site open space or other open space improvements in the identified growth areas including 8 ha of new provision at Brent Cross– Cricklewood, 5.5 ha of new provision at Mill Hill East and 5 ha at Colindale
- improving access to open spaces particularly in North and East Finchley and other areas of public open space deficiency identified by Map 10. We will seek to improve provision in these areas of deficiency with the objective of increasing the area of the borough that has access to district and local parks in accordance with the London Plan criteria
- securing improvements to open spaces including provision for children's play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space. Standards for new provision are set out in DM15 – Green Belt and Open Spaces
- maintaining and improving the greening of the environment through the protection of incidental greenspace, trees, hedgerows and watercourses enabling green corridors to link Barnet's rural, urban fringe and urban green spaces • protecting existing Sites of Importance for Nature Conservation and working with our partners

including the London Wildlife Trust to improve protection and enhancement of biodiversity in Barnet

- ensuring that development protects existing site ecology and makes the fullest contributions to enhancing biodiversity, both through on-site measures and by contribution to local biodiversity improvements; and
- enhancing local food production through the protection of allotments and support for community food growing including the Mayor's Capital Growth Initiative.'

### Development Management Policy

Policy DM15 Green Belt and Open Spaces advises that:

a: Green Belt/Metropolitan Open Land

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

b: Open Spaces

- i. Open space will be protected from development. In exceptional circumstances loss of open space will be permitted where the following can be satisfied:
  - a. The development proposal is a small scale ancillary use which supports the use of the open space or
  - b. Equivalent or better quality open space provision can be made.Any exception will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity.
- ii. In areas which are identified as deficient in public open space, where the development site is appropriate or the opportunity arises the council will expect on site provision in line with the standards set out in the supporting text (para 16.3.6).'

### Copthall Planning Brief

The Cophall Planning Brief supports the continued growth of Saracens Rugby Club. The Brief further advises that in relation to the Central area that 'Allianz Park Saracens Stadium is the principle focus for this area'.

In relation to the existing East stand and proposed rebuild the Cophall Planning Brief advises as follows:

*'The Allianz Park Stadium is the principle focus for this area, and rugby and athletics use will continue to share facilities and the stadium will continue to act as a community facility. The development of the west stand may present an opportunity for Middlesex University to expand their facilities onto the site.'*

*'The existing West Stand was built in the 1970's and is showing its age. It has a limited capacity and does not comply with the highest standards of stadium design. Due to the limited height the stand is flanked by two floodlight towers, which are the most prominent features of Cophall and the only features visible from surrounding areas.'*

*'Any proposed development should be designed to ensure that there is no disproportionate increase in the floorspace over and above the existing structures, and that they sit as far a reasonably possible on the existing footprint.'*

*'Disproportionate increase will be judged on its own merits. The openness of Green Belt can potentially be maintained if built facilities are concentrated in this central area. Use of the undercroft space for economic growth, continuing community use of the stadium, reducing further car park hard standing.'*

#### Assessment of application against the above policies

The principle of the use of the site as a Multi-Use Community Sports Stadium in this location is already established under the original planning permission H/00928/11 granted in March 2012, as is the use of the site by Middlesex University under planning application reference H/01946/13. The application is also in accordance with the recently adopted Cophall Planning Brief.

The main proposed use of the proposal for sporting purposes is included in the list of appropriate uses listed in Paragraph 89 of the NPPF. The development also involves the replacement of an existing building and development on previously developed land as also identified as appropriate under Paragraph 89. Paragraph 89 also states that while such developments may be acceptable in the greenbelt an assessment has to be made regarding whether the proposal has a greater impact upon the openness of the Green Belt and does not conflict with the purposes of including land within it.

The proposed new stand is built on a similar footprint to the existing stand, although it is materially larger in volume. The applicant acknowledges this and does not dispute that from the point of view of a policy assessment, the proposal should be

considered as a departure from policy constituting an inappropriate form of development in the Green Belt.

This does not necessarily mean that the development is unacceptable, however it does mean that the application needs to be justified under 'Very Special Circumstances'.

There is no statutory definition of what constitutes 'very special circumstances' and it is for the Decision Maker to decide that 'Very Special Circumstances' have been demonstrated which clearly outweigh any identified harm. In short what this means is that a balancing exercise should be made which considers the benefits of a proposal against any identified harm. Account can also be taken of any mitigation measures proposed. It is also noted that the various High Court decisions have held that the absence of material harm can in itself be considered as a 'Very Special Circumstance' from the point of view of assessing Green Belt applications.

### **3.2 Very Special Circumstances.**

The supporting Planning Statement and Design and Access Statement outline what the applicant considers 'very special circumstances' weighing in favour of the application. These are as follows:

- The application involves the enhancement of existing recreation and education facilities already at Allianz Park. The stated benefits in relation to community sport, physical recreation, sports education and health and well-being could not, and probably would not be delivered anywhere other than on the application site.
- In seeking to replace the existing stand with a new facility that meets current design requirements, the applicant has sought to do so with regard to the constraints imposed by the site's designation as Green Belt. The design of the West Stand endeavours to strike a balance between its physical form and scale (which to a large degree is a function of the need to accommodate the required spectator numbers and providing adequate sightlines, etc.) and accommodating the ancillary uses that, in this instance, will enhance its utility in all its operational modes while also delivering additional benefits to the community.
- The proposals will greatly improve facilities for rugby, athletics and community sport at Allianz Park. In doing so, they will assist the further expansion of the work of the Saracens Sports Foundation within the community. Based on the Foundation's current plans for the new stand, expanding contract hours for participants and its priorities to target more socially deprived neighbourhoods, it is estimated that the Foundations' impact and social cost savings should rise from £1,033,488 during the year ending October 2016 to £1,550,488 within one year of the proposed development being fully operational. This would represent a further £517,000 of cost savings generated by the Foundation as a direct result of the proposed development.

- Much of the recent success of the London Sports Institute (LSI) is due to its location at Allianz Park and the opportunity this has afforded to work with elite athletes and professional support and use the facilities at the Stadium. Middlesex University's proposals for the new West Stand will allow it to now build on this success and, in doing so, expand the LSI's capabilities and make it a truly outstanding facility for sports education and research, with a capability to attract the best students and staff both nationally and internationally.
- The proposed introduction of the new health education facilities will further enhance both Allianz Park's and Cophall's role as a hub for sport recreation and community sport but also health and well-being.
- The potential benefits of the proposed development for organised sport and recreation, community outreach programmes, sports education and health education in Barnet and North West London - are uncontested. However, it is important, at least in Green Belt policy terms, to recognise that but by providing these new facilities at specifically at Allianz Park they will complement the sporting, community and social benefits that Saracens, the SSF and the University are already delivering. In concert with the Council's plans for the Leisure Centre and the wider Cophall estate, they will help deliver, and expand, these benefits in the future, especially in relation to promoting community health and wellbeing. These benefits could not and probably would not be delivered anywhere other than at this location and this means there are, in this case, 'very special circumstances' that outweigh any potential harm to the Green Belt that might arise from the proposals and justify approval of the proposed development.

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

It is necessary for the Council to assess the applicant's identified 'very special circumstances', which in turn needs to be assessed against any identified harm as assessed below.

The relevant national and international standing of Saracens Rugby Club within the field of Rugby Union is not in dispute being double European and English Premiership Champions. Similarly Shaftesbury Barnet Harriers competes as a team at a national level, winning the national UK Athletics title in 2012 and 2013. As such the provision of an enhanced stadium would have wider than local significance and as such can be attached moderate to high weight as a planning consideration.

Similarly the Community Benefits which the Stadium provides are well established. With the following activities being provided in accordance with the core use for Rugby Union and Athletics:

- hosting community rugby events involving local schools and clubs;

- leading a programme of rugby, athletics and cheerleading holiday camps, providing coaching and activity for local children during school holidays;
- running a sports club (Sarries Skills Club) for young people with severe autism;
- providing a programme of activity for local older people, to include weekly Nordic Walking, Pilates, Dance, Fitness and Touch Rugby sessions for people over 50;
- hosting over 40 sports day per year engaging over 15,000 local children and providing access to the facilities at Allianz Park; and
- contribution to the improved health & wellbeing of local residents by organising and hosting a series of running events for people all ages abilities from charity fun runs, to Zombie Evacuation Races, to the North London Half Marathon.

While these activities exist at present, the proposed expansion would allow an expansion of these activities as a result of the cost savings arising from the scheme as a result of the lower maintenance cost and greater income as a result of the upgraded stadium accommodation. It is therefore considered that these community benefits should be attached a moderate to high weighting in the planning consideration.

In relation to the London Sports Institute, Middlesex University is a key public sector partner of Barnet Council and the Success achieved to date, and hopefully will be achieved in the future by the London Sports Institute is to be welcomed and should also be attached a moderate to high weight.

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

The applicant in their supporting planning statement assesses the proposal in relation to the criteria set out in paragraph 80 and 81 of the NPPF in regards to the five **purposes** of including land in Green Belts as well as the impact upon openness.

The sporting planning statement accepts that the Green Belt at Barnet Copthall fulfils the first two purposes in checking the sprawl of the surrounding area and in preventing the coalescence of Mill Hill, Finchley and Hendon. The applicant however considers that as the proposal is being built on a previously developed site, the proposal would not conflict with these aims. The applicant does not consider that the other purposes of the Greenbelt, preventing the Countryside from encroachment and preserving the special character and setting of historic towns as being relevant. The last purpose of assisting urban regeneration, by encouraging the recycling of derelict and other urban land is considered relevant in so far as the application involves the redevelopment of Previously Developed Land.

In terms of the Council's assessment of the above, the Council would agree that the first two grounds are relevant and that preserving the special character and setting of historic towns is not relevant. In relation to protecting the Countryside from encroachment it is acknowledged that the Inspector dealing with the Planning Appeal

for Barnet Football club did not consider this ground relevant to the Barnet Football Club decision. Nevertheless the characteristic of Green Belt in Barnet is in part due to the belt of green space running through the middle of Barnet and as such the Council would still consider this to be a relevant consideration. In relation to the last point regarding redevelopment of previously developed land, it is acknowledged that the site already contains buildings which means that a development would be treated more favourably than an application on a green field site.

In the case of the assessment of the proposal grounds 1, 2 and 3 are interrelated in that an assessment needs to be taken of the nature of the development and in particular the impact any increase in footprint and massing and the impact thereof on the Metropolitan Green Belt.

### **Purpose of Green Belt Policy**

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

### **Permanence**

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

The current application involving an expansion of an existing stand in an existing facility would not result in the loss of any open space and as such would not affect the permanence of the Metropolitan Green Belt.

### **Openness**

The definition of the meaning of openness has been discussed extensively in various High Court and one Court of Appeal Judgement. The High Court Decisions of *Heath and Hampstead Society V Camden* and *Timmins & Anor v Gelding*), concluded that the issue of openness as defined in the NPPF concerns 'the absence of buildings or development', not the degree to which a development would be visible and that all development is by definition harmful. This interpretation was subsequently varied to some extent by the Court of Appeal decision of *Turner v the Secretary of State* which concluded that openness has both a spatial and a visual aspect. The Court of Appeal did not disagree with the assumption expressed in the earlier High Court decisions that the Spatial aspect was more important.

In terms of the spatial aspect it is informative to compare the extent of the existing development of the site with that proposed under the current application.



**Table 5: Comparison of Existing and Proposed Development 'Footprint'**

	<b>Existing</b>	<b>Proposed</b>	<b>Change</b>
	Sq metres	Sq Metres	Sq Metres
<b>Within Stadium</b>			
Buildings	4,252	7,096	+2,844
Impermeable Hard Surfaces	7,115	7,116	+1
Permeable Hard Surfaces	1,542	2,860	+1,318
Track	9,302	8,634	-668
<b>Remainder of Site</b>			
Impermeable Hard Surfaces	9,231	5,926	-3,305
Permeable Hard Surfaces	2,070	4,079	+2,009
Soft Surfaces/Landscaping	71,699	69,500	-2,199
<b>Total</b>	<b>105,211</b>	<b>105,211</b>	

### Proposed West Stand Floorspace

<b>Uses</b>	<b>Use Class</b>	<b>Location</b>	<b>GIA (sq metres)</b>
Changing Facilities, Athletics Accommodation, Medical Areas, Media Accommodation & Storage	D2	Ground Floor	1,327
		Third Floor	129
		<b>Total</b>	<b>1,456</b>
Ancillary Hospitality Lounge, Suites, Bars & Concourse (inc areas also used by MU)	A3 & A4	Second Floor	1,730
		Third Floor	606
		<b>Total</b>	<b>2,336</b>
Ancillary Education Accommodation	D1	Ground Floor	1,551
		First Floor	2,145
		<b>Total</b>	<b>3,696</b>
Communal Areas & Circulation Space	D2	Ground Floor	434
		First Floor	326
		Second Floor	316
		Third Floor	605
		<b>Total</b>	<b>1,681</b>
		<b>Total</b>	<b>9,169</b>

The new West Stand would provide a comparable level of spectator accommodation to that already provided by the existing permanent stand plus temporary demountable seating which is installed in front of the stands during the rugby season. However, in order to meet current design specifications, the new stand is physically larger and increases the built floorspace on the application site as a whole. However, this increase in built floorspace (of 2,844 sq metres) is offset to some degree by the proposal to introduce new permeable surfaces – both within the Stadium (+ 1,318 sq metres) and also in area surrounding it (+ 2,009 sq metres) including in the concourse/piazza in front of the new West Stand. These new permeable surface areas form part of the proposed sustainable drainage scheme for the development and will replace the existing hard surfaces including the existing roadway/parking area and hardstanding in front of both the west stand and at the hardstanding in front of the existing north western entrance to the Stadium.

In relation to the impact of the development on the quantity of soft surfaces is relatively limited as a percentage of the site (3%) and is compensated to some

extent by the landscaping improvements including the additional planting proposed around the Stadium.

Overall in conclusion while the footprint of the actual stand has increased this is predominately over a portion of the site currently covered partly in hardstanding and which is clearly part of the Allianz Park estate rather than the wider public Cophall area, and the proposal would not result in any additional land loss from public to private usage. The proposal would increase the overall amount of permeable areas and the limited loss of soft landscaped areas will be compensated by proposed additional planting. As such overall it is considered that the harm to the spatial characteristic of openness would be limited and should be attached a low weight.

### Impact on Views

The applicant has provided a Landscape and Visual Assessment as part of their Environmental Statement as well as the Design and Access Statement. The images show a comparison of the existing stadium with the proposed plans. The images are taken from the north, south west, south east and west of the Stadium. The images include vantage points from within the Cophall Estate as well as from outside the complex.

The images show that the visibility of the new stand decreases the further distant from the Stadium. The images also show that in closer views where the stadium is visible the impact of the stadium is to some extent mitigated by existing landscaping surrounding the site, as well as the backdrop of the existing stadium.

The impact of the proposal is also mitigated by the detailed design of the stadium with the use of muted natural colours and vertical glazing panels which help to limit the visual impact of the proposal, as does the north south route between the two stands which host the demountable north and south stand seating areas. However in conjunction with the mitigation measures proposed under this planning application in particular in relation to the proposed landscaping, it is considered that the visual impact of the proposal upon the Green Belt would be of an acceptable level. Given this it is considered that a low to moderate level of harm would be caused in this regards.

### Open Space

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

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

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

In the case of the application the proposals do not result in the loss of any existing public open space being confined to the existing Saracens curtilage and is in full accordance with the provisions of the adopted Copthall Planning Brief. The proposal is therefore considered acceptable in this regard.

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

### **Biodiversity**

The application is accompanied by an ecological and nature conservation assessment which considered the potential for any significant effects as a result of the proposed development on ecological features within the site as well as in surrounding land.

The submitted assessment utilised a combination of desktop research together with surveys of local habitat and fauna (paying particular to any the potential presence of any rare, notable or protected species such as bats, Badger, and Great Crested Newt).

The assessment advises that existing planting, trees, hedgerows and ditches have ecological value at the local level, whilst the existing buildings, hard-surfacing, amenity grassland and ornamental shrub planting provide habitat that offer limited opportunities for protected species.

### **Effects during demolition and construction**

The assessment advises that the proposed development could affect habitats during construction works although through the implementation of a Construction Management Plan any impact on ecology could be mitigated to avoid any significant environmental impact, this includes for example limiting tree removal to outside bird nesting season.

### **Effects During Operation**

Once operational, the assessment concludes that, provided the recommended safeguards and/or mitigation is put in place including the proposed landscaping and the installation of bat and bird boxes and insect blocks, the proposed development is unlikely to have a significant impact on any ecological designations, habitats of nature conservation interest or any protected species.

In summary the applicant's assessment of the residual impact is as follows:

Summary description of the identified impact	Importance of Receptor	Impact Magnitude	Significance and Nature of Effect	Additional Mitigation* (Compensation/Enhancements)
<b>Construction</b>				
<i>Statutory Ecological Designations</i> No likely effects	International	Negligible	Non-significant	None required
<i>Non-statutory Ecological Designations</i> Degradation of habitats from dust deposition	District	Negligible	Non-significant	Safeguarding measures including protective fencing, appropriate storage of materials, damping down of potential sources of dust and management of drains
<i>Retained habitats</i> Degradation of habitats from dust deposition and physical damage	Local	Minor (adverse)	Short-term, non-significant	Safeguarding measures including protective fencing, appropriate storage of materials, damping down of potential sources of dust and management of drains
<i>Bats – trees supporting roosting potential,</i> disturbance from lighting	Local	Minor (adverse)	Short-term, non-significant	Controls on temporary lighting and noise.
<i>Bats – foraging/commuting</i> Disturbance to bat foraging and commuting habitat from lighting	Local	Minor (adverse)	Short-term, non-significant	Controls on temporary lighting and noise.
<i>Badger</i> Construction hazards and disruption to commuting activity	Site (legislative importance only)	N/A (scoped out in terms of significant effects)	N/A (scoped out in terms of significant effects)	General safeguarding measures to minimise construction hazards. Controls on temporary lighting and noise.
<i>Birds</i> Loss of active nests and noise and visual disturbance	Local	Minor (adverse)	Short-term, non-significant	Clearance of potential bird nesting habitat outside of breeding season (or following nesting bird check), controls on temporary lighting and noise.
<i>Great Crested Newt</i> Risk of injury from clearance of 3.5m section of hedgerow (H2)	Site	Minor (adverse)	Short-term, non-significant	Provision of ecological supervision during removal of hedgerow section, preceded by a finger-tip search at the base of the hedgerow.
<i>Reptiles</i> Risk of injury from clearance of 3.5m section of hedgerow (H2)	Local	Slight (adverse)	Short-term, non-significant	Safeguarding measures to avoid killing or injury of reptiles, to include trapping and relocation or habitat displacement.
<i>Invertebrates</i> Dust deposition and pollution of waterbodies	Site	N/A (scoped out in terms of significant effects)	N/A (scoped out in terms of significant effects)	To benefit from mitigation in relation to habitats including damping down of potential sources of dust and management of drainage.
<b>Operation</b>				
<i>Statutory and Non-statutory Ecological Designations</i> No likely effects	International to District	Negligible	Non-significant	None required.
Loss of low value habitat, disturbance to bat foraging and commuting habitat from lighting	Local	Minor (adverse)	Permanent, non-significant	Sensitive lighting design. <i>New tree and shrub planting to provide additional foraging/commuting resource.</i>
<i>Badger</i> Loss of foraging areas and disturbance to commuting routes from lighting	Site (legislative importance only)	N/A (scoped out in terms of significant effects)	N/A (scoped out in terms of significant effects)	None required.
<i>Birds</i> Loss of nesting habitat, and disturbance from lighting and noise.	Local	Minor (adverse)	Permanent, non-significant	None required, although new tree and shrub planting will provide replacement nesting opportunities. <i>New habitat creation and additional nesting opportunities.</i>
<i>Great Crested Newt</i> Loss of small section of hedgerow H1 (~3.5m), resulting in slight reduction in sheltering opportunities.	Site	Minor (adverse)	Permanent, non-significant	None required, although new shrub planting will provide replacement sheltering opportunities.
<i>Reptiles</i> Loss of small section of hedgerow H1 (~3.5m), resulting in slight reduction in sheltering opportunities.	Local	Minor (adverse)	Permanent, non-significant	None required, although new shrub planting will provide replacement sheltering opportunities.
<i>Invertebrates</i> Loss of low value habitats, anthropogenic effects, changes to hydrological regime and risk of pollution events	Site	N/A (scoped out in terms of significant effects)	N/A (scoped out in terms of significant effects)	None required. <i>New habitat creation providing additional invertebra opportunities.</i>

\* Measures shown in italics and shaded grey relate to compensation to offset potential adverse effects.

It is considered that the above adequately demonstrates that the proposal would not result in any significant ecological effects and will be adequately compensated for by the proposed mitigation measures.

## Trees

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

In relation to the application proposals the landscape, ecological and arboricultural assessments submitted in support of the application have identified a number of key landscape features within the context of the site. These include the established woodland belt that runs directly adjacent to the site's eastern boundary separating the site from Hendon Golf Club, areas of amenity grassland that establishes the immediate setting of the stadium, which is also characterised by groups of parkland trees and a singular hedgerow that extends within the application site from the existing West Stand. Further identified key vegetation includes the group of trees and tall ruderal planting identified within the Habitats and Ecological Features Layout within the ecological report that encloses the northern part of the application site. As such the proposals have sought to accommodate and enhance these key landscape features to ensure that the setting of the proposals has a degree of maturity from the outset and that biodiversity opportunities are recognised and wildlife corridors are maintained. These features will be protected during the construction period to avoid harm as a result of the construction work and use of heavy plant.

The proposal does involve the removal of some lower value trees in order to facilitate the development of the stand and associated infrastructure. In total in addition to category

'U' trees (which should be removed regardless of development proposals), the proposals necessitate the removal of:

- 9no. individual trees which are category B;
- 12no. individual trees which are category C;
- 4no. groups of trees which are category C, and;
- The partial removal (c.4m section) of one further category C group of trees.

In relation to trees to be retained, in the vicinity of the proposed Western Stand these comprise of:

2no. individual and 1no. group of trees which are category A;  
35no. individual and 1no. group of trees which are category B, and;  
22no. individual and 3no. groups of trees which are category C.

In addition to the retained planting, a comprehensive scheme of landscaping is proposed to reinforce and enhance these features and compensate for any tree loss.

The proposals will ensure that an appropriate setting for the new West Stand is provided and is detailed within the supporting planning documents. The landscape strategy for the site includes:

- Provision of new avenue tree planting to establish the new West Stand approach and main entrance into the stadium as a whole;
- New ornamental shrub planting to extend into the amenity grass area in front of the new West Stand to compliment the architecture of this new facility and the proposed new hardstanding areas, which will be further complimented by swathes of new bulb/ wild meadow and tree planting to enhance the existing vegetation structure;
- A new living green wall, to frame the new West Stand entrance and provide an increased sense of arrival;
- New wild meadow planting to enhance the existing ecological features and improve biodiversity as identified within the ecological assessment;
- Existing car park surfacing to be improved from what is currently mud to a reinforced seeded grass surface that is free draining, with improved parking facilities provided that will create a more coherent access strategy for the busy periods.
- New tree and ornamental planting to provide an enhanced and pleasant congregation area to the south of the new West Stand.
- New car parking facilities, sensitively treated with a reinforced grass surface, to provide a discreet natural finish that will assist in blending these areas into application site and wider setting

Overall the proposed planting scheme is considered an appropriate response, helping to soften the appearance of the proposal as well as improving the visual appearance of the landscape surrounding the stadium. The replacement tree

planting is also considered to adequately compensate for the trees which are proposed to be removed as a result of the proposal.

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

In conclusion, the application is considered to be broadly acceptable in Green Belt terms representing an appropriate form of development which not adversely affect the five criteria set out in the NPPF for assessing green belt applications and would also preserve the fundamental principles of Green Belt Policy in regards to their permanence and openness. The proposal would not result in the loss of any public open space. The proposal would also not result in any significant impact on nature conservation and while the proposal would involve the loss of some trees, these are generally lower value specimens which will be adequately compensated for by the replacement planting.

### **3.5 Sporting Operation and impact on existing uses including Athletics and Rugby**

#### **Overview**

The applicant in their supporting planning documents advises that the proposed West Stand will provide a significant improvement to the facilities for both Rugby and Athletics. The stand has been designed in accordance with the appropriate Professional Games Board, RFU, Sports Grounds Safety Authority recommendations and 'Sport England Design Guidance Notes', these areas include, Professional changing accommodation, Community changing accommodation, Changing Places toilet Design for accessible use, Spectator facilities, Match-day facilities and Stadium management facilities.

In addition to designing to Sport England Standards a consultation was held with Keith Davies from UK Athletics, on the 1st December 2016 and design consultations with Shaftesbury Barnet Harriers representatives to review the facilities, sightlines and management requirements of the new stand. This scheme was met positively and viewed that the proposals would greatly enhance the existing facilities and athletics event experience of both spectators and athletes.

#### **Specific facilities for Athletics**

The applicant has provided a detailed response to the concerns expressed by Shaftesbury Barnet Harriers and advised that the proposal would provide the following improvements and facilities for Athletics Usage:

1. Once the new West Stand is complete, 8 lanes will be available on the home straight during all year round – including during the rugby season.
2. New modern changing rooms and toilets – that athletes will be able to use on training nights and for events;
3. 'Changing Places' toilet facilities for disabled athletes, other users or supporters who attend the stadium for an event;

4. A new Stadium Café – where athletes, other users and supporters can take refreshment. This will, for example, also provide a good place for parents to be able to wait whilst children attend training nights;
5. A dedicated new office for SBH opposite their existing clubhouse at the south end of the new West Stand. This accommodation is in addition to that which Saracens are already committed to provide under the existing lease arrangements (see below);
6. A dedicated internal storage area for SBH next to their offices at the south end of the new Stand;
7. A new external storage facility for athletics equipment and an equipment checking and weighing area within it;
8. Additional facilities, that can be used by arrangement for athletic events including:
  - the Saracens Foundation teaching room / matchday media accommodation;
  - hospitality boxes / meeting rooms on the third floor;
  - athletics officials' office;
  - Concourse areas to service events;
  - A welcoming reception area that can be used for 'meet and greet' area for events; and
  - New external toilets located at the south end of the track close to the SBH clubhouse;
9. Double ended photo finish to enable races to be reversed if wind conditions are difficult;
10. New sound system to improve announcements during events;
11. New and improved First Aid room and medical facilities; and
12. Access to a new large state of the art strength and conditioning gym run by MU to support the development of athletes. This will further enhance the existing relationship between MU and SBH at Allianz Park

The applicant has advised that some measures requested by Shaftesbury Barnet Harriers; such as retaining 4 lanes during construction (due to health and safety issues) or provide 24 hour access to the Middlesex University fitness suite (due to security issues) however the applicant is committed to minimising disruption during construction and to work towards a workable agreement in relation to access to facilities.

### **Sightlines**

The quality of a sightline is often expressed as a 'C' value. The recommended 'C' value for spectators varies according to the sport, as does the choice of focal point. Because Allianz Park is a dual-purpose facility these key criteria have to be considered for both rugby and athletics and, in preparing the application scheme, Saracens needed to strike a balance between the different spectator requirements of rugby and athletics.



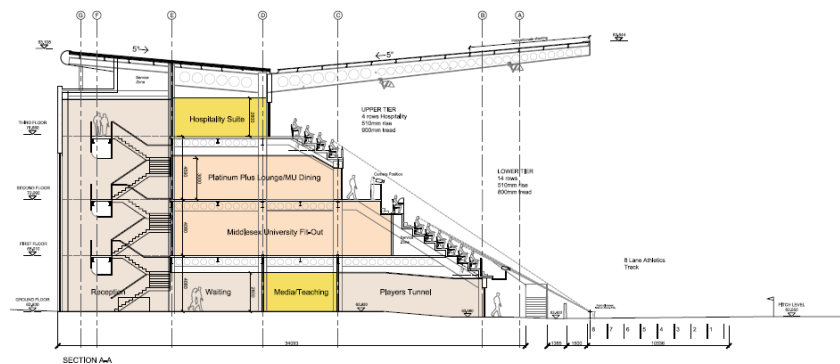
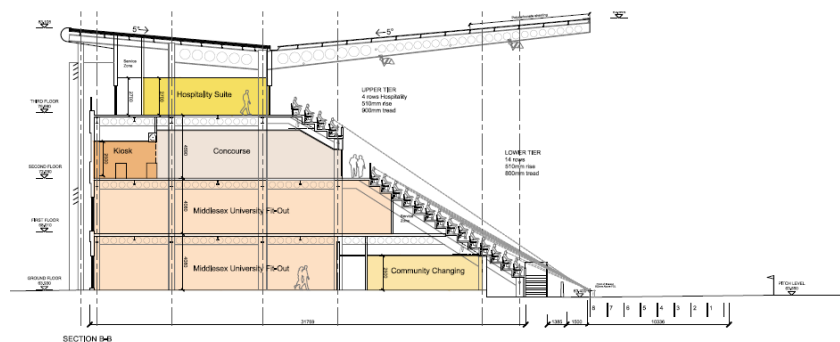
The design for the proposed West Stand offers a safe fully-covered seating terrace for up to 3,353 spectators on a rugby match-day, and up to 2,520 spectators during athletics events.

Although the sightlines for both rugby and athletics in the submitted scheme were designed in compliance with the recommendations of the Guide to Safety at Sports Grounds and BS EN 13200-1:2012, further detailed analysis has revealed that by *reducing* the seating terrace in the proposed West Stand by 340mm (the equivalent of essentially two step blocks on the terrace), the spectator viewing experience for athletics can be improved – achieving:

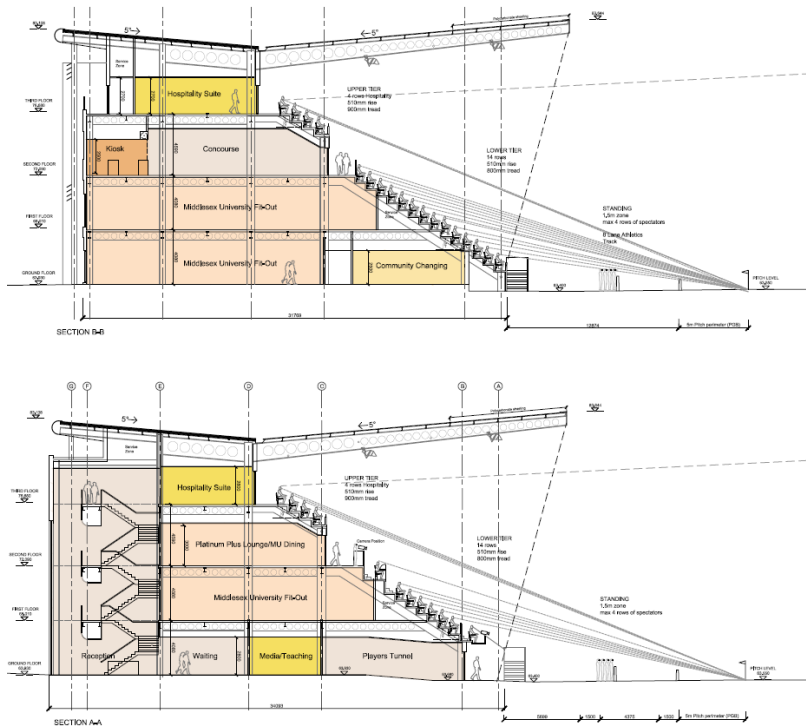
- A minimum C value of 120mm for 21% of the seats;
- A minimum C value of 90mm for 25% of the seats; and
- A minimum C value of 60mm for 42% of the seats.

In other words, this modest change to the submitted scheme will improve views for nearly 90% of athletics spectators in the proposed West Stand. This can be seen from the proposed diagrams.

### Athletics Mode



### Rugby Mode



As can be seen from the above it is considered that with the proposed amendments adequate spectator facility viewpoints will be provided for both Rugby and Athletics usage and it is considered that the proposal would result in improved facilities for both sports.

### 3.6 Design Assessment

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

The proposed new West Stand is designed to represent an 'evocative architectural statement', the scale and form of which directly relates to its function as a major spectator venue and educational institution. A single tier all seated terrace with upper balcony to meet the sports requirement and the four storey height accommodation with high quality frontage, accommodating a range of ancillary uses that complement the principle use of the stadium.

The Stand has been designed so that the accommodation forms an active façade, creating a recognisable form and sense of arrival to the site. The four storey frontage to the Stand steps in and out along its length which aids to breaking down the stands form and mass. Areas of active frontage at lower levels connect the building and its users to the surrounding public realm.

A combination of bronze cladding, green walls and curtain walling creates a recognizable entrance to the building frontage. A series of decorative external columns form a colonnade either side of the main entrance.

The Stadium roof above the terracing is a simple pitched cantilevered structure. The main roof over the accommodation has been designed as a flowing element which floats over the building. Full height glazing at Level 4 adds to this, both externally and pitch-side, creating the visual effect that the roof is floating over the stand.

## **Materials**

The selection of the materials for the new West Stand have been chosen to minimise visual impact and soften the building within its landscape. Bronze coloured cladding will frame the entrance and stair cores of the stand, combined with living green walls.

Timber cladding and ribbon glazing is also proposed as the prominent feature for the West Stand exterior, forming a contemporary frontage, where the bronze and timber cladding provides a natural colour pallet to the building's exterior, whilst the reflective nature of the glazing allows the building to blend in with its context.

Horizontal composite cladding panels span between the main elements of glazing to the facade to provide feature breaks within the glazing. When combined with the horizontal proportions of the timber cladding bands and expressed transoms of the glazing units it aids to reduce the perceived verticality of the building and hold it to the ground.

It is proposed that the main cantilever roof over the Stand will be covered in light coloured profile sheeting, with concealed gutters and feature flashing units around the perimeters to provide a clean aerodynamic profile. Below eaves level on the West Stand will be a band of dark grey louvres or look-alike louvres, which will enhance the effect that the roof appears to be floating over the stand. Full height glazing lines the upper most storey of the West elevation again utilizing the reflective properties of the glass to reflect the stands surroundings and skyline to reduce the perceived height of the building.

## **Conclusion Design and Materials**

Overall the design of the proposed stand is considered appropriate to its context, representing a satisfactory quality of design which is sympathetic to its green belt setting. The Design of the building represents a visual improvement over the existing stand, being similar in appearance to the existing east stand. In terms of Green Belt the proposed stand would represent a visual improvement to the appearance of the existing stand and due to the measures which have been taken to utilise materials to soften the appearance of the development within its green belt setting it is considered that this is attached a 'moderate rating' in relation to the overall green belt assessment as referred to elsewhere in this report.

### **3.7 Inclusive Access**

The proposals have been developed to ensure that the Stadium will be fully accessible with both vertical and horizontal circulation routes, corridors, stairs and

lifts that will be designed in accordance with Approved Document M. There will be lift access to all floor levels with all staircases designed to accommodate ambulant disabled visitors and staff. Provision of large size passenger lifts appropriate to the number and type of users should be appropriately secured. Provision will be made within the West Stand for a total of 44 wheelchair viewing positions, with associated seats for helpers, located in a variety of positions. These positions include ground level at the front of the Stand, at elevated positions to the front of the seating terrace and high level at the rear of the West Stand. Within the seating deck and standing areas there will be facilities for those spectators who are blind or partially sighted to receive commentary during the match. 79 car parking spaces (i.e. over 11% of the total 694) designed to Blue Badge standards will also be provided.

The above is welcomed and it is considered that this matter should be attached moderate weight in relation to Green Belt Assessment.

### **3.8 Impact on Residential Amenity**

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

The closest residential properties to the application site are a pair of properties (1 and 2 Copthall Cottages) situated immediately adjacent the north-east boundary of the site. No representations have been received from the owners/occupiers of these properties. However, they are positioned more than 90m from the stadium boundary enclosure itself.

Due to the distance of the proposal from the proposed stand, the actual physical structure of the proposed stand would not affect levels of daylight or sunlight to the property although they could potentially be affected by Construction Noise and the operation of the enlarged stadium.

The applicant in their supporting documents acknowledge that this however the applicants considers that this impact is considered to be only minor/ adverse and in relation to construction would be mitigated through adopting modern working practices and the 'best practicable means' (BPM) to reduce noise during demolition and construction and the development of an appropriate Construction Management Plan incorporating a range of noise and vibration management controls.

In relation to the operation of the Stadium, obviously the existing stadium already benefits from planning permission and it is only the uplift which needs to be considered in this assessment. The increase in the maximum number of attendees from 10,000 to 10,500 represents a 5% increase which is not likely to generate any significant additional noise. It is also noted that the greater height of the West Stand is likely to act as a noise barrier and as such the proposal should not result in any significant increase in noise disturbance.

In relation to the proposal for a one off annual increase to allow for 15,000 spectators for a home European Quarter Final, a one off 15,000 match took place on Sunday 2<sup>nd</sup> April between Saracens and Glasgow. Initial indications are that the match passed off without any significant problems although a detailed report is being prepared which will be reported in the Addendum to the Planning Committee Meeting of the 26<sup>th</sup> April.

In relation to more general disturbance in the surrounding area, it is noted that one resident has raised complaints regarding a helicopter filming a match as well as fireworks displays at the stadium. It is noted that both these matters occur in the stadium as it is at present and as such is of limited relevance in assessing the current application. It is further noted that if a statutory noise disturbance did occur then enforcement action can be taken under environmental health legislation.

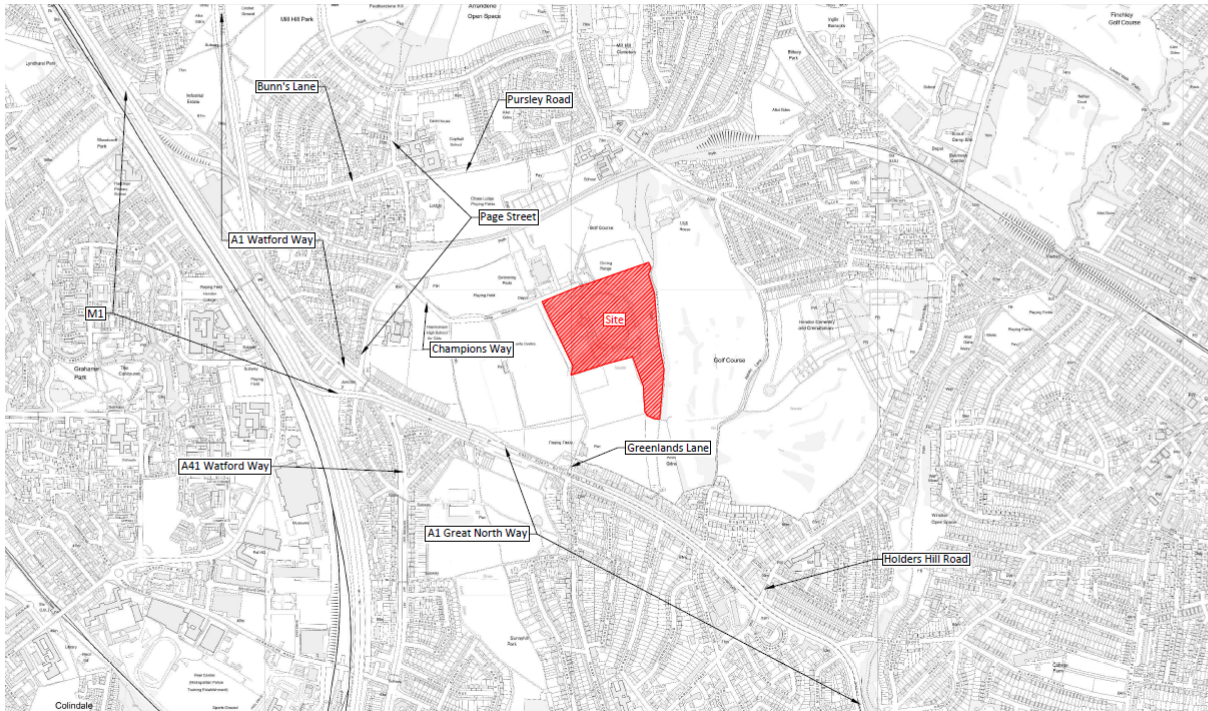
Overall the proposal is considered by officers to be compliant with development plan policy as it relates to the amenities of neighbouring occupiers and users of the Cophall Centre in accordance with Policy DM01. In terms of green belt weight, this matter is appropriately considered as neutral, not contributing in the overall assessment either for or against the proposal.

### **3.9 Transport and Highways**

#### **Accessibility:**

##### Highway Network

The wider highway network is accessed from either Champions Way or Greenlands Lane. Champions Way runs east to west towards the north-western corner of the site and forms an all movements give way junction with Page Street to the west. Greenlands Lane runs north to south along the western side of the site and forms a left in/left out give way junction with the A1 dual-carriageway to the south of the site. Champions Way and Greenlands Lane meet at the north-western corner of the site by way of a 3-arm mini roundabout. Champions Way forms the east-west arms and Greenlands Lane the southernmost arm. The eastern Champions Way arm heads to Cophall Leisure Centre and the Metro Golf Driving Range.



The section of Champions Way that runs westwards to Page Street from the mini roundabout has an overall length of some 500m. This section of Champions Way is bounded by the grounds of Mill Hill Rugby Club (to the north) and Cophall playing fields (to the south).

Champions Way and Greenlands Lane are traffic calmed through the use of speed humps. Greenlands Lane has a nominal width of some 5.5m and Champions Way is slightly wider at around 6m. There is no footway alongside Greenland's Lane, nor is there any form of development. Greenlands Lane is bound by fields on both sides. Greenlands Lane is generally lightly trafficked and it is commonplace to see pedestrians walking on-road.

As indicated above, the priority junction formed between Greenlands Lane and the A1 Great North Way takes the form of a left in/left out. The A1 Great North Way runs east to west at this point, and has three running lanes in either direction, with no break in the central reservation at the junction.

Some 800m east of the junction with Greenlands Lane, the A1 forms a 4-arm signalised crossroads with the B552, the junction being known as the Holders Hill signals junction. The northernmost arm is formed by the B552 Holders Hill Road and the southern arm the B552 Parson Street.

As well as allowing all turning movements, eastbound traffic on the A1 is able to u-turn at the junction from the right turn lane, and hence while traffic from Greenlands Road can only turn left and head eastbound on the A1, it is able to u-turn at the Holders Hill signals and head westbound towards the M1 (which slips onto and off

the A1 just west of Greenland Lane) and the Fiveways junction around 700m west of Greenlands Lane (of which Page Street forms an arm). Indeed this is the quickest route to the M1 from Allianz Park.

Traffic headed to the site from the Holders Hill junction is able to reach the site by turning onto Holders Hill Road, looping around the far northern side of site via Devonshire Road and Pursley Road, reaching Page Street and hence Champions Way through the Bunns Lane mini roundabouts. However, this route is much longer and less direct and convenient compared to the route via the A1 and Page Street, and thus is much less likely to be used by most persons travelling to the site.

The Fiveways junction is a large signalised junction/gyratory located around 700m to the west of Greenland Lane. The junction connects the single A1 Great North Way arm (that is aligned broadly east-to west, and forms the easternmost arm of the junction) with the A1 Watford Way (the northernmost arm of the junction) and the A41 Watford Way (the southernmost arm).

All movements are possible at the Fiveways junction, including U-turns, facilitated through the provision of central lozenge-shaped islands. The junction is elongated and substantial in size measuring a nominal 180m in length; the central gyratory or islands occupying roughly 100m of this.

Watford Way is three-lanes wide on approach and through the junction, with Great North Way being two lanes wide. Page Street is a single lane in width, flaring to provide two left-turn (eastbound) only lanes at the immediate approach to the junction. Drivers wishing to head to the west onto the A1 Watford Way can U-turn in the gyratory.

Page Street joins the A1 Watford Way to the west of the gyratory by way of a signalised junction which is linked with the operation of the gyratory. While the right turn is permitted from the A1 east into Page Street, traffic exiting Page Street is required to turn left onto the A1, but can then head in any direction at the gyratory.

However to reach the M1 (north) from this junction, traffic either needs to head eastwards along the A1 to the Holders Hill junction and then u-turn to join the M1 just west of Greenlands Lane, or continue north-westwards to join the M1 at Junction 4 some 7km away.

Sightlines onto Page Street where it is met by Champions Way are good. The junction is spacious with refuge islands on Page Street assisting pedestrians and prohibiting overtaking on Page Street, across the mouth of the junction.

Page Street runs in a broad north-south orientation and is generally fronted on its western side by houses and on its eastern side by green fields/undeveloped land.

The road width of Page Street is around 7m, with occasional on-road parking (in dedicated bays). The parking does narrow the road, but 2-way traffic movement is still possible.

Roughly 350m to the south of its junction with Champions Way, Page Street meets the A1 Great North Way and the A41 Watford Way at a large signalised junction called Fiveways. This junction is detailed shortly.

Some 300m north of the Page Street/Champions Way junction, Page Street meets Pursley Road and Bunns Lane at a double mini roundabout. Pursley Road runs in an east-west direction (along the northern boundary of Chase Lodge playing fields and the 5-a-side football ground) merging into the eastern side of the most southern roundabout.

Bunns Lane merges into the western side of the most northern roundabout, with Page Street merging into the northern most side of the more northern roundabout, continuing its north-south alignment. The roundabout is known as the Bunns Lane mini roundabout.

Pursley Road is a good quality distributor road. It has some on-road parking (via marked bays) and in general single-yellow markings elsewhere that serve to limit parking.

The road is subject to a 30mph limit, is street lit and is comparatively wide with a carriageway width of around 8m. To the east, Pursley Road heads off to Finchley and Mill Hill.

The northernmost Page Street arm of the Bunns Lane mini roundabouts directs traffic broadly towards the neighbouring suburbs of Mill Hill and Mill Lane. Page Street is subject to a 30mph speed limit and has a typical road width of around 7m. It is one of the most lightly trafficked arms of the roundabout.

Bunns Lane is similar in nature and geometry to Pursley Road. It has a 30mph limit, is street lit and parking is controlled with single yellow lines. On-road parking provision is very limited in comparison to Pursley Road however. Bunns Lane heads to the west/northwest, where it directs traffic under the M1 motorway and on towards Edgware.

## PTAL

The centre of the site has a PTAL (Public Transport Accessibility Level) rating of 0. There are no forthcoming infrastructure improvements that are expected to improve this in the near future (i.e. up to 2031). The roads immediately surrounding the site,



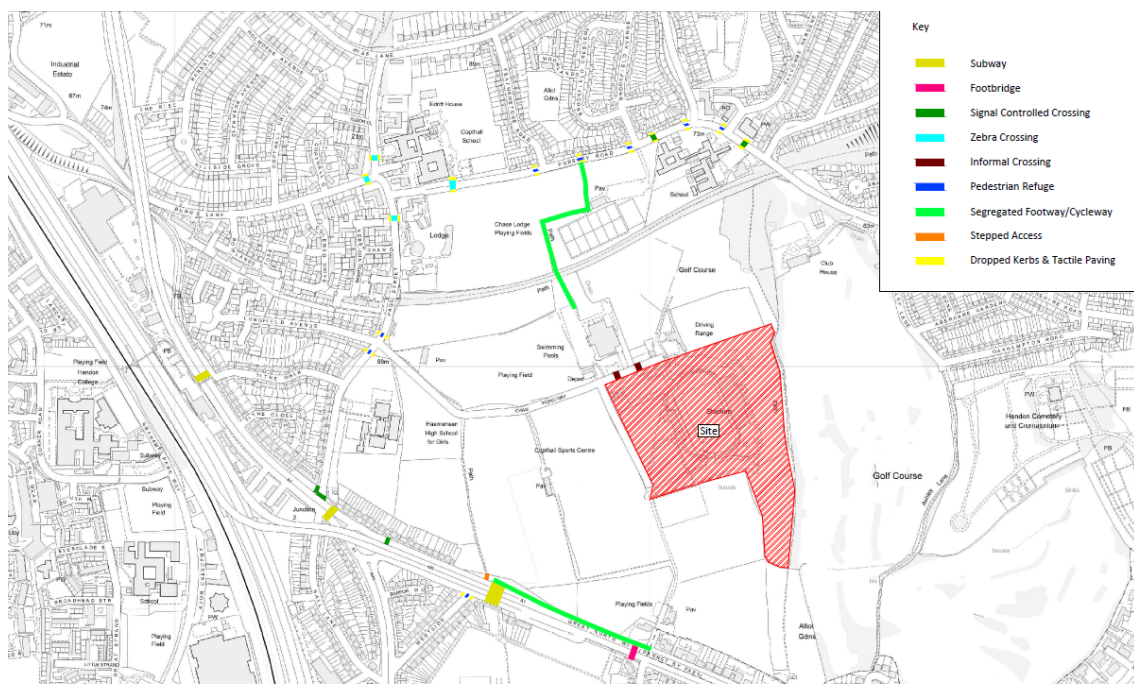
namely the A1 Watford Way, Pursley Road, Bunns Lane and the B552 typically have a PTAL rating of around 1a or 1b.

Having a low PTAL rating for this type of land-use is not uncommon, as it is directly linked to the fact the site is inherently large, and thus distant from surrounding roads and transport infrastructure, even though good infrastructure exists within a manageable walk distance.

As examples, by comparison, Twickenham Stadium (82,000 capacity) has a PTAL rating of just 1a/1b, and the Olympic Stadium (60,000 capacity) a rating of around 0 to 1b, much like Allianz Park.

### Walking

A comprehensive pedestrian audit was undertaken as part of the Transport Assessment for the East stand application. The conclusion of the pedestrian audit was that in general the footways in the area around the site and between the satellite car parks and the site are in a good condition and routes are shown on the plan below.



The Copthall Leisure Centre to the north of the site was recently given planning permission to demolition and rebuild. Currently spectators are able to use a footpath from Pursley Road through to the leisure centre and access through the car park onto Champions Way. The rebuild of the leisure centre would mean the relocation of the car park. From discussions Saracens would require the proposed 1.8 metre footway around the proposed car park to be 3 metres to provide for the expected

number of spectators using this route. The applicant is required to contribute £30,000 for the widening through S106 contributions. The path is highlighted in red on the plan below.



Champions Way is around 500m in length, 2.5m wide footway provided on the southern side of the road to a point roughly mid-way along Champions Way. From here the footway crosses onto the northern side of the road, dropped kerbs and tactile paving are provided. The footway continues along the northern side of the road, up to the Page Street junction.

East of Greenlands Way, a narrower footway runs along the south side of Champions Way, and after around 60m, a gravelled route heads southwards towards the stadium. However this is an indirect route to the West Stand entrance.

Southward from Champions Way there are no footways, and hence anyone going to the west and south side of the stadium from this direction have to either walk on the road or grass.

At the southern end of Greenlands Lane, a pedestrian footbridge with steps and ramps is provided at the junction with Great North Way, catering for north-south movement over Great North Way. There are footways provided on both sides of the

southern section of the Greenlands Lane until south of the boundary Barnet Copthall sports and recreation site.

A separate pedestrian gate is provided into the Barnet Copthall sports and recreation area but within the Copthall site there are no footways provided on Greenlands Lane; pedestrians either walk on-road or on the playing fields. There is little vehicle traffic on this section of Greenlands Lane, which is around 6m wide. The access into the stadium lies on Greenlands Lane around 350m to the north of the Greenlands Lane/Great North Way junction.

The alignment of Page Street is broadly north-south, with an overall length of some 700m. It forms the northernmost arm of the 'Fiveways' junction and the southernmost arm of the Bunns Lane double mini roundabout. Footway provision is continuous along both sides of the road over the entire length of Page Street.

The footway varies from running alongside the carriageway, sometimes being separated from the carriageway by a small (1.5m) verge and occasionally by a substantial depth of verge where the footway becomes elevated above the carriageway. Footway width is a minimum of 2m.

Where side roads join Page Street, dropped kerbs and/or tactile paving are present. The exception to this is across Champions Way, where neither dropped kerbs nor tactile paving are provided.

Movement across Page Street is facilitated by two pedestrian refuge islands located on Page Street, either side of the junction formed with Champions Way (this being roughly mid-way, 350m along Page Street) and at the far end of Page Street, near to the Bunns Lane double mini roundabout. The refuge islands are well placed to cater for pedestrians movements across Page Street, to and from the site via Champions Way.

Overall Page Street provides good quality pedestrian infrastructure, typical of an urban area.

Pursley Road/Bunns Lane broadly run east to west. They form a 4-arm double mini roundabout with Page Street which forms the northern and southern arms. The western arm is Bunns Lane and the eastern is Pursley Road.

Bunns Lane has a length of some 1.5km and leads to the nearest train station, Mill Hill Broadway, which is considered later in this report. Roughly 700m west along Bunns Lane from the mini roundabout, Flower Lane leads north and also provides a pedestrian route to the station.

Over the 700m section of Bunns Lane, there is footway provision on both sides of the road. There are crossing points provided on Bunns Lane itself, notably via zebra crossings located at the Bunns Lane arm of the Bunns Lane mini roundabout and on Bunns Lane west of the Flower Lane junction, where Flower Lane also has dropped kerbs and a pedestrian refuge. There are also pedestrian refuge islands located on Bunns Lane, at typically 200-300m intervals, up to Flower Lane.

Pursley Road shares similar characteristics to Bunns Lane; footway provision on both sides, with pedestrian refuge islands on the carriageway every 200m-300m or so. There is a zebra crossing on the western end of Pursley Road outside Copthall School, roughly 130m east of the roundabout junction formed with Bunns Lane, and a Pelican crossing around 400m further west.

The footways on Pursley Road are comparatively wide at around 2.5m to 3m. Sideroads are widely spaced by around 150-200m, meaning that there are few interruptions to the footway; this is particularly true on the southern side with much of Pursley Road adjoin playing fields and green areas in general.

Flower Lane represents the most direct route to Mill Hill Broadway train station, by walking along Flower Lane and then along residential roads of Woodland Way and Station Road in a broad north-south direction. Access from Bunns Lane onto Flower Lane is facilitated by the provision of a zebra crossing on Bunns Lane. Total walk length from Flower Lane to the station is some 700m.

Flower Lane has substantial (3m) footways on either side. The road is fronted on its eastern side by part of Mill Hill Park. After some 270m, to reach the station, pedestrians would bear left in a westerly direction onto Woodland Way and then left again onto Station Road. Both of these roads have footways on either sides and are mainly residential in nature.

Although they have some value as through-routes, traffic flows are comparatively light, making walking on and crossing either of the roads comparatively easy.

Great North Way runs in a broad southeast to northwest direction forming from Greenlands Way to the Fiveways traffic signal junction some 700m to the southwest of Allianz Park. The A1 is a busy dual carriageway, and as a result crossing is only realistically possible using dedicated pedestrians crossing facilities.

There are footways on both sides of Great North Way, and these are generally separated from the carriageway by a grass verge, which serves to increase the physical separation between traffic and pedestrians.

Pedestrians arriving at the site from the south in the vicinity of Sunny Gardens Road/Greenlands Lane can cross Great North Way by way of a pedestrian

footbridge located directly adjacent to the western side of the Greenlands Lane junction: this bridge has steps and ramps, the latter providing for disabled and cycle access.

For pedestrians arriving at the site from the southeast, the pedestrian overbridge is the only pedestrian crossing point until the traffic signal controlled Holder Hill junction some 800m to the east, this junction incorporating a pedestrian crossing of the A1 on its east side.

Some 300m west of the Greenlands Lane overbridge is a subway, which provides access under the Great North Way in the vicinity of Westside, which in turns joins the A41 Watford Way to the southwest. This subway incorporates both steps and ramps. From the subway, it is possible to walk to Allianz Park either along the A1 and Greenland Way, or to enter the Barnet Cophall sports and recreation area by way of a set of steps to the west of the subway, and take the path that joins Greenlands Lane to the south of the stadium.

Considering Great North Way to the west of the subway, a comprehensive set of crossing facilities are integrated into the Fiveways signal junction, allowing either east-west movements or north-south movement. Typically, crossing any arm will necessitate the use of at least two signalised crossings. A walk from this point to the site, along the Great North Way footway would be around 1.2km, and take around 14 minutes.

The northern and southern arms of the junctions are Watford Way. Both arms share similar characteristics to Great North Way with footways typically at least 2m wide separated from the carriageway by a grass verge. Watford Way has houses to the eastern side, part of a residential area that is generally permeable for pedestrians trying to reach the site.

Sunny Gardens Road forms part of the most direct pedestrian route between Allianz Park and Middlesex University's Hendon Campus, approximately 2km to the south of Allianz Park and around a 20 minute walk.

Sunny Gardens Road is a residential road which has relatively wide footways on both side of the street. Most properties have off-road parking and typically dropped kerbs are provided at junctions with side roads.

Around 700m to the south of the pedestrian footbridge across the A1 Great North Way (which connects to Greenlands Lane) there is a surfaced footpath between houses which heads southeast to Church Terrace, crossing Sunningfields Road.

There is an un-surfaced footpath from Church Terrace through Saint Mary's Church churchyard which connects to Church End and the Hendon Campus, or there is an

alternative footpath around 90m further to the south which also connects to Church End.

There are no existing pedestrian directional signs showing that this is the route between Allianz Park and Middlesex University. The applicant is to carry out a signage review and enter into a highway agreement with the highway authority to implement agreed works prior to occupation.

## Cycling

The cycle network includes a route that runs north to south through Allianz Park and along Greenlands Lane. The route is formally described by Sustrans as having on-road and off-road sections, although the section of Greenlands Lane that runs through the site is very lightly trafficked.

From the south, roughly 1.5km distant from the site near to Middlesex University, the route directs cyclists around the western side of Sunny Hill Park; the route is traffic free.

Cyclists continue alongside Sunny Hill Park, where they are directed up and onto the overbridge that crosses Great North Way and subsequently onto Champions Way, and into the site.

From the north, the route is again traffic free from Mill Hill East underground station (described in one of the following sections), this also being some 1.5km distant from the site.

The route directs cyclists along a series of lanes and paths, across the northern side of Allianz Park and down its western side, on Champions Lane.

Overall, due to the traffic-free/lightly trafficked nature of the route, cycling is considered to be an attractive option.

Sustrans undertook a Cycle Accessibility Study for Allianz Park and Middlesex University. They produced a report in December 2013 which made a series of recommendations to improve the cycling links to Allianz Park. These recommendations include measures which range from those that are immediately achievable to those that would take longer and need significant funding. Even the immediate actions on the Sustrans list of interventions are beyond the ability of Saracens Rugby Club to deliver in isolation.

The route to the Hendon University Campus is approximately a 1.5km walk – a more attractive cycle. Helping to encourage cycling will support the link with the University. Providing cycle parking centrally as part of both Cophall Leisure Centre and Allianz

Stadium West Stand will be essential. Providing signage and route improvements for cyclists and pedestrians would help encourage use of this north/south route. The applicant is to carry out a signage review and enter into a highway agreement with the highway authority to implement agreed works prior to occupation.

## Bus

A summary of buses that pass close to the site. All routes are classed as high frequency routes by TfL.

	Route	Bus stop	Daytime Freq (Either Direction – min)			First service			Last service		
			M-F	Sat	Sun	M-F	Sat	Sun	M-F	Sat	Sun
221	Edgware-Turnpike Lane Station	Pursley Road	10-12	10-12	10-13	05:47	05:47	05:47	00:47	00:47	00:47
113	Edgware Bus Station-Marble Arch Station	Great North Way	9-12	9-10	20	04:37	04:37	04:37	00:06	00:06	00:06
N113	Edgware Bus Station-Trafalgar Square	Apex Corner	30	30	30	00:31	00:31	00:31	04:05	04:05	04:05
240	Edgware Bus Station-Golders Green Station	Edgware	11-14	12	20	05:40	05:40	06:50	00:21	00:21	00:21

To the north, there are bus stops on Pursley Road. These stops are around 600m from the centre of Allianz Park or around an 8 minute walk.

The nearest pair of stops on Pursley Road have a shelter and seating for buses travelling in a westbound direction, with a bus stop flag only eastbound services. Buses wait on-street (i.e. not in a lay-by).

Service 221 can be caught from the Pursley Road stop. Typical service frequency is every 10-12 minutes, seven days a week, with the services starting early in the morning and finishing late in the evening. The 221 links Edgware to Turnpike Lane and calls at Mill Hill East Tube Station

On Great North Way, bus stops are located adjacent to the Fiveways signal junction around 1.2km to the southwest of the site as the crow flies or around an 14 minute walk. The buses servicing both of these stops are the 113 and N113. Services 113 and N113 combine to effectively give a 24hr service, operating every 30 minutes out-of-hours and every 10-20 minutes during the daytime. The 113/N113 call at Mill Hill Broadway train station, Edgware and Hendon Central underground stations.

#### Rail/Train and Underground Services

The nearest train station is Mill Hill Broadway, located to the northwest of the site around a 33 minute walk away. The station lies on the Midland main line. The 113 bus service connects the station to the Fiveways, with the bus stops there being a 14 minute walk from Allianz Park. The station has two platforms and includes cycle parking provision.

Services passing through the station are the Sutton to Luton service (operated by Thameslink and passes through Tooting, Wimbledon and St Pancras) and the Sutton to St Albans City service (that passes Loughborough Junction and St Pancras).

There are three underground stations that can be used to reach Allianz Park; these are Edgware, Hendon Central and Mill Hill East. Mill Hill East is the closest underground station and lies to the northeast around 1km distant from the site in a straight line, around a 26 minute walk away. Mill Hill East is served by the 221 bus to Pursley Road, with the bus stops there being about an 8 minute walk from Allianz Park

Mill Hill East is the last stop on the northern branch line and lies in zone 4. During the course of the day there are service every 30 minutes or so. The northern line runs through London Euston, London Bridge and Waterloo.

Edgware Station is served by the shuttle bus on match days. Service 113 connects Edgware Bus Station (next to the Tube Station) with Fiveways, which is a ten minute walk (800m) from Allianz Park.



Hendon Central Station is 3km from Allianz Park, Bus service 113 connects the station to Fiveways, the bus stops there being a 14 minute walk from the stadium.

Both Hendon and Edgware are on the Northern Line with through services to Morden (south). The line has a train every three minutes in each direction during the day, reducing to once every ten minutes in the early morning and late afternoon.

#### Middlesex University Sites from Allianz Park

Students are most likely to either walk or cycle between Allianz Park and the main Hendon campus; it is around a 20 minute walk between the two sites.

It is expected that there will be travel demand between the Allianz Park site and the University's student accommodation.

Usher Hall, Platt Hall and Writtle House are all relatively close to Allianz Park and students are most likely to walk or cycle between these sites.

Ivy Hall and the new accommodation at Olympic Way, Wembley are further away and students are likely to travel to Allianz Park by bus (service 113). Ivy Hall is a 23 minute cycle ride from Allianz Park so this would also be an option.

#### **Existing Match Day Operation of Allianz Park**

The Saracens website promotes the use of non-car modes when travelling to Allianz Park and provides information on how to use them, as well as providing information about routes by car, and details of parking at and for Allianz Park.

The Saracens club have volunteering scheme in place to help with travel arrangements on a match day. The volunteers stand around site to direct traffic to parking and help to direct people to and from the site that are travelling by noncar modes. These are known as the Saracens Pioneers.

The following information is provided on the Saracens' website.

#### Saracens Express

The Saracens' Express coach service also runs on a match day to Allianz Park. There are four different routes each with multiple pick up points.

Tickets can be purchased on either a seasonal or match by match basis and tickets will include details of the exact pick up time and location. The coaches depart from the locations listed below:

- Chesham
- Berkhamsted
- Hertford
- Letchworth

#### Rail - Underground

The Northern underground line runs from Morden to Edgware, High Barnet or Mill Hill East. For Allianz Park alight at Hendon Central, Mill Hill East or West Finchley depending on the branch of travel. Hendon Central is then an 8 minute bus ride to Five Ways Corner with a 14 minute walk to Allianz Park. Mill Hill East is a 26 minute walk to the stadium or a 6 minute bus ride to the Cophall Sports Centre bus stop, while West Finchley is a 13 minute bus ride from the Cophall Sports Centre bus stop.

The Piccadilly underground line runs from Heathrow Airport and Uxbridge to Cockfosters. For Allianz Park, alight at Bounds Green with the Allianz Park bus stop a 30 minute ride away.

#### Rail-Overground

The Thameslink service runs between Brighton and Bedford, stopping at three London terminals, London Bridge, Blackfriars and London St Pancras. For Allianz Park, alight at Mill Hill Broadway which is a 16 minute journey from St Pancras.

The Great Northern Route runs from London Kings Cross with two branches, one to Peterborough and the other to Cambridge. For Allianz Park, alight at either New Southgate or Bowes Park, depending on the branch. Both stops are 15 minutes from Kings Cross, and the Cophall Sports Centre bus stop is then a 25 minute bus ride from New Southgate or a 30 minute ride from Bowes Park.

#### Shuttle Buses

If travelling by rail or London Underground to Allianz Park, there is the Saracen's Shuttle that runs on match days at no extra cost from nearby stations. Underground stations included in the service are Mill Hill East and Edgware as well as the Mill Hill Broadway National Rail station. The shuttle runs every 6/7 minutes from each of these stations and drops off passengers a short walk from the stadium on Pursley Road.

#### **Modal Split and Trip Generation:**

Middlesex University

At present some 368 Undergraduates and some 106 post graduates attend units of their courses at Allianz Park, giving a total of 468. LSI courses are presently split between the University's main Hendon Campus and at Allianz Park.

The table below provides a summary of the current LSI schedule at Allianz Park. It should be noted that undergraduate year 1 and 2 lectures on a Monday are held at the nearby Hendon Campus. Students that attend Allianz Park are generally there all day with lectures starting between 9:00 and 10:00 and finishing between 15:00 and 17:00.

Year	Mon	Tue	Wed	Thu	Fri
UG1				142	
UG2					129
UG3	91	91			
PG	106		106		
Total	197	91	106	142	129

A travel survey of Middlesex University staff and students who attend Allianz Park was undertaken on the 20th – 25th of October 2016. Students were asked where they travel from to get to Allianz Park, what days they attend Allianz Park as part of their course, what time they usually arrive/depart and their main mode of travel.

A total of 272 responses were received, 270 from students and 2 from members of staff. At the time survey the post-graduate students were on a reading week which is reflected in the number of responses received on the Monday and a Wednesday.

Over 90% of respondents only attend Allianz Park one day per week, 8% attend 2 days a week and only 0.4% of respondents attend 3 days. The majority of respondents arrive between 07:00 and 10:00 with arrivals being distributed relatively evenly across this three hour period; with the peak hour of arrival, at 34.9%, being between 08:00 and 09:00. Only 1.1% of respondents arrive before 07:00 and 8.5% arrive after 10:00.

The majority of respondents depart between 15:00 and 18:00 with departures being distributed relatively evenly across this three hour period; with the peak hour of departure, at 33.6%, being between 16:00 and 17:00.

A summary of the main mode of travel to the Allianz Park site are shown below.

Modes of Travel	Main Mode (Number)	Percentage %
Car as Driver (no pass.)	58	21.3
Car as Driver (w/pass.)	21	7.7
Car Passenger	12	4.4

Motorcycle	6	2.2
Bus	76	27.9
Train	38	14.0
Walk	56	20.6
Cycle	1	0.4
Taxi	3	1.1
Other	1	0.4
Total Respondents	271	

In terms of future student number after the redevelopment of the West stand, LSI would hold all course units at Allianz Park, and would look to increase enrolled numbers up to around 750 as a maximum. However the maximum number of students attending Allianz Park on any one day would not increase as this will be fixed by the capacity of the facility, which is around 200 students.

It is expected that teaching hours will typically be between 08:00 to 18:00. This is similar to the existing situation on a Monday when around 200 students already attend Allianz Park, however this pattern will be extended to cover the whole week – i.e. there will be an increase in LSI student numbers Tuesday to Friday compared with existing.

In terms of staff numbers, currently some 15 staff work at Allianz Park at present and this is expected to increase up to a maximum of 20 after the proposed development. Staff attendance across the day is likely to be more fluid across the day depending on what classes they are teaching at Allianz Park and elsewhere at the University.  
School of Health and Education

The School of Healthcare and Health Science (SHHS) intends to run a number of courses at Allianz Park. The existing SHHS facility at the University's Hendon campus is used to capacity and is no longer meeting all their students' needs.

One of the biggest issues the (SHHS) has is that the facility is spread across various parts of the campus and there is limited flexibility in how rooms are used, without moving costly equipment from one area to another.

It is expected on average there will be 200 students per day, who will be there all day. It is expected that teaching hours will typically be from around 09:00 to 17:00. In terms of staffing levels, it is expected that staff numbers would be between 30 and 35. Staff attendance across the day is likely to be more fluid across the day depending on what classes they are teaching at Allianz Park and elsewhere at the University.

Overall, there will be around 400 students that would attend Allianz Park per day and they will typically stay at the site all day. Staff movements will be more fluid as some will teach different classes but it is expected that the maximum on site at one time would be 50.

Total student trips are summarised on the table below. The predicted peak hour for arrivals is 201 between 08:00 – 09:00 and for departures it is 191 between 16:00 and 17:00.

	Arrive	Depart	Total
Pre 07:00	2		2
07:00-08:00	63		63
08:00-09:00	201		201
09:00-10:00	100		100
After 10:00	34		34
Before 15:00		15	15
15:00-16:00		103	103
16:00-17:00		191	191
17:00-18:00		64	64

At present, because of the requirement to allow public parking on site, unless major events are being held, parking is not controlled. As part of the proposed development, automatic parking controls will be introduced which will prevent this. Alongside this, the University will make it clear to students that parking on residential roads surrounding the Copthall sports and recreation area will not be permitted, and any students found doing so will be subject to the University disciplinary procedures.

Therefore, the proposed increase in Middlesex University teaching space at Allianz Park is not predicted to increase student trips to the site by car. Indeed LSI students who are already based at the site and currently drive will no longer be able to do so, which will reduce car trips to Allianz Park. The predicted change in modal split for non-car modes with controls in place can be shown on the table below.

Modes of Travel	Percentage %	AM Peak Hour	PM Peak Hour	Daily
Motorcycle	2	4	4	16
Bus	45	91	86	360
Train	22	44	42	176
Walk	25	50	48	200
Cycle	4	8	8	32
Taxi	2	4	4	16
Total	100	201	191	800

To estimate staff travel patterns the TRICS database has been examined and contains information on a similar health orientated campus, that being the Bucks University campus at Uxbridge.

The predicted number of Middlesex University staff at Allianz Park following the proposed development is 55 (20 LSI staff and 35 SHHS staff). The maximum number of staff expected on site at any one time is 50 and many members of existing staff currently travel by non-car modes. It is also worthy of note the Middlesex University staff have to pay for a parking permit, and this will be applied equally to its controlled parking at Allianz Park.

Therefore, although 50 parking spaces will be provided on site for Middlesex University the number of cars actually parked on a daily basis is fact likely to be lower than this. However, to ensure a robust assessment is has been assumed that all 50 spaces will be used on a daily basis.

The TRICS car arrival and departure profile for the Bucks University site has been used to predict the level of staff vehicle trips based on a restrained parking accumulation of 50 spaces, as summarised on the table below.

Time	Arrive	Depart	Totals	Accumulation
07:00-08:00	5	0	5	6
08:00-09:00	16	0	16	22
09:00-10:00	19	2	21	39
10:00-11:00	9	1	10	47
11:00-12:00	3	2	5	48
12:00-13:00	4	2	5	50
13:00-14:00	2	3	5	49
14:00-15:00	2	3	5	48
15:00-16:00	1	11	12	38
16:00-17:00	1	25	26	15
17:00-18:00	2	10	12	6
18:00-19:00	2	4	6	4
Daily	65	65	130	

The postcode information provided as part of the travel survey for student LSI staff and students has been used predict the distribution of traffic on the local highway network.

The percentage of people living in each postcode area and the likely routes to Allianz Park from each (based on Googlemap directions) has been used to predict the distribution of development traffic on the local highway network, as summarised in the table below.

Direction of travel when travelling to Allianz Park site by fastest route	Number of People	Percentage %
GNW (South-East)	29	11
GNW (North-West)	110	41
A41 (North)	109	41
Bunn's Lane (East)	6	2
Page Street (South)	2	1
Pursley Road (West)	3	1
M1 Sliproad (East)	8	3
Total	267	199

### Saracens staff

An online travel survey was circulated to all Saracens staff shortly after their relocation in April 2013 to Allianz Park. Analysis of the results found that 74% of staff travelled to Allianz Park by car.

### Events

There are various events held at Allianz Park and, for the purposes of monitoring travel, the events were divided into various types in the original travel plan:

- **Type A** – Saracens 1st XV home matches;
- **Type B** – Other “major events” held at the Stadium, for whatever purpose within limitations, when the forecast attendance is between 5,000 and 10,000 persons;
- **Type C** – Intermediate (non-major) events when attendances of more than 500 but fewer than 5,000 are forecast;
- **Type D** – Events involving fewer than 500 participants, including events at the stadium comprising, for example, hospitality, training and/or corporate events and/or other lettings of the accommodation and facilities in the stadium, as well as other uses of the catering facilities;
- **Type E** – Day-to day activities;
- **Type F** – School sports events organised by the schools themselves, not Allianz Park.

A number of surveys have been carried out to identify the following baselines for event type:

- Type A – travel by car 39%, travel by public transport 19.5%, by cycle 2.5%, by coach/shuttle service 30.5%, by walking 3.5%, by taxi 3%, and powered two-wheeler 2%;
- Type B – no events had been held at the time of the 2014 TP, and none were scheduled for the 2014/15 season;
- Type C – hypothetical events and thus no data is available;
- Type D – no precedent for this type of event;
- Type E – travel by car 77%, travel by public transport 11.5%, by cycle 5%, by walking 0.5%, taxi by 2% and powered two-wheeler 4%; and
- Type F - travel by car 70%, travel by public transport 20%, by cycle 0.5%, by coach 7%, by walking 2% and by taxi 0.5%.

### **Parking Provision:**

A total of 669 car parking spaces are currently provided at the Allianz Park site, which is below the maximum of 700 spaces which allowed with the consent for the redevelopment of the East stand. The location of these spaces is as follows:

- Loop Road – 29 car parking spaces used for coach and operational parking on a match day;
- Public Access Parking – 48 parking spaces including 16 spaces capable of providing disabled parking;
- Allianz Stadium Parking – 58 parking spaces capable of providing disabled parking;
- Southern Car Park – 534 spaces including 15 Electric Vehicle Charging Spaces;

The Redgra parking area to rear of Copthall Cottages is only used as parking for coaches and media vehicles on match days and as such is not used by the general parking. Parking for coaches and operational purposes is also provided on the oneway access loop road to the west of the stadium on match and major event days.

Gates provided at both ends of the access road so that the use of this area can be controlled.

The main tarmacked parking area is divided by a gate, which is generally open but can be closed to secure access to eastern end of the car park. All of the parking to west of the gate (32 standard spaces and 16 disabled spaces) is uncontrolled (with the exception of match days and event days) and provides general parking for the community facilities surrounding the site as required by Condition 88 of the planning permission.



Although the parking spaces to the east of the gate in the main car park are all marked as disabled, the travel plan indicates them to be blue badge priority parking, so that, with the exception of match days and event days, they are typically used for general parking with 2 blue badge spaces being capable of accommodating 3 cars if additional space for access is not required.

Access to the grasscrete parking area is from the eastern most end of the permanent parking area by way of a manual gate. The alignment and position of the entrance to the grasscrete parking area means that it is only visible at the very eastern end of the main car park area and the change of surface indicates that it is less formal in nature. As such the main car park tends to fill up first before this area is used.

In terms of how the overall parking in this area operates, the gates dividing the various areas are standard gates provided for security purposes rather than to control access when the site is in use. Except for large events, for which parking is managed, use of the main car park is uncontrolled. Because of the requirement to provide public parking on the western end of the car park combined with the lack of movement control, parking in the main area tends to be a free for all. As a result of this, to accommodate parking to the legitimate weekday uses at the stadium, the temporary South car park has also needed to be used on occasions.

In any event, the gate to the Southern car park cannot now be closed, as electric charging bays are now provided at the northern end of car park.

Parking has operated in this manner since the opening of the new East stand 2013 and there have been no issues in highway terms as a result of the current use of this parking area.

To maximise the use of sustainable transport and to minimise the negative impact on the local community of car movements associated with match-days and other major events, an extensive controlled parking zone (CPZ) operates, preventing parking by vehicles lacking a permit in the roads near to the stadium. The operation of the match day CPZ is monitored as part of the Stadium Travel Plan.

There are two car parks on-site for the general public, P1 (Grasscrete) and P2 (Disabled). Other satellite car parks that are nearby to the stadium are also available and are listed below:

- Power League
- Power League (Grass)
- Hasmorean Girls
- Dollis Junior

- Dollis Infant
- Middlesex University
- Copthall School

To book and purchase a car parking space at any of these car parks for a match day is available on the Saracens website and parking is only available by prebooking. The parking that gives access to the site is limited and therefore non-car methods are encouraged when travelling to Allianz Park.

#### Changes to Parking to the West of the Stadium

Permission is being sought for the resurfacing of the land to the rear of Copthall Cottages for use by media vehicles and spectator coaches during major events and for Middlesex University staff at other times.

This area is currently already used as parking for media vehicles and spectator coaches. The only change in vehicle trips would arise from its day to day to by Middlesex University and this is considered separately.

It is also proposed to amend the access to the West stand from Greenlands Lane and, in doing so, create new landscaped areas and space for informal leisure and recreation on the land in front of the new stand.

The existing operational parking provided on the one-way access loop road to the southwest of the stadium, which is also only used for match days and major events, will be lost as result of the proposals. Team coach and ambulance parking will be provided in the bays in front of the new West stand.

#### Formalisation of the Use of the Southern Car Park to cater for Weekday Events

It is proposed to formalise the controlled use of the existing Southern Car Park, which provides 534 spaces, for non-match day events. Use of this parking for match days and major events is already consented, because of the requirement to provide public parking on the western end of the car park combined with the current lack of movement control, parking in the main area tends to be a free for all. As a result of this, to accommodate parking to the legitimate weekday uses at the stadium, the temporary South car park has also needed to be used on occasions to host community events at the site. It is also the case that the gate to the Southern car park cannot now be closed, as electric charging bays are now provided at the northern end of car park. Hence currently the stadium parking operates as a free for all at the current time. Parking has operated in this manner since the opening of the new East stand 2013 and there have been no issues in highway terms as a result of the current use of this parking area. Hence, consenting the use of this parking during

the week will not give rise to new trips by car on the highway network, but rather will formalise what has been occurring since the stadium was improved to accommodate Saracens Rugby Club in 2013. There have been no issues in highways terms with the current use of the grasscrete parking area. Indeed, as part of this proposal, it is proposed to introduce automatic parking controls, with all parking save for the public parking area needing to be authorised.

### Proposed Parking Provision and Management

The number of parking spaces on site following the proposed redevelopment of the west stand will be:

- Redgra Area – 50 Middlesex University spaces including 5 disabled spaces;
- Public Access Parking – 52 parking spaces including 16 spaces capable of providing disabled parking;
- Allianz Stadium Parking – 58 parking spaces capable of providing disabled parking;
- Southern Car Park – 534 spaces including 15 Electric Vehicle Charging Spaces;
- The total number of parking spaces provided on site will be 694 spaces including

79 spaces capable of providing disabled parking and 15 electric vehicle charging spaces. This is 25 spaces more than is currently provided on site and still below the maximum of 700 spaces consented for the East stand planning application.

### On-Site Car Parking Management

It is proposed as part of the development to introduce parking controls at the Allianz Park site on an everyday basis. Car parking is already closely managed on match and event days. As non-match day parking is generally uncontrolled at the moment, the introduction of parking controls will have positive implications on the day to day operation of the site.

### Redgra Area

On non-match days this parking area will provide a maximum of 50 parking spaces including 5 disabled spaces for Middlesex University staff and students with exceptional circumstances will be managed with the same access system that the University has at its Hendon campus. Access will be enabled for permit holders and they will gain access by swiping in with an ID card.

On match days the Redgra parking area will continue to provide parking for coaches and media vehicles.

### Public Access Parking

On-non match days open access to the public of the western end of the main Allianz Park car park needs to be maintained but the potential for this parking to be used by Middlesex University students, and possibly even staff (given they have to pay for permits) will need to be controlled.

It is proposed that this parking area will be monitored by a CCTV system. If parking by students is identified then appropriate enforcement measures would need to be taken.

Should student or staff parking continue to be an identified problem then it would be appropriate to introduce some control on the use of the spaces, for example limiting the maximum duration of stay of these parking spaces to say 3hrs.

This would not affect their use by the general public (3 hours would cover most sports matches, dog walking etc.) but would prevent use by students and staff who stay at the site all day. However this might require a modification to the term of the existing S106 agreement to allow for controlled use by the public.

Sixteen spaces within this area are currently marked as being disabled spaces. It is proposed that three of these parking spaces will have a coloured tarmac treatment which will indicate that these spaces are reserved for blue badge holders at all times. New signage will indicate that the remaining 'disabled' spaces within this area can be used as standard parking on non-match days. The use of the permanent disabled spaces would be monitored through the travel plan and further spaces could be provided if demand required.

On match days this parking will continue to be controlled by Saracens' stewards to ensure that only cars with pre-booked parking spaces will be allowed into the car park.

### Allianz Stadium Parking (Tarmac) and South Car Park

It is proposed that this parking area will be controlled at all times by a new barrier operated located in the same place as the existing gate, the barrier being controlled by an automatic number plate registration (ANPR) system. This will mean that only authorised vehicles will be permitted to park in this parking area.

As happens with rugby matches, parking will need to be pre-booked prior to visiting the site. The system will allow for communication from the barrier, to allow, for

example, electric cars which haven't pre-booked to obtain permission to enter the site, however any such vehicles will still need to be registered on the system to permit entry. Hence all movements into and out of the car park would be fully controlled and its use monitored.

All parking spaces within the main car park element of this area are currently marked as being disabled spaces. Thirteen of these parking spaces, those closest to the entrance to the stadium, will have a coloured tarmac treatment which will indicate that these spaces are reserved for blue badge holders at all times. The use of the permanent disabled spaces would be monitored and further permanent spaces could be provided if demand required.

New signage will indicate that the remaining 'disabled' spaces within this area can be used as standard parking on non-match days.

On match days this parking will continue provide priority disabled parking and will be controlled by Saracen's stewards to ensure that only cars with pre-booked parking spaces will be allowed into the car park.

Hence while use of the South car park would be formalised, its use would be fully controlled, which is a significant improvement over the current arrangements. The need to pre-book parking provides the stadium with an opportunity to promote options for travel to the site by non-car modes and car sharing at the time parking spaces are booked.

Equally, the fact that vehicle movements to and from the site will be recorded means that use of the stadium parking under different conditions to be easily recorded. This combined with information on visitor numbers can be used to establish more accurately the car mode share of trips to Allianz Park for a range of events, and hence for the effectiveness of travel plan measures to be monitored by the club for a range of different events and conditions.

### Cycle Parking

Currently there are 40 covered cycle parking spaces located to the north of the existing west stand. Condition 82 of the planning consent indicates the provision of 300 cycle parking spaces, although this is under the context that these numbers are to be reviewed as part of the on-going operation of the Stadium Travel Plan.

The 40 spaces provided meets the existing parking demand although its location in a quiet area to the north of the West stand is not well related to the existing main East Stand.

The existing 40 covered cycle parking spaces provided to the north of the West stand will be retained and a further 30 new stands, providing 60 spaces, will be located within the new concourse area to the west of the stadium. An additional 5 new stands, providing parking for 10 cycles, will be provided to the south of the East stand.

The cycle parking provided would conform to the standards set out in Chapter 8 of the London Cycle Design Standards (TfL). Showers and changing facilities will be provided within the new West stand.

Therefore, following the development cycle parking on site will increase from 40 spaces to a total of 110 spaces. On a day to day basis the potential increase in travel demand to Allianz Park by bicycle as result of the proposed development will be associated with the expanded use of the site by Middlesex University.

### **Servicing:**

Service access to the new West Stand will be via the Redgra parking area to the rear of Copthall Cottages by means of an access gate provided in the southwest corner of the car park. Service access to the East stand will be unaffected by the proposed development.

### **Transport Implications on Local Highway Network**

Traffic surveys were undertaken on Thursday 15th and Saturday 17th September 2016. The weekday surveys were undertaken for the periods 06:30–09:30 and 16:00–19:00 and the Saturday survey over 13:30–15:00 and 16:45–18:30 period.

A rugby match was held on the Saturday (Saracens vs Northampton Saints) which started at 15:00. The Saturday survey timings are thus designed to catch the arrival/departure flow of traffic to the match.

The junctions surveyed were:

- Bunns Lane double mini roundabouts;
- Fiveways signal junction; and
- Greenlands Lane/Great North Way priority junction.

Traffic surveys were also undertaken on Tuesday 11th October 2016 between 07:00–09:30 and 16:00–18:00 at the following junctions:

- Page Street/Champions Way priority junction; and
- A1 Great North Way/ Holders Hill Road/Parson Street signal junction.

The change in traffic flows arising from the development will be assessed against the 2016 surveyed flows weekday peak periods. Junction assessments will be undertaken for a future design year of 2021, 5 years after the submission of the application.

Local traffic growth factors for Barnet have been obtained using the TEMPRO computer programme, as detailed below:

- 2016-2021 AM Peak - 1.0712
- 2016-2021 PM Peak - 1.0731

In terms of committed development this has been considered to include the submitted planning applications at the nearby Barnet Cophall leisure centre and Hasmorean School. The proposed redevelopment of the Barnet Cophall leisure centre is not predicted to generate any additional trips on the local highway network. The Cophall Green Spaces Operational Hub is predicted to generate very few new trips on the road network, and as such has been assumed to have no material impact on traffic flows. Predicted traffic flows associated with the Hasmorean School development in the AM and PM peak periods (08:00-09:00 and 16:00-17:00) have been taken from the application assessment.

The small increase in spectator capacity of the stadium from 9,997 to 10,176 nor the increase in capacity to 15,000 for one match per year is predicted to lead to an increase in vehicle trips to the stadium, given that match day parking arrangements will be unaltered by the proposed development. Likewise, the formalisation of the southern overspill car park for general use rather than just on match and major event days is not predicted to increase vehicle trips to the stadium compared with current conditions.

The only increase in vehicle trips to the stadium is predicted to be associated with the 50 parking spaces to be provided for Middlesex University within the parking area to the rear of Cophall Cottages. This parking area is already used on match days for media and coach parking and therefore there will be no increase in vehicle trips at a weekend.

The traffic flow increases on the local highway network are as follows.

Junction	AM Peak			PM Peak		
	Existing	Dev	Change	Existing	Dev	Change
Pursley Rd/Page St Double	2322	1	<0.5%	2238	1	<0.5%

Mini-Roundabout						
Champions Way/Page Street	1155	16	1.3%	1045	15	1.4%
Fiveways Signal Junction	5703	15	<0.5%	5870	14	<0.5%
Greenlands Lane/A1 Great North Way	2840	0	0	2017	11	0.5%
Holders Hill Road/A1 North Way Signal Junction	4895	7	<0.5%	4303	11	<0.5%
M1 Slip Road	2748	0	0	2289	1	<0.5%

### **Increased Travel Demand by Non-Car Means – Middlesex University**

In relation to the increased use at Allianz Park by Middlesex University there is predicted to be 91 trips by bus, 44 trips by rail, 50 journeys by foot and 8 by bicycle to Allianz Park by students, with slighter fewer trips in the PM peak period.

Across the day there are predicted to be a total of 536 (268 arrivals and 268 departures) trips by public transport, 200 (100 arrivals and 100 departures) by foot and 32 by bicycle (16 arrivals and 16 departures).

Based on the postcodes obtained from the 2016 travel survey of students currently at Allianz Park and using the TfL journey planner it is estimated that 66% of bus passengers would use service 113, 33% would use service 221, and 1% would use service 240. In the AM peak hour this would equate to 60 arrivals on service 113 (6 services in each direction), 30 arrivals on service 221 (6 services in each direction) and 1 arrival on service 240.

### **Other Measures to Improve Non-Car Accessibility**

The University has also considered in the past the possibility of providing a shuttle bus service, possibly between the site and the Hendon Campus.



The potential to provide such a service will be reviewed as part the Travel Plan; it would be assessed whether there was demand for such a service and it would need to be set against other measures being considered.

The Copthall Planning Brief identifies the need to improve way-finding signage within the Copthall sports and recreation site and to improve pedestrian and cycle links to Middlesex University's Hendon campus to the south. It is set out earlier in the report that the applicant is to carry out a pedestrian and cyclist signage review for the route between Allianz Park and Middlesex University. and enter into a highway agreement under S278 with the highway authority to implement agreed works prior to occupation. Works to be implemented 3 months post occupation.

### **Construction:**

Based on experience from the construction of the East stand is expected that there would be around 4,000 construction vehicle movements over the construction period or on average 14 movements per day.

It is likely that there would be periods of peak activity on site, for example when the concrete slab foundations are being poured, but these peak periods would be managed to ensure as little disruption to the highway network as possible.

In addition it is likely that construction staff would peak at around 60 staff on site on any one day, equating to around 30 vehicle movements.

A Construction Management Plan will be conditioned to be provided.

### **Recommendation**

The development is recommended for approval subject to the applicant entering into a S106 agreement and appropriate conditions and informatives. In terms of Green Belt weighting this is considered a neutral factor.

### **3.10 Sustainability**

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve a 40% reduction in carbon dioxide emissions on

2010 Part L Building Regulations. The London Plan Sustainable Design and Construction SPG 2014 updated this target of 35% on 2013 Part L Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

The application is supported by an energy statement which advises that through combination of energy efficient and sustainable measures which address the Mayors Energy Hierarchy will result in a greater than 35% reduction in CO2 emissions, through a mixture of factors including:

- a very well insulated and air tight building skin;
- minimising hot water use will by including low flow showers and taps;
- efficient mechanical heat recovery ventilation;
- efficient heating and cooling systems;
- waste heat recovery; and
- air source heat pump hot water generation.

These details have been considered by the GLA who consider them broadly acceptable subject to clarification regarding various issues.

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

### **3.11 Flood Risk**

Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development will utilise Sustainable Urban Drainage

Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels”.

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

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

A Flood Risk Assessment has been carried out in support of the application. The FRA confirms that the site is located within Flood Zone 1 which is considered to be an area least susceptible to flooding, and also that the proposed end use proposed is considered to represent a ‘Less vulnerable development’ in accordance with Table 2 Flood Risk Vulnerability in the ‘Technical Guidance to the National Planning Policy Framework’ (TGNPPF). Such development, is considered as appropriate with Flood Zone 1 and as such the development passes the Sequential Test. Allianz Park, Greenland Lane, London NW4 1RL

The Assessment considers the impact the increase in hard landscaped areas when compared with the existing and how the applicant intends to manage the surface water run-off from the development area entering the local drainage ditches by utilizing Sustainable Drainage Systems (SUDS).

The assessment explains how the proposed development will implement SUDS where possible in accordance with local SUDS hierarchy and various methods of attenuation will be used throughout the site for the discharge of surface water as infiltration techniques are unsuitable due to the underlying clay sub-strata.

The proposed development uses permeable paving as the primary attenuation method but this is complemented by green/blue roofs and rainwater harvesting systems together with a new attenuation cell. The proposed scheme will lead to a reduction of 52.5% in the surface water discharge rate from the proposed West Stand to the existing drainage ditch on the south boundary of the application site and thus to the Hendon Cemetery Drain.

All foul drainage will be discharged from the site to the public sewer system. The foul flow discharge rate will be limited to the previously accepted 15 litres/second and may include attenuation if found to be necessary.

The Environment Agency and the Council's Drainage officer have been consulted on the application however no comments have been received at the time of writing of this report. However given the low risk of flooding and the less vulnerable designation of the site it is considered that the application can be satisfactorily determined.

### **3.12 Air Quality**

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

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

### **3.13 Ground Conditions**

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

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

### **3.13 Historic Environment / Archaeology**

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

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

### **3.14 Environmental Scoping**

It is noted that the Environmental Scoping opinion request submitted prior to the submission of the application under planning reference 16/5830/ESC was accepted by the Council on the 28<sup>th</sup> November 2016 confirming that the Council was satisfied with the proposed scoping report.

### **3.15 CIL**

#### Barnet Community Infrastructure Levy

The Community Infrastructure Levy (CIL) potentially applies to all 'chargeable development'. This is defined as development of one or more additional units or development seeking an increase to existing floor space greater than 100 square metres.

Barnet Council is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in The London Borough of Barnet. Barnet Council adopted a CIL charge on 1st May 2013, set at a rate of £135 per square metre, plus indexation, on residential and retail development within the borough. All other uses and undercroft car parking areas are exempt from this charge.

The calculation of the Barnet CIL payment is based on the floor areas of the development and it is calculated that the development would require a contribution of £315,360.

#### Mayoral Community Infrastructure Levy

The Community Infrastructure Levy (CIL) potentially applies to all 'chargeable development'. This is defined as development of one or more additional units or development seeking an increase to existing floor space greater than 100 square metres.

The Mayor of London is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in Greater London. The Mayor of London adopted a CIL charge on 1<sup>st</sup> April 2012. This set a rate of £35 per square metre on all forms of development in Barnet, except that which is for education and health purposes (which are exempt from this charge).

The calculation of the Mayoral CIL payment is calculated as requiring a contribution of £202,230 towards Mayoral Cil.

### **3.16 Planning Obligations**

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

A S106 was attached to the original approval under planning application H/00928/11 dated 30<sup>th</sup> March 2012.

It is necessary for the applicant to enter into a Deed of Variation to this agreement. The applicant is also proposing the following changes to the approved S106, the detail of which will need to be discussed and agreed with Legal and Council Officers. Although the majority of changes are considered minor in nature and don't raise any substantial planning issues.

An additional contribution of £30,000 is required for the widening of the footpath through the car park of the Copthall Leisure Centre. The applicant is also required to carry out a pedestrian and cyclist signage review for the route between Allianz Park and Middlesex University. and enter into a highway agreement under S278 with the highway authority to implement agreed works prior to occupation. Works to be implemented 3 months post occupation.

	<b>Existing provision in s106 agreement</b>	<b>Proposed replacement or change</b>	<b>Comments</b>
	<b>Clause 1-12</b>		
1	Registered addresses	Needs updating insert new address: Allianz Park, Greenlands Lane, Hendon, London, NW4 1RL	Change required to reflect the HQ for SRC.
2	Planning Permission	Details to be updated and the description of the development [Schedule 1 description of Development] and references to the West Stand throughout. This necessarily involves updating the definition of 'Planning Application' and 'Planning Permission'.	Change required to reflect the extant Application.
3	Interpretation	Clauses will need the condition numbers and references updated  For example (as described above): 'Planning Permission'; 'Planning Application'  We also propose two new definitions:  <b>'Major Rugby Event'</b> – the description would be 'Consent to hold a Major Rugby Event once per season with a temporary increase in capacity of 15,000. Prior to the use of the Stadium for the event allowed by this permission A Travel Action Plan etc. will be agreed with LBB.'	Change required to cover the approval of the 15,000 event – this should be called a 'Major Rugby Event' to fit with the other S106 terminology, and to be

		<b>'Travel Action Plan'</b> – this can and should be reviewed each year in advance of the event and agreed with LBB before the event takes place as we did this year.	clear that it is separate from the other major events that are already permitted.
	Contributions and Fees <b>[Clause 8]</b>	Paid obligations – SRC to receive comprehensive confirmation that they are discharged, and then they can be removed from the revised agreement.	Change required to reflect the fact that payments have been made.
	Guarantees and Bonds <b>[Clause 10]</b>	The fifth anniversary of the Bond will be Feb 18 2018 –the timing review should be carried out now and the sums reduced. SRC paid a cash bond, and would like the bond to be reduced to £30k.  Once agreed, this clause can be substantially redrafted and all references to a bond removed. Instead it can be noted that LBB have a SRC cash deposit (interest to be added).	Change required to reflect that SRC have operated successfully at the Stadium now for a number of years and seasons.
	<b>Description of Development</b> <b>[Schedule 1]</b>	Change required to reflect the extant Application description.	Description of development from new application will need to be inserted
	<b>Interpretation clause 1 / Glossary of terms used in planning conditions</b> <b>[Schedule 2]</b>	Change required to reflect the new/2017 planning conditions.	Revised Glossary of Terms to be added to reflect changes
5	'Southern Recreation Area' & 'Redgra Area'	All references and agreements in relation to these will need to be changed as they will no longer be available for community use, and in use as car park now including non-match days.	Change required to reflect what will be the new Permission and the changes that it will enable.

6	'Stadium Travel plan coordinator'	To be changed this so that it can be an in-house position at SRC, and with assistance of a consultant when required by SRC.	Change required to reflect the fact that the SRC match day team having been dealing successfully with match day travel for several seasons at AP, and SRC operate match day themselves.
8	'Stadium Travel Plan steering group'	In line with the reduction of the monitoring, SRC would like this to be a body that is only convened if changes are required to any of the plans that they sit over.	Change required to reflect the fact that the SRC match day team having been dealing successfully with match day travel for several seasons at AP, and SRC operate match day themselves.
9	'Traffic management cost'	SRC would like to have this removed and we seek 'discharge/removal' on that basis.	Change required to reflect the fact that the SRC match day team having been dealing successfully with match day travel for several seasons at AP, and a



			very substantial amount of money (£700k) has already been paid over to LBB.
10	'CPZ costs'	To be limited to the £15k per year that has been agreed.	Change required to reflect the fact that the SRC match day team having been dealing successfully with match day travel for several seasons at AP, and a very substantial amount of money (£700k) has already been paid over to LBB.
	<b>Obligations of Saracens and the SSF [Schedule 3]</b>		
13	<b>Schedule 3 Part 1 – Obligations re carrying out development</b>	This needs revising to reflect the above so in summary: a) the new planning permission, b) that all plans are now agreed, c) Southern recreation area and the Redgra as full time car parks now, d) CCSG to be changed to reflect that it has been set up now. e) Bio plan to be updated, in line with new Planning Permission. f) Sustainability report to be updated, in line with new Planning Permission.	Change required to reflect what will be the new Permission and the changes that it will enable.
14	<b>Schedule 3 Part 2 – Transport &amp; Local</b>	This needs revising to reflect the above so in summary:	Change required to

	Area Management Plan Obligations	<ul style="list-style-type: none"> <li>a) Reference to all plans to be 'as agreed; and remove all the drafting in relation to draft plans.</li> <li>b) Travel Plan coordinator to be in house as noted above</li> <li>c) Traffic management costs - SRC have paid these, so when confirmed will need stripping out.</li> <li>d) CPZ costs reduced to £15,000.00</li> <li>e) Clauses 5.12 – 5.12.5 and Clause 6.11.2 repeat each other and are unnecessary; and should be cleaned up.</li> </ul>	reflect what will be the new Permission and the changes that it will enable.
15	<b>Schedule 3 Part 3 – Comprehensive Monitoring &amp; Review Programme</b>	<p>This needs revising to reflect the above so in summary:</p> <ul style="list-style-type: none"> <li>a) Clause 8.4 - need to change the timing of the submissions under this clause, from 3 months to 1 month as events aren't planned that far in advance.</li> <li>b) Review periods for all reports.</li> <li>c) Clause 8.3 –to be removed as it relates to the first match which has already taken place.</li> </ul>	Change required to reflect what will be the new Permission and the changes that it will enable.
	<p><b>Monitoring and Review provisions</b>  Defined term 'Comprehensive Monitoring and Review Programme' [Schedule 3, Part 3] and Appendix 7</p>	<p><b>Community obligations</b></p> <p>The monitoring of this to be changed to every 3 years; since moving into and operating from the Stadium, it is clear that it is difficult to monitor performance every year, as some initiatives straddle years and also it is difficult to assess results that quickly on some of the initiatives.</p> <p><b>Agreement of reports</b></p> <p>We propose all reference to 'drafts' is deleted and we start in an 'as agreed' position – with the new monitoring provisions commencing from that point on. This also needs to apply to other drafts such as the internal training area spec.</p>	<p>Changes required to reflect the practical realities of experience at the new Stadium and the successful interaction with LBB, SRC and SSF. Changes required on the basis that all the main plans will be the agreed versions. SRC are</p>

			currently updating them to reflect the last 5 years and will have these ready for the end of April 2017.
16	<b>Schedule 3 Part 4 – Obligations of Saracens / SSF to Community Development</b>	We propose change to timings etc. as before, and change to reflect the new Planning Permission.	Changes required to reflect the new Planning Permission and the changes that it will enable.
17	<b>Schedule 4</b>	TRO - Clause 2 should be removed as now not necessary.	Change required to reflect the new Planning Permission and the changes that it will enable.
18	<b>Schedule 5</b>	<b>The Saracens Vision – no changes required.</b>	
19	<b>Schedule 6</b>	SRC suggest that this is changed this to a requirement to comply with all the agreed plans – and all other pre-existing text to be removed.	Changes required to reflect the practical realities of experience at the new Stadium and the successful interaction with LBB, SRC and SSF.

#### **4. EQUALITY AND DIVERSITY ISSUES**

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

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

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

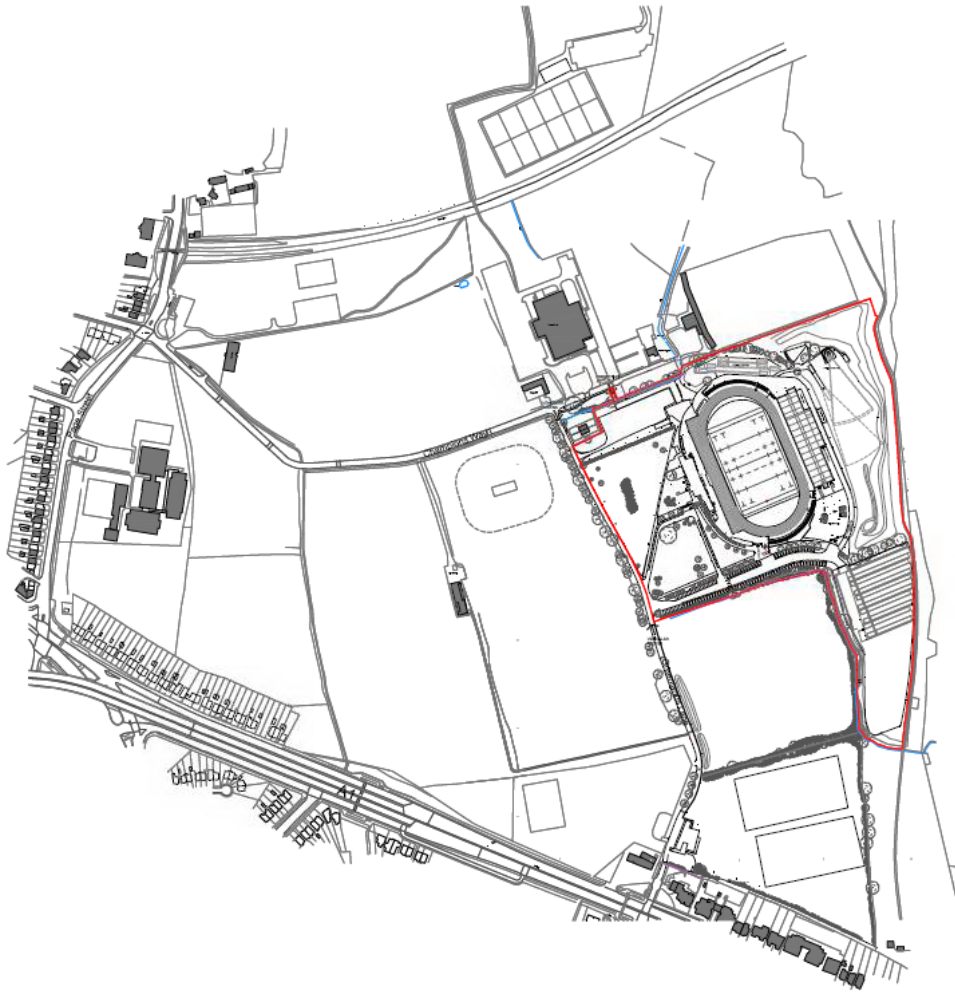
- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

As mentioned above the proposal would improve access for persons with disabled with stadium designed to be fully wheelchair assessable with a total of 44 wheelchair viewing positions, with associated seats for helpers, located in a variety of positions. These positions include ground level at the front of the Stand, at elevated positions to the front of the seating terrace and high level at the rear of the West Stand. Within the seating deck and standing areas there will be facilities for those spectators who are blind or partially sighted to receive commentary during the match. 79 car parking spaces (i.e. over 11% of the total 694) designed to Blue Badge standards will also be provided.

#### **5. CONCLUSION**

In conclusion, the scheme is considered acceptable having regard to relevant policies and guidance representing an appropriate form of development which does not adversely affect the five criteria set out in the NPPF for assessing green belt applications and would also preserve the fundamental principles of Green Belt Policy in regard to their permanence and openness. The design of the proposal is considered appropriate to its context and the application would not result in any significant impact upon neighbouring amenity or on the adjoining highway network.

## APPENDIX 1: Site Location Plan



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**LOCATION:** West Hendon Estate, West Hendon, London NW9

**REFERENCE:** 17/0168/RMA                      **Received:** 28 December 2016  
**Accepted:** 28 December 2016

**WARD:** West Hendon                              **Expiry:** 29 March 2017

**APPLICANT:** Barratt Metropolitan LLP

**PROPOSAL:** Application for approval of reserved matters relating to the construction of the new Cool Oak Lane Pedestrian and Cycle bridge as part of the West Hendon Estate regeneration scheme and pursuant to planning permission H/01054/13 dated 20/11/2013

**APPLICATION SUMMARY**

Application Details

This application is to consider the reserved matters submission for the construction of a new Pedestrian and Cycle Bridge adjacent the existing Cool Oak Lane Bridge as illustrated by the red line boundary shown in *Appendix 1 – Location Plan*.

The new dedicated Pedestrian and Cycle Bridge was approved in outline as part of hybrid planning permission H/01054/13 dated 20 November 2013 (“the 2013 Permission”) which established a clear and robust development framework for the comprehensive regeneration of the West Hendon Estate and its immediate environs. The 2013 Permission established an approved Masterplan tied to key plans and documents that frame its delivery; a series of controls that include the Development Specification Document, Parameter Plans and Design Guidelines within which reserved matters submissions must be brought forward.

In accordance with the Cool Oak Lane Bridge Parameter Plan established under the 2013 Permission, the Pedestrian and Cycle Bridge is proposed to the north of the existing Cool Oak Lane Bridge and will remove the need for pedestrians and cyclists to wait at the signalised crossing and use the main carriage way to cross. Delivery of the bridge, as required under the Section 106 Agreement accompanying the 2013 Permission, will provide enhanced amenity and improved access to the public open space and recreational and leisure facilities located to the west of the Welsh Harp Site of Special Scientific Significance (SSSI).

As shown in *Appendix 2 – Proposed Pedestrian and Cycle Bridge*, the proposal involves a lightweight curved, steel structure which has been designed to act as a sympathetic neighbour to the Grade II listed Cool Oak Lane Bridge.

## RECOMMENDATION

### Approve the application subject to the following conditions:

1. Commencement

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

Reason:

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

2. Approved plans

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

Cool Oak Lane Bridge Location Plan (Drawing No. 826\_07\_010 dated 19.12.16)

Cool Oak Lane Bridge Site Plan – Existing (Drawing No. 826\_07\_011 Revision P1 dated 16.12.16)

Cool Oak Lane Bridge Site Plan – Consented (Drawing No. 826\_07\_012 Revision P1 dated 16.12.16)

Cool Oak Lane Bridge Site Plan – Proposed (Drawing No. 826\_07\_013 Revision P1 dated 16.12.16)

Cool Oak Lane Bridge Existing Bridge Plan and Elevation (Drawing No. 826\_07\_015 Revision P1 dated 16.12.16)

Cool Oak Lane Bridge Proposed Bridge Plan and Elevation (Drawing No. 826\_07\_016 Revision P1 dated 16.12.16)

Cool Oak Lane Bridge Cross Sections (Drawing No. 826\_07\_018 Revision P1 dated 19.12.16)

West Hendon Cool Oak Lane Bridge Reserved Matters Design and Access Statement (December 2016)

West Hendon Cool Oak Lane Bridge Reserved Matters Transport Statement (December 2016)

West Hendon Cool Oak Lane Bridge Reserved Matters Arboricultural Assessment (December 2016)

West Hendon Reserved Matters Cool Oak Lane Bridge Planning and Development Specification Conformity Statement (January 2017)

Cool Oak Lane Bridge Construction Method Statement – Phase 3C, West Hendon (Revision C dated 16 December 2016)

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4 and CS5 of the Barnet Core Strategy (Adopted September 2012) and Policy DM01 and DM02 of the Barnet Development Management Policies (Adopted September 2012) and policy 1.1 of the



London Plan (2015).

3. Tree re-provision

No development shall take place until a Landscape Management Plan, pursuant to Condition 22 of hybrid planning permission H/01054/13 dated 20 November 2013, has been submitted to, and approved in writing by the Local Planning Authority. The Landscaping Management Plan shall include the re-provision of four very large nursery stock trees to offset the loss of T3 to T6 trees, unless otherwise by the Local Planning Authority. These trees are to be planted close to Cool Oak Lane. Suitable species include *Tilia cordata* or *Carpinus betula*.

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

4. Road Safety Audit

Before the development commences; detail design drawings are to be submitted to and approved in writing by the Local Planning Authority. Submission shall include stage 1 and 2 road safety audits. The development shall thereafter be implemented in full in accordance with the approved details.

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

5. Construction Environmental Management Plan

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

The details shall include:

Construction site and works

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

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

#### Construction management and procedures

- viii. Code of Considerate Practice
  - ix. Consultation and neighbourhood liaison
  - x. Staff training and briefing procedures
  - xi. Schedule of environmental legislation and good practice
  - xii. Register of permissions and consents required
  - xiii. Environmental Audit Programme
  - xiv. Environmental Risk Register
  - xv. Piling Works Risk Assessment
  - xvi. Health and safety measures
  - xvii. Complaints procedures
  - xviii. Monitoring and reporting procedures
- Demolition and waste management
- xix. Site clearance and waste management plan Construction traffic
  - xx. Construction traffic routes
  - xxi. Construction traffic management (including access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution)

#### Environmental Management

- xxii. Tree protection measures (a method statement detailing the precautions to be taken to minimise damage to trees adjacent the site, in accordance with British Standard BS5837: 2012 Trees in relation to design, demolition and construction)
- xxiii. Ecology surveys and management plan) in relation any existing ecological features that may be affected by works in that Development Phase
- xxiv. Measures to minimise visual impact during construction
- xxv. Measures to minimise noise and vibration levels during construction
- xxvi. Measures to minimise dust levels during construction
- xxvii. Measures to control pollution during construction (including a Pollution Response Plan)
- xxviii. Construction lighting strategy, including measures to minimise light spill
- xxix. Measures to reduce water usage during construction
- xxx. Measures to reduce energy usage during construction

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

6. Access Connections

Before the development commences; detail design drawings are to be submitted to and approved in writing by the Local Planning Authority. The submission shall detail the form of control to be applied at the connections between the bridge and the existing network to ensure cyclists dismount prior to crossing it.

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

7. Surface Water Drainage Strategy / Sustainable Drainage Systems Required

The development hereby approved shall not commence until a surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority. All planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development - must use Sustainable Drainage Systems (SUDS) for the management of surface water runoff, unless demonstrated to be inappropriate.

Reason:

To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems).

7. Surface Water Discharge Hierarchy

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

Reason:

To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan,

Policies 5.13 and 5.14 of the London Plan, Approved Document Part H of the Building Regulations 2010) and Paragraph 80 of Planning Practice Guidance.

8. Surface Water Drainage Strategy / Sustainable Drainage Systems Design

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

Reason:

To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance (such as the SuDS Manual, C753.)

9. Surface Water Drainage Strategy / Sustainable Drainage Systems Construction, Adoption, Operation and Maintenance

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

Reason:

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

10. Detailed Design

Before the development commences; detail design drawings are to be submitted to and approved in writing by the Local Planning Authority demonstrating that the proposed Pedestrian and Cycle Bridge will be built to adoptable standards. Detailed design drawings should include the submission of the Approval In Principle (AIP) document in accordance with the requirements of BD2/12 TECHNICAL APPROVAL OF HIGHWAY STRUCTURES to ensure compliance with the relevant standards for adoptable structures.

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

## **INFORMATIVES**

1. In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
2. 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.
3. "An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Biosecurity, 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."

## **1. BACKGROUND TO THE APPLICATION**

The redevelopment of the West Hendon Estate is a long-standing priority of the Council. Paragraph 7.2.12 of Barnet's Local Plan (Core Strategy) states that West Hendon (and other priority housing estates in the Borough) will be subject to long term programmes of regeneration to tackle poor quality housing, social isolation and to transform these areas into successful mixed tenure places.

An outline planning application for the redevelopment of the West Hendon Estate was originally submitted in December 2004 by Metropolitan West Hendon (Metropolitan Housing Trust). London Borough of Barnet resolved to grant permission in January 2006 (following an earlier committee where it was resolved to grant approval followed by further amendments to the application). Barratt Homes Limited became involved in the development in mid-2005 and required a number of amendments to reflect financial viability concerns. Following legal advice and subsequent review of the scheme, the application was taken to the Planning and Environment Committee on 19 March 2008, with outline planning permission granted on 1 July 2008 under application W/13987/04.

The Council entered into a development agreement with the key regeneration partners in 2006 making a commitment of approximately £450 million investment over 10 years. A limited liability partnership – Barratt Metropolitan LLP (BMLLP) – was initiated to oversee the implementation of the scheme.

A standalone application (W/13230A/07) and separate Section 106 Agreement was also approved in December 2007 for the Pilot Phase 1A (Referred to as Phase 1) which comprised the demolition of existing buildings and construction of a part two, part three storey terrace of 6 no. dwellings with a new access road off Tyrrel Way and 2 no. two storey semi-detached dwellings fronting Cool Oak Lane with provision for car parking spaces and landscaping. Phase 1 has been implemented.

A Reserved Matters Application (RMA) for Phase 2A Lakeside (Referred to as Phase 2) was subsequently approved on 22 December 2008 under application H/04103/08. This provided for the construction of 186 dwellings and has been implemented in full.

Following the development of the above two phases, financial constraints meant that the remaining phases of the outline consent were not possible and in 2011 BMLLP engaged in discussions with the London Borough of Barnet to amend the consent.

A new professional team was employed by BMLLP in September 2011 in order to revisit the approved Masterplan with a view to finding a viable solution for the future regeneration of the West Hendon Estate. Following this review a revised Masterplan was subsequently developed and a new hybrid planning application (H/01054/13) submitted for its approval in 2013.

The Scheme comprised the demolition of existing buildings on the estate and:

- Construction of up to 2,000 residential units (maximum 202,000m2 GEA);
- Provision of 3,870 m2 GEA community use (Use Class D1) including land for a two-form entry primary school and nursery and community centre;
- Provision of 1,766m2 Retail and related uses (Use Class A1-A5; Office (Use Class B1));
- Car parking at 0.8 spaces per unit including basement provision;
- Cycle provision;
- Landscaping and public realm works including the provision of a linear park between the estate and the Welsh Harp reservoir;
- Highways works, including new estate roads, works to A5 West Hendon Broadway and removal of the Perryfield Way gyratory
- A central Energy Centre;
- Various Interim works; and
- Two pedestrian bridges across the Welsh Harp reservoir (across the Silk Stream and adjacent to the existing Cool Oak Lane bridge).

The Planning and Environment Committee, at its 20 July 2013 Meeting, resolved to grant conditional approval to the Scheme. The 2013 permission comprised both detailed and outline components and is being delivered by a phased programme of demolition and redevelopment.

As illustrated by the area shown purple on *Appendix 3 – The 2013 Permission*, the detailed element of the 2013 Permission, the area to the south-west of the Estate adjoining the Welsh Harp and a small portion of the street block bound by Perryfield Way, related solely to Phase 3A and provided for the construction of 358 new residential dwellings and 131 square metres of commercial floor space within buildings ranging from five (5) to twenty-six (26) storeys in height. Phase 3A reached practical completion in June 2016. The remainder of the Scheme that was approved in outline form is required to obtain detailed planning permission by way of reserved matters applications.

Application H/03991/14 was submitted in June 2014 and which sought a number changes to the phasing of the development. The changes incorporated the transfer of various blocks from Phase 3C into Phases 3A and 3B. This resulted in the delivery of Block E2 under Phase 3A, Blocks F1, F2, F3 and F4 being delivered under Phase 3B and Blocks G4, H3 and H4 remaining within Phase 3C. The proposed changes to the Phasing were approved by the Planning Committee in November 2014 which authorised the necessary legal work to draft a deed of variation to the Section 106 Agreement.

The first Reserved Matters Application (RMA) relating to the 2013 Permission was subsequently received on 17 December 2014 during the construction of Phase 3A and under application 14/07694/RMA. As shown in *Appendix 8 – Phases 3B and 3C*, the RMA sought detailed planning permission for Phases 3B and 3C comprising the construction of 298 residential dwellings, commercial floor space totalling 1,245 square metres and 18 square metres of SSSI Warden Accommodation (as required under the 2013 Permission). The Planning Committee, at its Meeting held 26 March 2015, resolved to grant conditional approval to the application.

**Figure 1 – Chronological order of Planning Submissions for the West Hendon Estate**

Application Reference	Address	Description	Decision
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W13937/04	West Hendon Estate, NW9	Redevelopment of site including the demolition of all existing buildings and construction of 2171 new residential units, approximately 10,000sqm of non-residential floorspace for retail (Class A1), office (Class A2), food and drink (Class A3), business (Class B1) and social/community and leisure (Classes D1 and D2) uses and provision of associated public and private open space, landscaping, car parking, access arrangements and highway/pedestrian improvements.	Approved 2 July 2008
H/04103/08	Rosemead and Warner Close West Hendon Estate, NW9	Reserved matters application seeking approval for landscaping, siting, design and external appearance in relation to Phase 2A of the redevelopment of West Hendon Estate, comprising 186 residential units (161 flats in block 'L' and 20 flats and 5 terraced houses in block 'M') pursuant to Condition 3 of outline planning permission W13937/04 for the redevelopment of the site approved 1 July 2008.	Approved 22 December 2008
W13230A/07	Lakeview Children's and Family Centre Tyrrell Way, NW9 7DX	Demolition of existing buildings and erection of part two storey and part three storey terrace of 6No. houses, with new access road off Tyrrel Way and 2No. two storey semi-detached houses fronting Cool Oak Lane. Provision of car parking spaces and landscaping.	Approved 14 August 2009
H/03152/12	West Hendon Estate, NW9	West Hendon Estate Request for EIA Screening and Scoping Opinion.	Opinion issued 11 January 2013
H/01054/13	West Hendon Estate NW9	<p>Hybrid planning application for the demolition and redevelopment of the West Hendon Estate to accommodate up to 2,000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure comprising:</p> <ul style="list-style-type: none"> <li>• Outline permission for the demolition of existing buildings and the construction of up to 1,642 new residential units (Class C3); up to 3,870m<sup>2</sup> (GEA) of D1 Class floorspace comprising nursery and primary school and community centre uses and up to 1,635m<sup>2</sup> (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 storeys, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp.</li> <li>• Full planning permission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) for the demolition of existing buildings and construction of 358 new residential units (Class C3), and 131m<sup>2</sup> (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 storeys, cycle and car parking provision including basement level parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works.</li> </ul>	<p>Approved 20 November 2013</p> <p>Included for a Section 106 Agreement</p>



		Submission of Environmental Statement.	
H/03991/14	West Hendon Estate NW9	<p>Variation to 106 contribution to change sub phasing pursuant to planning permission H/01054/13 dated 20/11/13 for:</p> <p>"Hybrid planning application for the demolition and redevelopment of the West Hendon Estate to accommodate up to 2000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure comprising:</p> <p>Outline submission for the demolition of existing buildings and the construction of up to 1642 new residential units (Class C3); up to 3,870m<sup>2</sup> (GEA) of D1 Class floorspace comprising nursery and primary school and community centre uses and up to 1,635m<sup>2</sup> (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 stories, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp.</p> <p>Full planning submission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) for the construction of 358 new residential units (Class C3), and 131m<sup>2</sup> (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 stories, cycle and car parking provision including basement level parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works. Submission of Environmental Statement."</p>	<p>Approved November 2014</p> <p>Included a Deed of Variation to the Section 106 Agreement</p>
14/07964/RMA	West Hendon Estate NW9	<p>Application for Approval of Reserved Matters relating to Scale, Layout, Appearance, Landscaping, Access and Parking, pertaining to Blocks F1, F2, F3, F4, G4, H3, H4 forming Part of Phase 3b and 3c of the West Hendon Estate Regeneration comprising 298 Residential Units (181 Market Value Units and 117 Affordable Units) Commercial Floorspace totalling 1,245m<sup>2</sup> (Use Class A and B1) and 18m<sup>2</sup> SSSI Warden Accommodation pursuant to condition 3 of Hybrid Planning Approval H/01054/13 dated 20th November 2013.</p>	<p>Approved 26 March 2015</p>

Detailed approval has been granted for Phases 3A, 3B and 3C. Phase 3A has reached practical completion and Phase 4 is the next phase for which detailed approval is sought as part of the Regeneration Scheme.

## 2. MATERIAL CONSIDERATIONS

### 2.1 Key Relevant Planning Policy

#### National Planning Policy Framework (NPPF)

In March 2012, the Government published the National Planning Policy Framework (NPPF) which streamlines national planning policy into a consolidated set of priorities replacing

Planning Policy Statements and Planning Policy Guidance. As outlined under paragraph 14, the fundamental premise of the NPPF is the delivery of sustainable development and economic growth with the presumption in favour of sustainable development being the golden thread of the document (p.4).

The purpose of the planning system is therefore to contribute to the achievement of sustainable development through supporting mutually beneficial outcomes in a social, economic and environmental sense as follows:

- Social role of supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment;
- Economic role of contributing to building a strong, responsive and competitive economy; and
- Environmental role of contributing to the protection and enhancement of our natural, built and historic environment.

The interconnected nature of the above roles means they are not to be viewed in isolation but rather as cross dimensional functions. Any development of the Site will therefore be required to bring forward mutually beneficial outcomes. For example and as outlined under paragraph 8 of the NPPF (2012, p.3):

*“economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities”.*

In this regard the NPPF is clear in directing that:

*“planning should operate to encourage and not act as an impediment to sustainable growth” (2012, p.6).*

#### The London Plan (March 2016)

The London Plan is the spatial development strategy for London and provides a strategic plan for London through establishing an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years.

The London Plan legally forms part of the statutory development plan for Barnet and therefore relevant London Plan policies need to be taken into account when planning decisions are taken.

Relevant London Plan policies are as follows:

*Policy 1.1 – Delivering the strategic vision and objectives for London*

*Policy 2.6 – Outer London: vision and strategy*

*Policy 2.8 – Outer London: transport*

*Policy 2.13 – Opportunity Areas and Intensification Areas*

*Policy 3.2 – Improving health and addressing health inequalities*

*Policy 3.7 – Large residential developments*

*Policy 3.9 – Mixed and balanced communities*

*Policy 5.1 – Climate change mitigation*

*Policy 5.2 – Minimising carbon dioxide emissions*

*Policy 5.3 – Sustainable design and construction*  
*Policy 5.12 – Flood risk management*  
*Policy 5.13 – Sustainable drainage*  
*Policy 6.1 – Strategic approach*  
*Policy 6.3 – Assessing effects of development on transport capacity*  
*Policy 6.7 – Better streets and surface transport*  
*Policy 6.9 – Cycling*  
*Policy 6.10 – Walking*  
*Policy 7.1 – Building London’s neighbourhoods and communities*  
*Policy 7.2 – An inclusive environment*  
*Policy 7.4 – Local character*  
*Policy 7.5 –Public realm*  
*Policy 7.6 – Architecture*  
*Policy 7.8 – Heritage assets and archaeology*  
*Policy 7.18 – Protecting local open space and addressing local deficiency*  
*Policy 7.19 – Biodiversity and access to nature*  
*Policy 7.21 – Trees and woodlands*  
*Policy 8.1 – Implementation*  
*Policy 8.2 – Planning obligations*

#### Barnet’s Local Plan (September 2012)

The Local Plan is the development plan and the statutory basis for decision making. Proposals that are consistent with the Local Plan should be approved without delay, unless material considerations indicate otherwise. Barnet's Local Plan consists of a suite of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs).

Relevant Core Strategy DPDs:

*Policy CSNPPF – Presumption in favour of Sustainable Development: Barnet’s place shaping strategy – Protection, enhancement and consolidated growth, the Three Strands Approach*  
*Policy CS3 – Distribution of growth in meeting housing aspirations*  
*Policy CS5 –Protecting and enhancing Barnet’s character to create high quality places*  
*Policy CS7 – Enhancing and protecting Barnet’s open spaces*  
*Policy CS8 – Promoting a strong and prosperous Barnet*  
*Policy CS9 – Providing safe, effective and efficient travel*  
*Policy CS15 – Delivering the Core Strategy*

The Development Management Policies DPD also forms part of the suite of documents that constitute Barnet’s Local Plan.

Relevant Development Management Policies DPDs:

*DM01 – Protecting Barnet’s character and amenity*  
*DM02 – Development standards*  
*DM03 – Accessibility and inclusive design*  
*DM04 – Environmental considerations for development*  
*DM06 – Barnet’s heritage and conservation*

*DM15 – Green belt and open spaces*  
*DM16 – Biodiversity*  
*DM17 – Travel impact and parking standards*

### **3. DESCRIPTION OF SITE AND SURROUNDINGS**

#### **3.1 Site Location and Context**

Situated in the south west area of the Borough, the site of the proposed Pedestrian and Cycle Bridge adjoins the western edge of the West Hendon Estate, located within the West Hendon ward which borders the neighbouring Borough of Brent. The West Hendon Estate (“the Estate”) is a unique site that is characterized by a set of diverse interfaces at each edge of the site boundary in terms of scale, use and character.

The eastern edge of the Estate is bound by the heavily trafficked Broadway (A5) containing a mixture of Victorian and more recent commercial and residential units. The rear of properties fronting the Broadway range between 3 and 6 storeys in height and are in varying states of condition and repair. Hendon railway station is located approximately 800 metres to the east of the Estate.

The site of the proposed Pedestrian and Cycle Bridge is located over the Welsh Harp which is located to the west of the Estate and possesses significance due to its relationship with the Site of Special Scientific Interest (SSSI). To the north of the site lies the Silk Stream which merges with the Welsh Harp SSSI and encloses the north western boundary of the Estate.

Ramsey Close to the north of the Estate consists of two storey semi-detached houses built in the 1980s with rear gardens backing onto the site. The southern edge of the Estate is bordered by the rear gardens of the two storey properties on Cool Oak Lane.

Prior the commencement of the regeneration scheme, the Estate was characterised by a number of issues related to its design, layout and construction, whilst also suffering from problems such as crime and anti-social behaviour. These issues included:

- Poorly defined public and private space;
- No clear hierarchy of streets and desirable through routes;
- No sense of orientation within the estate;
- Lack of natural surveillance on public routes;
- No clear relationship between streets, buildings, open space and the Welsh Harp;
- No clear connection between the estate and the Broadway and other surrounding streets;
- Rear of existing properties to the Broadway left unresolved following demolition of previously existing Victorian streets in the 1960s;
- Unappealing entrances to blocks and poorly maintained internal communal areas;
- Building fabric in need of repair and upgrade to meet current environmental and building standards;
- Perryfield Way gyratory as a dominating feature upon arrival to the estate; and
- Poorly managed boundary with SSSI leading to unauthorised access.

#### **3.2 Recent Construction on Site**

The two blocks developed for the detailed part (Phase 3A) of the 2013 Permission were Blocks E and G1/G2. The location of these buildings was chosen to facilitate commencement of the Scheme on the basis of no demolition work being required and due to their proximity to the new public space (Broadway Place/The Green) linking the Broadway to the Welsh Harp. Building G1/G2 is located to the east of the Estate on the old location of the Perryfield Way car park. It occupies the highest part of the site and encloses an existing block of residential and commercial properties fronting the Broadway.

The current location of the Perryfield Way gyratory will become East Street with Block G1/G2 being located at the intersection of East Street and Broadway Place/The Green leading to the Welsh Harp.

Block E is located to the west of the site adjacent to, but set back from the Welsh Harp. It occupies one of the lower areas of the site, overlooking the Welsh Harp and York Park. As shown by the building shaded red in *Appendix 4 – Scheme Progress*, Blocks E1, E2, E3, E4, G1 and G2 are now complete. Construction work associated with Block F is currently underway with demolition works associated G4, H3 and H4 due to commence later this year.

#### **4. DESCRIPTION OF THE PROPOSED DEVELOPMENT**

This application seeks detailed approval of reserved matters relating to layout, scale, appearance, access and landscaping in respect of the proposed new dedicated Pedestrian and Cycle Bridge over the Welsh Harp SSSI to the north of the existing Cool Oak Lane Bridge. The proposed bridge seeks to improve pedestrian and cycle connectivity of the West Hendon Estate Regeneration Scheme with the wider area.

The proposed bridge design comprises a curved bridge deck supported by steel piers within the Welsh Harp SSSI and reinforced concrete piers on the east and west banks. Proposed construction involves the use of pre-fabricated structural bridge sections which will be used to construct the bridge deck and parapets in order to minimise the construction period.

The steel bridge piers will be supported by piled foundations, which will be installed from a floating pontoon or similar access platform. A mobile crane will be used to lift bridge sections into place. Construction compounds will be located in the existing carpark to the south east of Cool Oak Lane and also within the area of the former Barratt Metropolitan Marketing Suite to the north of Cool Oak Lane, which currently comprises concrete footings and the base of the previous buildings.

The construction programme is anticipated to commence in late summer 2017 and finish in early 2018. Piling associated with the installation of the piers will take first, followed by the bridge deck installation by crane and then associated landscape planting.

#### **5. CONSULTATIONS**

##### **5.1 Public Consultation**

298 local residents were consulted on the application by letter with a four week consultation period from 25 January – 22 February 2017. Local press and site notices were printed on

25 and 31 January respectively. The consultation process carried out for this application is considered to be appropriate for a development of this nature.

### Public Response

Two responses were made in support of the application and response objecting. Comments received in support of the application identified the need for a safe way of crossing across the Welsh Harp SSSI to be provided. One submission in support of the application raised issues associated with the existing Cool Oak Lane Bridge. Specifically, the lack of a weight restriction notice where Cool Oak Lane intersects with the Broadway and the use of Cool Oak Lane Bridge by overweight vehicles. Comments include suggestion for additional notification in respect of the weight restriction that applies to vehicles using the bridge and the installation of number plate recognition camera to enforce penalties against overweight vehicles traversing the bridge.

Comments made objecting to the proposal cite an increase in traffic on Cool Oak Lane, noting that the existing bridge is sufficient and that larger vehicles should be stopped from using the Cool Oak Lane.

### Response to Residents Comments:

The construction of a new dedicated Pedestrian and Cycle Bridge will provide improved pedestrian access and remove the need for pedestrians to wait at the signalised crossing to cross the main carriageway of the Cool Oak Lane Bridge.

## **5.2 Statutory Consultations**

### Consultations Undertaken:

The following consultees were notified but have not provided any comments on the application:

Greater London Authority	Princes Park Football Club
Transco	Brent Sports Council
Welsh Harp Conservation Group	Training Ship Broadsword
Barnet NHS	Welsh Harp Sailing Group
Brent Council	Phoenix Canoe Club
Metropolitan Police	Royal Society for the Protection of Birds
West Hendon Residents Association	Affinity Water
Barnet Clinical Commissioning Group	Thames Water
Welsh Harp Environmental Education Centre	National Grid

Whilst no responses have been received from the above consultees, any comments received before the Committee Meeting will be reported verbally or by way of an Addendum to the Committee Report.

### Consultation Responses Received:

## Transport for London (TfL)

*“In general, the principle of the cycle track is supported as it should increase safety and comfort for cyclists. Full details of the type of materials; dimensions of lane widths and signage would be welcomed. The applicant should also clarify whether there will be restrictions on Cool Oak Lane to prohibit cyclists as some cyclists may continue to use Cool Oak Lane Bridge rather than dismount. TfL has no objection to the proposed construction methodology.”*

## Environment Agency

The Environment Agency made no comment in relation to the information submitted as part of the reserved matters submission. An informative was requested which is recommended to be imposed. It is noted that further details have been requested in respect of Conditions 24 and 26 of the 2013 Permission relating to the proposed surface water drainage scheme and design & implementation of the bridge respectively. Additional information has since been provided to the Environment Agency and a further response is outstanding. Any further response or comments received before the Committee Meeting will be reported verbally or by way of an Addendum to the Committee Report.

## Natural England

A written response from Natural England in respect of the subject application has not been received. It is noted that a response to the discharge of Condition 26 (Design and Implementation) of the 2013, relating specifically to the proposed Pedestrian and Cycle Bridge, was received on 23 March advising of no comment. Natural England has since been contacted regarding a written response to the subject application and further comments received before the Committee Meeting will be reported verbally or by way of an Addendum to the Committee Report.

## Canal and River Trust

*“Principle of New Footbridge:*

*The Trust has no objection to the principle of a new footbridge in this location, which would significantly improve pedestrian and cycle access over the reservoir, away from the existing Cool Oak Lane bridge, which currently does not have a pedestrian footway segregated from highway traffic.*

*Design:*

*The Trust considers that the design of the bridge could be improved to provide a structure that more appropriately complements the adjacent Listed Cool Oak Lane bridge, even if views of the side elevation of the bridge are limited and are already compromised by the gas pipe. The Trust is not the owner of the Cool Oak Lane bridge and, as the reservoir is not a mainline waterway, and is not navigable, we do not consider that the location is sufficiently sensitive that the proposed design would warrant an objection from us as statutory consultee. We provide the following comments, for the Council to take into account in undertaking its balancing of the pros and cons of the application.*

*The elevations submitted with the application illustrate a view that would not be publicly visible, given that boats are not able to navigate the waterspace on this side of the existing highway bridge. We consider that some computer-generated visuals of the proposed bridge in its context, as seen from the surrounding public areas would have assisted in assessing the impact.*

*Should the Council consider that amendments to the design are necessary, we have suggested the following:*

- 1. The position of the piers could be revised to align with abutment/arches of the existing Listed bridge;*
- 2. If such a large depth is required to the deck beams, the lower flange of the outside edges could include a camber to give some reference to the elegant arches of the existing Listed bridge beyond; and*
- 3. The paired piers could be replaced with a single pier centred on the deck in each location (in line with item 1 above), with a tapered beam to each side, allowing for a much slimmer profile along the leading edge.*

*We have put these recommendations to the applicant's architect, who responded with their justification why they were not prepared to pursue these amendments.*

*We have already responded to the discharge of conditions application, regarding the method statement for the construction of the bridge, which we had no concerns regarding, although we noted that changes would need to be agreed through our Code of Practice if changes to the design of the bridge were to be made. Canal & River Trust as Landowner*

*As well as being a statutory consultee, the Trust owns and manages the Welsh Harp reservoir, and as such, an agreement is required between the applicant and the Trust for a bridge crossing over our land and waterspace. The agreement requires planning permission to be in granted but is otherwise in place."*

It is noted that with respect to the potential replacement of the paired piers with a single pier option as outlined in point 3 of the above response, the applicant previously provided the following response to CRT:

*"We have previously looked at a single circular pile for the pier, but supporting two edge beams as opposed to a single central beam. RLT have advised that torsional forces on the bridge deck which are increased by the fact that the bridge is curved in plan would necessitate a substantially larger pile, and that its diameter would have to be further increased due to the limited bearing capacity of the ground beneath the reservoir.*

*In terms of construction logistics larger piles would need a larger piling rig and cause more disruption during installation.*

*There is a positional tolerance to the pile installation which has to be allowed for in its connection to the crosshead . With our proposed design this connection which doesnt look particularly pretty, is hidden behind the edge beams.*



*With a central pile, the crosshead connection is in view. To start with it could not be balanced on a pin joint as your sketch indicates, instead it would have to be a substantial moment connection to deal with the torsion forces from the deck and in addition would require some kind of adjustable plates to take out the tolerance on the position of the pile.*

*Alternatively the piles could possibly be installed to a much tighter tolerance, but this would take longer on site and there would be a cost penalty. Either way the moment connection would be required.*

*The central beam you have indicated would need to be substantially deeper than the twin edge beams and of a larger section to resist torsion.*

*Limited by the flood clearance level imposed by EA, this would have the effect of raising the new bridge deck level.*

*As you know, one of our key aims through the design process was to keep the new bridge deck as low as possible so as to respect the setting of the listed bridge as well as to achieve DDA compliant approach paths.*

*The only way to reduce the depth of the central beam would be to reduce it's span by having say 8 piers in the water rather than 4, and we do not think that would be an alternative that would be well received.*

*We believe that the design we have proposed after exploring numerous structural options delivers a well resolved balance of proportions of deck thickness, span and pier size, and there is no doubt that the design we have enables us to achieve the lowest possible finished deck level of any viable structural solution.*

*Whilst there is often a desire to produce an ambitious signature structure we believe as we have from the outset that what is required here is a simple slender structure that does not seek to upstage the historic bridge, which is set as low as can feasible be achieved, and whose elegance will be perceived in the sensitive articulation and detailing of its component parts."*

#### Highways England

Comment of no objection.

#### Historic England

Historic England commented on 21 March 2017 advising that it did not consider it necessary for the application to be notified to Historic England and therefore no comment was made.

### **5.3 Internal Consultations**

- Traffic and Development
- Transport and Regeneration
- Trees and Landscaping

- Environmental Health
- Green Spaces
- Heritage
- Street Lighting
- Drainage
- Regeneration

No objections were made however the following comments have been received:

### Transport & Regeneration

Transport and Regeneration commented on 8 March 2017 as follows:

*A 3m wide bridge for pedestrians and cyclists is proposed to the immediate north of the existing bridge, in accordance with the Section 106 agreement following outline planning consent. A form of control will be applied at the connections between the 45.4m bridge and the existing network to ensure cyclists dismount prior to crossing it.*

*A review of the Transport Statement indicates the following predicted peak hour pedestrian / cycle numbers:*

	AM Peak			PM Peak		
	Eastbound	Westbound	Two Way	Eastbound	Westbound	Two Way
Cyclists	15	38	53	24	42	66
Pedestrians	38	92	130	63	61	124
Total	53	130	183	87	103	190

*The above flows include existing movements surveyed on 11<sup>th</sup> November 2016. It is likely that pedestrian / cycle movements will be greater in the summer. However, based on the London Cycling Design Standards (LCDS 2016), as summarised below, a 3m shared facility for these predicted numbers, even with a doubling in flow, is acceptable.*

LCDS: Figure 4.15 Flow categories for partially separated and shared routes

Peak flow categories	Pedestrians per hour	Cyclists per hour
Very low	0-120	0-60
Low	120-200	60-150
Medium	200-450	150-300
High	450-900	300-450
Very high	900+	450+

LCDS: Figure 4.17 Recommended effective widths for partially separated and shared routes

	Partially separated	Shared
Very low / low cycle flow	3.0m (cycle track 1.2m to 1.5m)*	2.2m
Medium / high cycle flow	4.5m (cycle track 2.5m to 2.8m)*	3.0m
High / very high cycle flow	5.9m (cycle track 2.5m to 3.5m)*	4.5m

*The Transport Statement states ‘6.2.1 Due to the level of pedestrian activity and the bridge width restriction, it would not be feasible to provide a dedicated cycle facility.’ From LCDS Figure 4.17 a 3.0m partially separated facility is possible. However, taking into account provision at either end of the bridge, the proposed shared arrangement is acceptable.*

*The linkage to the existing footway provision on the eastside of the bridge has been improved with a widened footway on the northern side of Cool Oak Lane making it consistent with sections near Shear Water Drive.*

*No pedestrian crossing facilities are proposed on the western side of the bridge. The ADVP2 calculations have been reviewed and are acceptable.*

*Approximately 48 HGV movements are required with construction. Ongoing liaison with the London Borough of Barnet will be required to permit HGV access to the construction site via the existing weight restriction. Based on the forecast employment figures, the provision of 68 parking spaces opposite the construction site is deemed acceptable.*

*It is envisaged that the bridge will be adopted by the local authority after a period of three years. Confirmation is required from the London Borough of Barnet Structures Team that this is acceptable.*

*Summary:*

*The proposals are, in traffic and transportation terms, acceptable to Transport & Regeneration. However, the London Borough of Barnet Structures Team will need to review the structural design, buildability etc. and their thoughts on adoption sought.*

*Confirmation will also be required from the relevant parties within the London Borough of Barnet that HGV access to the construction site through the existing weight restriction will be permitted.*

*The following will have to be conditioned:*

- A Construction Traffic Management Plan*
- A Road Safety Audit*
- The form of control to be applied at the connections between the bridge and the existing network to ensure cyclists dismount prior to crossing it.*

*The above conditions are recommended to be imposed.*

### *Traffic & Development*

*Traffic & Development provided the following comments on 24 March 2017:*

- 1. Adoption – Currently there are no agreements or agreements “in principle” in place for the potential adoption of this new Pedestrian & Cycle way bridge. Various discussions have taken place in the past with our Structural Team, but there are no formal agreements in place to adopt. Highway adoption issues needs to be dealt separately away from planning commitments. The*

*Section 106 agreement stipulates the requirements Cool Oak Lane Bridge. If the Bridge is to be adopted, then detailed discussions need to take place as well as we will need to approve detail design for the structure and associated highway works. The Section 106 agreement also makes provision for this bridge to be privately maintained in the event that the Council does not take over responsibility.*

- 2. Land where bridge is proposed – The Highway Authority is only responsible for the maintenance of Cool Oak Lane carriageway and the Bridge. The land adjacent to the kerb line does not form part of adopted highway and falls under either Council / Recreation or Green Spaces responsibility. Therefore, the proposed bridge may fall under recreation responsibility subject to meeting to Council / S106 requirements. Alternatively, if Highways are to adopt the structure, then the land at either end of the proposed bridge needs to be dedicated as public highway.*
- 3. As part of the proposed bridge works, various highway improvements are required on the landing areas to ensure the pedestrian and cycle way link. These works should be undertaken under S278 of the Highways Act 1980 following detailed design approval.*
- 4. Access – It is unlikely that access would be permitted for HGV's over the existing listed bridge. Currently there is a 7.5T weight restriction plus existing bridge is quite narrow (approximately 3.0 metres). The developers will need to have detailed discussions with the Highway Authority during detailed design on how the bridge will be constructed.*

Discussions with the LLB Structures engineers established that insufficient detail has been provided as part of this application to determine whether the proposed Pedestrian and Cycle Bridge will be built to adoptable standards. This assessment will require the submission of detailed design documents including Approval in Principle (AIP) document. The AIP document sets out the form of the structure, along with the design parameters (e.g. geotechnical information, design life of elements, design standards to be used, material properties, analysis packages etc.). This has been raised with the applicant who has advised that this level of detail is to be provided at detailed design stage.

It is noted that Schedule H, Paragraph 2.6 of the Section 106 Agreement requires the Developer to maintain the Pedestrian and Cycle Bridge for a period of three years to the reasonable satisfaction of the Council. At the expiry of this time period the Section 106 Agreement makes provision for one of two options:

*2.7.1 Choose to continue to maintain the Cool Oak Lane Pedestrian and Cycle Bridge at its own expense; or*

*2.7.2 Serve a Bridge Adoption Notice upon the Council*

A condition is therefore recommended requiring the submission of detailed design documents demonstrating that the bridge will be built to adoptable standards. This will require the submission of structural drawings and the AIP document in accordance with the requirements of BD2/12 TECHNICAL APPROVAL OF HIGHWAY STRUCTURES to ensure

compliance with the relevant standards for adoptable structures.

An informative in respect of works required to be undertaken by way of a Section 278 Agreement is also recommended.

Traffic and Development Services support the proposed approach and also recommended the inclusion of their comments within the committee report so that the applicant is fully aware of its obligations following the grant of planning approval.

### Trees and Landscaping

*“Please find attached my comments, a difficult thing to balance up, condition of trees, loss of visual amenity, proposed replacement planting and need for bridge to be in proposed location.*

*I have recommended larger replacement trees for 4 Cat A & B trees which will better offset the loss of these trees over time if it is essential for bridge to be located where it is proposed.*

*The proposed new pedestrian bridge is located alongside the Cool Oak Lane road bridge over the Brent Reservoir. Currently there is no provision for pedestrians over the bridge which is controlled by traffic lights.*

*The reservoir is designated a SSSI, so has a high value for nature conservation and all activities are controlled by Natural England.*

*Six trees are growing in proximity to the proposed bridge, Four are category A & B (T3 to T6) which are a constraint to development. These trees are prominent on Cool Oak Lane, a busy link road in the borough. The proposal requires the loss of these trees along with a category C and U tree, which are low value, 6 in total.*

*The arboricultural reports notes that there are weakly formed stem forks where main structural limbs have divided. Trees T4 and T6 have are particularly server and I assume that this is why they are valued at Cat B instead of category A. The implications of these weak forks, is a higher risk of large limbs failure in high winds on to the highway. At present, this risk is acceptable but as the trees continue to grow in height the likelihood of failure increases. Crown reduction pruning would effectively manage the risk of failure but would reduce the visual amenity value they have.*

*There is space to build the bridge way from these trees to the north which would require a slightly longer bridge span. Moving the bridge would retain high value, large specimen trees along the side of the road on the eastern side of the reservoir.*

*My understanding for the location of the bridge is to minimise the disruption to birds on the reservoir and visual impact to the wider SSSI. However, the loss of the 4 valuable trees (T3, T4, T5 & T6 applicants plan) is a considerable price to pay for this.*

*The submitted arboricultural method statement provides enough information and measures for the retention of trees.*

## Landscaping

Allen Pyke Associates landscaping plan within the application drawings drawing no. 2666-LA-01 rev E shows replacement planting and new pedestrian walkway layout.

- *Salix alba* and *Alnus glutinosa* are proposed along the roadside, these species are not suitable species for this location; replace with either *Quercus robur* or *Tilia cordata*.
- *Fraxinus excelsior* is proposed, however until the full extent of the Ash die back is known planting this species is not prudent. Planting *Carpinus betulus*, *Pinus sylvestris* or *Fagus sylvatica* would be a better solution.
- *Ulmus glabra* is proposed, this species is prone to Dutch elm disease and so planting this species is not prudent. Planting *Carpinus betulus*, *Pinus sylvestris* or *Fagus sylvatica* would be a better solution.
- Additional planting on the western bank would also be appropriate.
- The quantity of proposed planting and size of stock will not replace the visual tree amenity lost for the bridge until 40+ years. This time could be reduced by planting 4 extra heavy standards along the road.

## Summary

- There is a clear need for the pedestrian bridge with the development of the West Hendon Estate and the level of traffic using Cool Oak Lane.
- The long term structural condition of T4 & T6 is uncertain due to weakly form fork structures, regular tree pruning could manage this risk but reduce visual amenity slightly.
- The loss of 6 high value trees could be avoided by moving it to the north of the trees. However, this will have a greater visual impact on the SSSI.
- If for design, heritage or conservation reasons moving the bridge is not feasible planting 4 very large nursery stock trees and proposed landscaping scheme will offset the loss of trees for the pedestrian bridge.

## Recommendations

- Applicant to provide further justification for the current location of bridge and the loss of high value trees.
- Applicant to provide 4 very large nursery stock trees to offset the loss of T3 to T6 on the applicants plan. These trees to be planted close to Cool Oak Lane, suitable species would be *Tilia cordata* or *Carpinus betula*.
- Landscaping plans to be reviewed in accordance with the suggestions above.

## Informative

- 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

Biosecurity, 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.”

### Lighting

LBB Street Lighting provided previous advise to the applicant in November 2016:

- a) *The Lighting will need to be connected to the councils Central Management System. We need to see a proper lighting layout showing lux levels achieved, what lighting category they are lighting to and how they came to this decision. With attached risk assessments. Has applicant spoken to our service provider, can equipment be maintained going forward as per below comments.*
- b) *Concerns regarding Vandalism & possible graffiti as equipment is low level.*
- c) *Do not recommend the use of low level bollards due to above comment.*

Referral response received on 3 February 2017:

*Further to my earlier e mail, please note the following:*

*The designer should be lighting the Footbridge using the latest BS5489 & ILP lighting standards.*

*Also, the designer would need to involve Bouygues Energies and Services to ensure they are happy with proposals. In the past footpaths have been lit to an S2 lighting standard, however a risk assessment should be provided as this could lower lighting level depending on usage. We would also recommend the use of LED lighting which could also lead to a lower lighting level. We also advise all assets which are adopted need to incorporate our CMS system.*

Applicants response:

*To date we have produced a Preliminary Lighting Design report as set out in fee proposal, which is the basis of our appointment.*

*We were advised that a P2 lighting category is recommended, as per the attached correspondence with Paul Sears at LBB.*

*As yet we have not issued formal calculations indicating lux levels, but did undertake a preliminary study to ensure our proposals would meet the specified criteria. We understand the need for the lighting equipment to be connected to the councils CMS and the type of system this is. As we have not yet specified the lighting equipment, we have not confirmed compatibility of components or maintenance with Bouygues.*

The applicant has confirmed that full specifications of equipment, lighting calculation and consideration of integration with CMS, maintenance, vandalism, etc. in liaison with the service provider, will be developed as part of the detailed design stage.

### Heritage

*“In light that the principle of a footbridge appears to have been established by the Masterplan, the issue would therefore be the impact of the new footbridge on the setting of the listed bridge. Whilst it is noted that the new bridge will not touch the existing bridge, it is not felt that the proposed handrail and railings achieve the objective claimed of allowing views through to the bridge beyond, and are more standard railings. In light that this will impact on the setting of the heritage asset, a better quality of railing should be proposed to help ensure that any harm to the setting of the asset is minimised.”*

## **6. KEY CONSIDERATIONS**

### **6.1 Vision for the Regeneration Scheme – The Masterplan**

The fundamental objective of the Masterplan is to secure the regeneration of the West Hendon Estate through transforming what is by current standards, a sub-standard quality of residential accommodation and disconnected external spaces into a well-connected, high quality and cohesive environment. Notwithstanding the complex and challenging nature of estate regeneration, the Design and Access Statement outlines three key aims that provide the key underpinnings of the Masterplan:

1. Make an enjoyable place to live. Integrating with its surrounding context and creating enjoyable places to live through the provision of public parks, play spaces and community facilities that will provide the backdrop for the newly proposed residential accommodation. Creating new pedestrian routes to link existing public open spaces and streets around site with increased residential densities providing for additional custom that will help to support and sustain local businesses on the Broadway.
2. Re-establish connections. Delivering a clear visual connection between the site and with the Welsh Harp SSSI whilst preserving its ecology. The proximity of the site to public transport services provides a well-connected location suitable for increased residential densities.
3. Create a distinct part of London. Deliver new homes together with public open space, improved pedestrian links and re-established connection to the Welsh Harp SSSI together with access to community facilities in a high quality built environment to support a vibrant and sustainable neighbourhood.

### **6.2 Principle of the Development**

The principle of development was established under 2013 Permission through approval of a Masterplan for the comprehensive regeneration of the West Hendon Estate. The assessment of the proposed Pedestrian and Cycle Bridge relates solely to those matters reserved for detailed approval in respect of layout, scale, appearance, access and landscaping.



### 6.3 Heritage Setting

The heritage setting of the existing Grade II listed Cool Oak Lane Bridge is a key factor in considering the suitability of the subject proposal.

The existing Cool Oak Lane Bridge is a Grade II listed structure built in brown brick with three central arches, laid in English bond with pyramidal sandstone caps to the intermediate piers. The existing bridge narrows considerably in the middle and is only wide enough for vehicles to cross in single file. A gas main runs parallel to the north face of the existing bridge.

The National Planning Policy Framework (NPPF) outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should be supported by clear and convincing justification.

In determining applications, the NPPF stipulates that an applicant should be required to describe the significance of any heritage assets affected, including any contribution made by their setting. With respect to the level of detail, it:

*“should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance” (2012, p.30).*

It is therefore of fundamental importance to ensure balanced outcomes that sustain and enhance the significance of heritage assets. In this regard new development should make a positive contribution to local character and distinctiveness. Striking the correct balance is therefore of critical importance.

The existing bridge was first listed Grade II in 2000 and is described on the National Heritage List, thereby establishing the structure as a designated heritage asset. It is noted that it has no group or collective value with other heritage assets in the vicinity, nor is it in a conservation area. The planning policy framework is clear in outlining that the planning system should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of both current and future generations. This is a key consideration in assessing the suitability of the proposed Pedestrian and Cycle Bridge in the context of its heritage setting.

In consideration of the heritage and conservation significance of the existing Cool Oak Lane Bridge, it is noted that Policy DM06: Barnet's Heritage and Conservation requires that all heritage assets are protected in line with their significance.

Policy DM06 lays out a clear methodology for development proposals involving or affecting heritage assets within the Borough through a requirement to demonstrate the following:

- The significance of the heritage asset;
- The impact of the proposal on the significance of the heritage asset;
- The impact of the proposal on the setting of the heritage asset;
- How the significance and/or setting of a heritage asset can be better revealed;

- The opportunities to mitigate or adapt to climate change; and
- How the benefits outweigh any harm caused to the heritage asset.

## **6.4 Ecological Considerations**

In light of its location within an identified Site of Special Scientific Interest (SSSI), due consideration must be given to the ecological context. An Ecological Assessment Report has been undertaken a part of the reserved matters submission and will be addressed in further detail under *Part 7.3* of this report.

It is noted that a fundamental design principle of the proposed Pedestrian and Cycle Bridge has been based on the need to bring forward a proposal that satisfies the requirements of the Environment Agency with respect to flood risk management levels. Condition 26 of the 2013 Permission stipulates that the bridge should be designed with soffit set no lower than 600mm above the 1 in 100 year plus climate change flood event level. It is noted however that discussions between the applicant, LBB Planning officers and the Environment Agency (EA) early in 2016 established that the requirements of Condition did not accurately reflect current requirements.

The above position was formalised with the receipt of written advice in August 2016 confirming that the EA would only be supportive of the use of the 1:250 year flood level (38.76 AOD) as the design flood level. The EA therefore require the soffit of the new bridge to be set 600mm above the design level at 39.36 AOD. This requirement has formed the basis of the proposed bridge design.

## **7. PLANNING ASSESSMENT**

### **7.1 The Development Framework (The 2013 Permission)**

The 2013 Permission established a comprehensive development framework to facilitate delivery of the West Hendon Estate Regeneration Scheme. Notwithstanding the detailed approval granted for Phase 3A and which has been implemented, in granting outline approval for Regeneration Scheme in its entirety, the 2013 Permission established a comprehensive framework of controls to inform and guide reserved matters submissions.

#### *7.1.1 Conditions of Approval*

The 2013 Permission incorporated 103 conditions of approval, eight of which are of fundamental significance to this reserved matters submission.

Condition 1 established the boundaries between the area for which planning approval was granted in detail, and that granted approval in outline form.

Condition 2 established the timeframe within which the first reserved matters submission was required to be made whilst Condition 3 requires all remaining reserved matters submissions to be made by 20 November 2018, being 5 years from the date of the 2013 Permission.

Condition 4 requires the Regeneration Scheme to be carried out in accordance with the mitigation measures established under the Environmental Statement.

Condition 5 requires that reserved matter submissions are made in accordance with the following plans and specifications:

- Development Specification Rev A
- Design Guidelines Rev A
- Parameter Plans (Referred to in Part 6.4 above)

Condition 5 requires a Statement of Compliance to be submitted with each reserved matters submission in accordance with the above plans and specifications. A Statement of Compliance has been submitted with the subject application and will be addressed as part of this assessment.

Condition 6 requires that no development shall take place within a phase of the outline permission until such time as the relevant reserved matters submission for that phase has been submitted to an approved in writing by the Local Planning Authority (LPA).

Condition 7 prevents variations to the Strategic Phasing Plan (Parameter Plan 009) unless it can be demonstrated that:

- The proposed variation is unlikely to give rise to any new or significant environmental effects in comparison to the development as approved and as assessed in the Environmental Statement; or
- The application is accompanied by environmental information the scope of which has been previously agreed by the LPA to assess the likely significant effects on the development having regard to the proposed variation.

The subject reserved matters submission has been made in accordance with the requirements of the above conditions.

There are also various conditions which require the submission of supporting information to be submitted with this reserved matters submission:

- Condition 23: Invasive Plant Survey
- Condition 24: Surface Water Drainage Scheme
- Condition 25: FRA Conformity Statement
- Condition 39: Review of Ecological Management Plan
- Condition 43: Land, Tree and Hedge Survey
- Condition 44: Bird/Bat Box Details

It is noted that Condition 22 of the 2013 Permission requires the submission of a Landscape Management Plan as part of reserved matters submissions. A Landscaping Management Plan has not been submitted as part of this application but rather will be submitted as a supporting document to a separate application being prepared for the area of landscaping adjacent the eastern approach to the proposed Pedestrian and Cycle Bridge as shown in *Appendix 5 – Indicative Landscaping*. This area of land falls outside the red line boundary of the 2013 Permission and as such the applicant proposes to address this interface area as a separate application. The proposed approach is supported.

It is also noted that Condition 26 of the 2013 Permission relates specifically to the proposed Pedestrian and Cycle Bridge and requires the submission of a scheme to design and implement the new crossing must be submitted to, being approved in writing by the LPA prior to construction of the bridge. Condition 26 stipulates that the Pedestrian and Cycle Bridge should be designed with soffit set no lower than 600mm above the 1 in 100 year plus climate change flood event level and abutments set back as far as possible. As mentioned under Part 6.4 above however, the Environment Agency require the use of the 1 in 250 year flood level which therefore requires the soffit of the new bridge to be set 600mm above the design level at 39.36 AOD. Condition 26 also stipulates that the bridge should be of a clear space design, however, where this cannot be achieved it must be clearly justified by the applicant.

Condition 26 also requires the submission of a Construction Method Statement for the consideration by Natural England (NE) and the Canal and River Trust (CRT). The scheme is to address the setting of the Pedestrian and Cycle Bridge in relation to the adjacent listed structure in line with English Heritage Guidance, its setting over the Welsh Harp SSSI and secure by design principles. A Construction Method Statement has been submitted as part of this application and has been reviewed by NE and CRT. No objection has been raised to the discharge of the condition.

The above conditions have been submitted as separate applications but in association with the subject application. Notwithstanding Conditions 24 and 26 which will be recommended for discharge pending further response from the Environment Agency, the above conditions have been assessed and found to satisfy the relevant statutory requirements and policy provisions and as such have been recommended for discharge as they relate, but separate to, the subject application.

#### 7.1.2 Section 106 Agreement

In addition to the 103 conditions attached the 2013 Permission, there are also legal obligations sets out within the Section 106 Agreement that must be considered as part of any reserved matters submission.

The fundamental component of the Section 106 Agreement as it relates to the subject application is *Schedule H, Bridges, Cool Oak Lane Pedestrian and Cycle Bridge*.

Paragraph 1.1 of Schedule H requires that prior to the commencement of Phase 3C the Developer shall submit to the Council:

- a) The Cool Oak Lane Pedestrian and Cycle Bridge Specification for its approval
- b) Details of the Cool Oak Lane Pedestrian and Cycle Bridge necessary consents; and
- c) The timetable for acquiring the Cool Oak Lane Pedestrian and Cycle Bridge Necessary Consents for its approval.

Paragraph 1.2 requires that that the Developer shall use reasonable endeavours to obtain the Cool Oak Lane Pedestrian and Cycle Bridge Specification submitted pursuant to Paragraph 1.1.

Paragraph 1.3 requires that the Developer shall apply for and use reasonable endeavours to obtain the Cool Oak Lane Pedestrian and Cycle Bridge Necessary Consents whilst

Paragraph 1.4 stipulates that the Developer shall keep the Council informed on a quarterly basis of the progress made to obtain the Cool Oak Lane Pedestrian and Cycle Bridge Necessary Consents.

Paragraph 2.4 of the Section Agreement relates specifically to the timing of the delivery of the Pedestrian and Cycle Bridge. It is noted that a Deed of Variation to the Section 106 Agreement and in association with application H/03991/14 altered the timing requirement associated with the delivery of the Cool Oak Lane Pedestrian and Cycle Bridge. In accordance with the above Deed of Variation, delivery of the Pedestrian and Cycle Bridge is required prior to the date of first occupation of a Residential Unit within Phase 3C. Further, it is noted that development of Phases 4, 5 and 6 shall not commence until construction of the Pedestrian and Cycle Bridge has been completed.

The above obligations have been satisfied in so far as they relate to the subject application.

### *7.1.3 The Development Specification Document (DSD)*

The Development Specification Document (Development Specification Revision A), referred to under Condition 5 of the 2013 Permission, acts as a development control document. Paragraph 5.62 of the DSD states that delivery of the Cool Oak Lane Pedestrian and Cycle Bridge is expected to be more simplistic in design and levels than the Silk Stream Bridge. As stipulated under paragraph 5.63 and the Cool Oak Lane Bridge Parameter Plan, the established parameters denote that the bridge sits away from the listed structure of the existing Cool Oak Lane vehicular bridge and spaces the Welsh Harp SSSI at an illustrative clear width of 3 metres and illustrative length of 50 metres.

### *7.1.4 Design Guidelines*

The Design Guidelines (Design Guidelines Rev A) referred to under Condition 5 of the 2013 Permission establish specific design guidance for the pedestrian and cycle bridges (Cool Oak Lane and Silk Stream) to be constructed as part of the West Hendon Estate Regeneration Scheme.

Paragraph 2.17.1 of the Design Guidelines stipulates that two new bridges over the Silk Stream and Cool Oak Lane are proposed to improve links between West Hendon and the public open spaces located around the reservoir and in the wider area. Moreover, to provide alternative connections to the recreational fields to the west, improving the accessibility of these resources for residents of the Estate.

Paragraph 2.17.5 stipulates that if the bridges are lit, they should be lit with low level luminaries under a switching and control regime designed to promote security and allow for the use of CCTV while also keeping disruption to the SSSI to a minimum.

Paragraph 2.17.6 states that the Cool Oak Lane Pedestrian and Cycle Bridge should be designed as a single span structure to the north of the existing bridge to allow for good pedestrian and cycle connections to existing routes.

Paragraph 2.17.7 indicates that the Cool Oak Lane Pedestrian and Cycle Bridge should be designed to be structurally independent of the listed bridge. It should have a positively

drained deck and incorporate the existing pipe bridge utilities to avoid any damage or long term implications on the listed bridge.

#### 7.1.4 *Statement of Compliance*

A Statement of Compliance accompanying the subject reserved matters submission is included below:

**Table 1 – Statement of Compliance**

	Condition	Document	Compliance	
Fundamental	1	Development to be contained in the hybrid planning application boundary.	Yes	
	2	Outline development commenced before 20 November 2018 or before the expiration of two years from the date of the approval of the last reserved matter, whichever is the latter.	Yes	
	3	Reserved matters defined as layout, scale, appearance, access and landscaping with the first phase reserved matters to be submitted prior to expiration of five years from the date of this permission.	Yes	
	4	Development commenced in accordance with Table 19.1 and 19.2 of the EIA (Environmental Mitigation).	Yes – see Document 5	
	5	Reserved matters to be submitted in accordance with the Development Specification Revision A, the Design Guidelines Revision A and also the 11 Parameter Plans.	Yes – see this document and A&M DAS	
	6	No development shall take place within the phase of the outline permission until reserved matters for that phase have been submitted to and approved by the Local Planning Authority.	Yes	
	7	No variations to the strategic phasing plan unless the applicant can demonstrate that the change is unlikely to give rise to any new or significant environmental effects in comparison with the development as approved.	Yes – see Section 6 of this report	
	10	The maximum number of residential units to be developed on the application site shall not exceed 2,000.	N/A	
	11	The total quantum of built floorspace for the Development across the site shall not exceed the GEA for individual land uses comprising: a) 202,000sqm residential (Use Class C3) b) 3,870sqm Community Facilities (Use Class D1) c) 1,766sqm Retail and related uses (Use Class A1- A5); Office (Use Class B1).	N/A	
	Static	12	No building within the outline scheme shall exceed 29 floors in height.	N/A
		13	All 2,000 new residential units shall be constructed to meet and achieve the Lifetime Homes Standard and maintained for the life of the development.	N/A

	14	All residential units shall be constructed to achieve not less than Code Level 4 in accordance with the Code for Sustainable Homes.	N/A
	15	All non-residential units shall achieve BREEAM 'good'.	N/A
	16	All residential units shall be constructed to achieve the minimum internal space standards set out in Table 3.3 of the London Plan (2011).	N/A
	17	A minimum of 10% of the residential dwellings within the development approved shall be built to Wheelchair Housing Standards or easily adaptable for residents who are wheelchair users.	N/A
	18	The D1 community use in Block G5 shall remain in community use unless it can be demonstrated that there is not sufficient viable demand to support such a use, in which case the use may transfer to retail use, A1, A5 or office B1 (we consider that this transition of use would be in addition to the maximum floorspace requirements of condition 11).	N/A
Reserved Matters Condition Requirements	22	Landscape Management Plan – Landscape Management Plan.	N/A
	23	An invasive non-native plants survey.	Information submitted with RM
	24	Detailed surface water drainage scheme.	Information submitted with RM
	25	Conformity statement with Flood Risk Assessment (FRA).	Information submitted with RM
	36	Operational Site Waste Management Plan (OWMP).	N/A
	43	A land survey, tree and hedge survey and arboriculture implications assessment in accordance with the relevant British Standard(s).	Information submitted with RM
	44	Details of the proposed bird bricks, boxes or other appropriate features according to the nesting preferences of the species already associated with the site, or targeted priority species will be incorporated in new buildings as identified within the Environmental Statement.	Information submitted with RM
	51	Details of the proposed design review panel.	N/A
68	Parking to be provided for each phase at a minimum of 0.8 spaces per residential unit.	N/A	



Review Only			
	Condition	Document	Compliance
Reserved Matters Condition Requirements	39	Conformity Statement / review of the Ecological Management Plan.	Information submitted with RM
	50	Review of Estate Management Plan where necessary.	N/A

### 7.1.5 Areas of Non-Compliance

The proposal seeks minor variations to the controls set out under the Development Framework that have arisen as a result of the detailed design process.

#### – Single Span Bridge –

As mentioned under paragraph 2.17.5 of the Design Guidelines, the Pedestrian and Cycle Bridge should be designed as a single span structure. The proposed design is based on a structure of five equal segments with four intermediate piers in the water, resulting in an overall span of 45.4 metres.

The rationale for this approach is as that by breaking up the span into five shorter sections, this allows for a slender and lightweight structure which can sit predominantly below the level of the listed bridge as to avoid a dominating effect that visually competes with the listed structure. As illustrated in *Appendix 6 – Comparative Elevations*, a single span bridge on the other hand, with the structure set above the deck level such as in a truss or tied arch structure, whilst providing the deck level to be kept low with accessible gradient approach paths, would produce a bridge form and structure likely to overpower the listed bridge due to the structural elements required to support a single span at the required length.

Justification provided by the applicant also indicates that by breaking the structure into five equal segments promotes engineering efficiency and repetitive offsite fabrication that will allow each of the completed bridge deck sections to be easily transported to site and craned into position from the bank.

A multi-span bridge as opposed to a single span structure is considered in the context of Condition 7 of the 2013 Permission in that it is unlikely to give rise to any new or significant environmental effects in comparison with the development as approved and as assessed in the Environmental Statement.

#### – Positively Drained Deck –

The proposed Pedestrian and Cycle Bridge also seeks variation to paragraph 2.17.7 of the Design Guidelines by way of the proposed free draining deck. It is noted that a free draining and the resulting low height and profile of the proposed bridge minimises potential harm to the heritage setting of the adjacent listed bridge. The proposed Pedestrian and Cycle Bridge has been designed as completely flat in elevation which has been made possible through the use of open planking for the deck surface which allows rain water to drain through the deck and into the reservoir.

A free draining deck negates the need for positive drainage channels along the bridge which would in turn require the bridge to have falls built in along its length which would in turn increase the complexity of the structure, raising its height in relation to the existing listed bridge and requiring additional below ground drainage works. On the basis of minimising the height of the deck it is considered that a free draining deck represents a sensible approach and is supported.

The proposed use of a free draining deck as opposed to a positively drained option is not considered to give rise to any new or significant environmental effects in comparison with the development as approved and as assessed in the Environmental Statement. The proposed variation to the Design Guidelines is therefore supported.

– Incorporate the Existing Pipe Bridge Utilities –

Paragraph 2.17.7 also indicates that the proposed Pedestrian and Cycle Bridge should incorporate the existing pipe bridge utilities to avoid any damage or long term implications on the listed bridge. The proposed Pedestrian and Cycle Bridge does not incorporate the existing pipe bridge utilities. Whilst the applicant acknowledges that it is visually desirable to incorporate the existing gas main within the structure, this is not permitted by the utility company and has therefore not been pursued.

## **7.2 Impact on Heritage Setting**

As mentioned under Part 6.3, Policy DM06 lays out a clear methodology for development proposals involving or affecting heritage assets within the Borough through a requirement to demonstrate the following:

– *The significance of the heritage asset* –

The existing Cool Oak Lane Bridge is a Grade II listed structure, the designer of which is unknown. It is however suggested that it may have been work of William Hoof of Hammersmith, who was engaged to build the reservoir. The heritage value of the bridge is largely historical, surviving in its original form and width and with much of its original fabric intact. Although it cannot be readily viewed due to the limited vantage points around the Welsh Harp SSSI, the Georgian Brickwork characterizing its construction is of considerable aesthetic appeal.

The site of the Cool Oak Lane Bridge is not located within a Conservation Area nor does the existing bridge possess group value with other identified heritage assets in the vicinity. In consideration of the above factors, the Heritage Statement accompanying the reserved matters submission rates its heritage significance to be of medium significance.

– *The impact of the proposal on the significance of the heritage asset* –

The existing bridge will be complemented by the character and appearance of the proposed footbridge through its proportions, lightness and detail. The proposed bridge has been designed to be as lightweight and elegant as possible, and whilst its north facing parapet will have a degree of opaqueness to prevent the movements of pedestrians and cyclists from disturbing nesting wildfowl, its south facing parapet will be substantially transparent to

afford views of the existing bridge from a new vantage point and thus better reveal the aesthetic qualities of the heritage asset to passing pedestrians.

The proposed bridge has been placed as low as possible within the Environment Agency's stipulations about flood risk management. This overcomes any visual competition between the existing and proposed structures within the established flood risk management parameters. The proposed Pedestrian and Cycle Bridge is not considered to pose the potential to harm the significance of the designated heritage asset.

– *The impact of the proposal on the setting of the heritage asset* –

As shown in *Appendix 7 – Aerial Photograph*, the existing structure provides the only access way across the Welsh Harp SSSI. To the north and south lies thick and abundant natural vegetation that lines the waters' edge and in this regard it is the setting of the surrounding natural environment that is considered to provide a valuable contribution in terms of the setting of the heritage asset.

From a design perspective the applicant notes that the intention was to set the height of the proposed bridge as low of possible to the water so that in a visual sense the proposed bridge is not in competition with the existing bridge. Ultimately however it is the minimum levels required to comply with the flood risk management requirement of the EA that have dictated minimum heights in this regard.

As shown in *Appendix 8 - Illustrative Photomontage*, the principle of a single sweeping curve from the existing footpath of the north side of Cool Oak Lane was established as a compelling design form through which to deliver the new crossing. A curved design provides for a simple and intuitive route to read and negotiate for pedestrians and cyclists. To this end the proposed curved design reflects the curved geometry of the listed bridge with the intent of acting as a sympathetic neighbor and one that complements the existing heritage asset.

– How the significance and/or setting of a heritage asset can be better revealed –

As can be evidenced by *Appendix 9 – Approach Routes*, due to the width of the existing bridge and single track access that is shared by pedestrians, cyclists and vehicles alike, there is currently no opportunities for pedestrians and cyclists to be able to appreciate the natural setting of the heritage asset due to a lack of accessibility.

Notwithstanding the loss of six trees that is required to facilitate construction, the proposed Pedestrian and Cycle Bridge will provide an alternative access route that will reveal the existing bridge through the provision of a viewing opportunity when pedestrians are standing stationary on the the proposed bridge.

– The opportunities to mitigate or adapt to climate change –

The proposal construction of a dedicated pedestrian and cycle bride will support sustainable movement and encourage greater utilisation of open spaces and recreational and leisure facilities located to the west of the Estate. In this regard the proposal will preserve the heritage setting of the existing bridge whilst providing an attractive and safe

access route for pedestrians and cyclists, reducing the need for vehicle travel and the associated carbon dioxide emissions.

## **12. EQUALITY AND DIVERSITY ISSUES**

Section 149 of the Equality Act 2010, which came into force on 5 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 application for approval of reserved matters, the term “protected characteristic” includes:

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

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for the construction of the Proposed Cool Oak Lane Pedestrian and Cycle Bridge will comply with the Council’s statutory duty under this legislation.

The development of a dedicated Pedestrian and Cycle Bridge at the West Hendon Estate is consistent with statutory requirements and policy provision of national, regional and local policy in a manner that will assist in providing an inclusive environment which is accessible to all.

## **12. CONCLUSION**

The purpose of this report is to consider reserved matters relating to Layout, Scale, Appearance, Access and Landscaping as they relate to Phase 4 of the West Hendon Estate Regeneration Scheme.

The details submitted have been assessed and found to comply with statutory requirements and policy provisions applicable to the subject land. In undertaking the assessment, the proposal has been considered against the established development framework as established under the 2013 Permission. That is, the Development Specification Document, Parameter Plans and Design Guidelines, enforced by condition of the 2013 Permission.

Minor variations proposed under the subject application have been considered within the context of the established development framework, which provides scope for minor departures within the context of the overarching 2013 Permission. The proposed variations are supported on the grounds that they are unlikely to give rise to any new significant environmental effects in comparison to the development as approved and as assessed in the Environmental Statement accompanying the 2013 Permission.

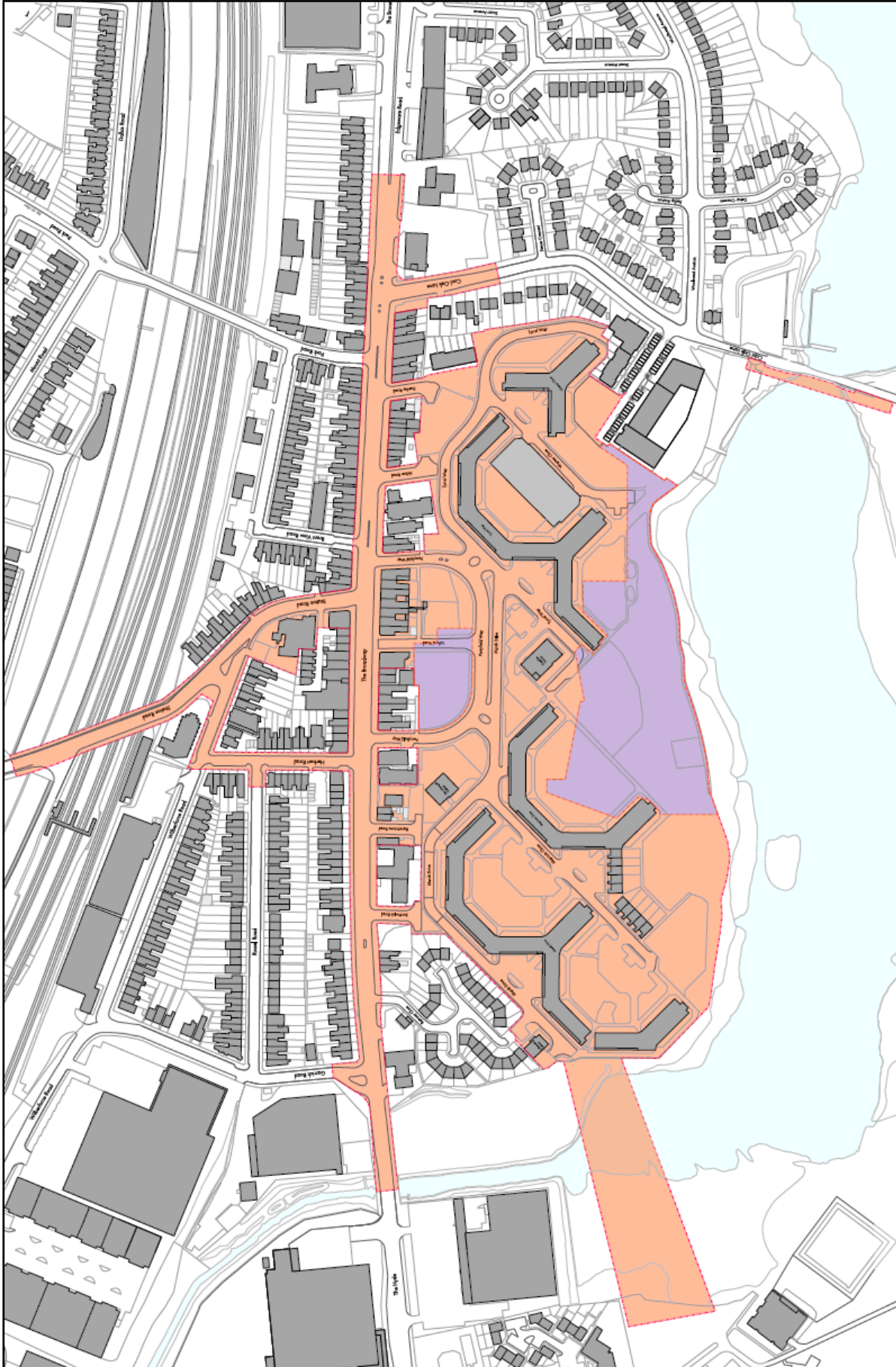
The proposal will improve pedestrian linkages to surrounding open spaces, leisure and recreational facilities to the west of the Estate, supporting more sustainable patterns of movement, improving the wellbeing of the area and encouraging greater use of the open spaces.



**Appendix 2 – Proposed Pedestrian and Cycle Bridge**



**Appendix 3 – The 2013 Permission**





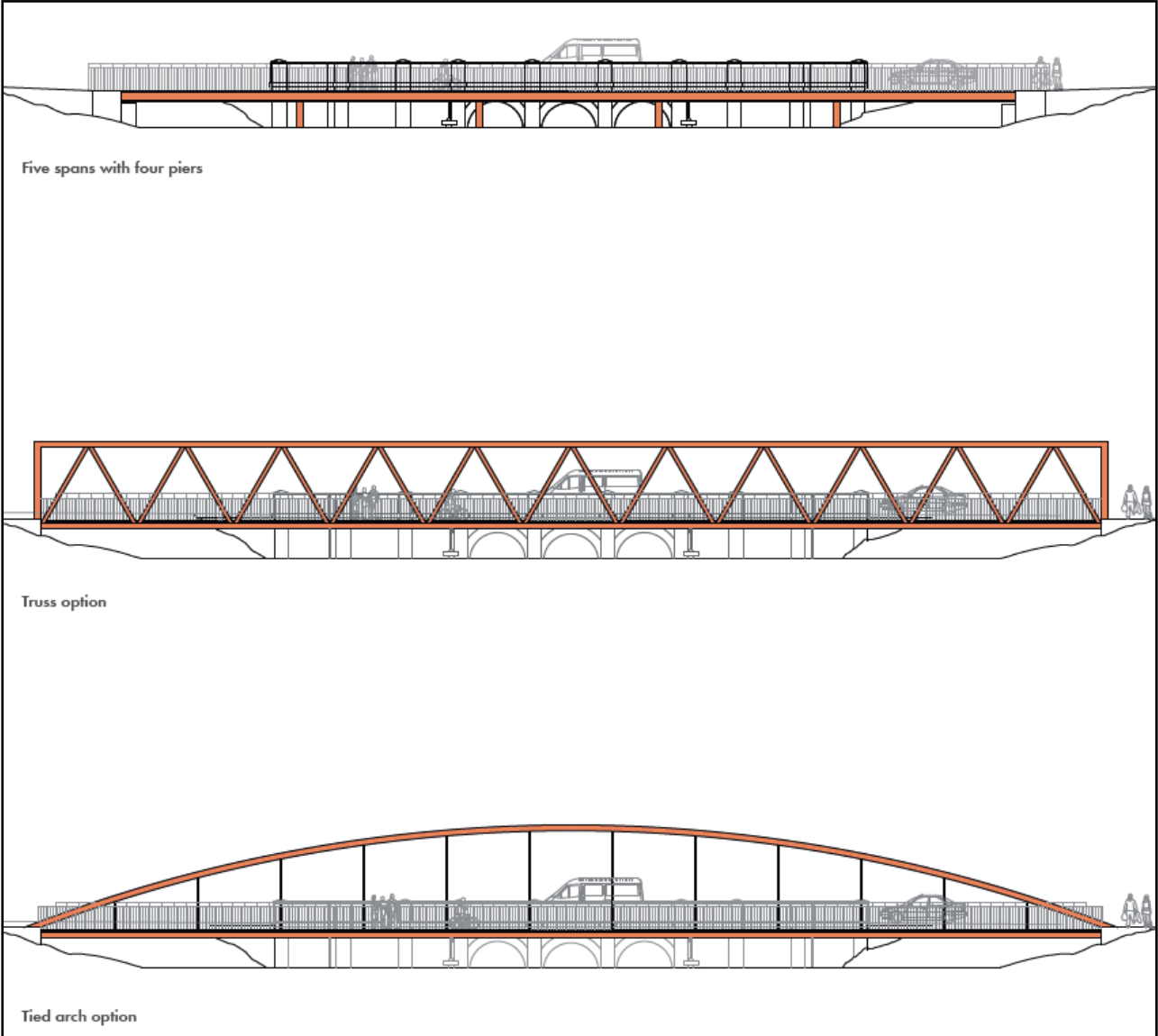
**Appendix 4 – Scheme Progress**



**Appendix 5 – Indicative Landscaping Proposal**



**Appendix 6 – Comparative Elevations**



**Appendix 7 – Aerial Photograph**



**Appendix 8 – Illustrative Photomontage**



**Appendix 9 – Approach Routes**



**LOCATION:** West Hendon Estate, West Hendon, London NW9

**REFERENCE:** 17/0017/RMA                      **Received:** 28 December 2016  
**Accepted:** 28 December 2016

**WARD:** West Hendon                      **Expiry:** 29 March 2017

**APPLICANT:** Barratt Metropolitan LLP

**PROPOSAL:** Application for Approval of Reserved Matters relating Layout, Scale, Appearance, Access and Landscaping, pertaining to Blocks H, J, K and M, forming Phase 4 of the West Hendon Estate Regeneration Scheme involving demolition of Existing Buildings (33-125 Tyrrel Way, 11-72 Warner Close and the Car Park between Tyrell Way and Warner Close) and the construction of 611 Residential Units (418 Market Value Units and 193 Affordable Units) including Basement Car Parking, Major Highways Works and New Landscaped Public Space pursuant to planning permission H/01054/13 dated 20/11/2013.

**APPLICATION SUMMARY**

Application Details

This application is to consider the reserved matters submission for Phase 4 of the West Hendon Estate Regeneration Scheme (“the Regeneration Scheme”), pursuant to Condition 3 of ‘hybrid’ planning permission H/01054/13 dated 20 November 2013 (“the 2013 Permission”).

The 2013 Permission established a clear and robust development framework for the comprehensive regeneration of the West Hendon Estate and its immediate environs, to be delivered by a phased programme of demolition and redevelopment. The 2013 Permission established an approved Masterplan tied to key plans and documents that frame its delivery; a series of controls that include the Development Specification Document, Parameter Plans and Design Guidelines within which reserved matters submissions must be brought forward.

Phase 4 is located within the southern area of the Masterplan as shown in *Appendix 1 – Phase 4 Site Plan*. This phase will link previously completed phases (Phases 1, 2 and 3A) and those currently under construction (Phases 3B and 3C) with the surrounding area. Phase 4 will also deliver significant transport infrastructure improvements through Major Highway Works that are an integral component for the implementation of remaining phases (Phases 5 and 6) of the Scheme.

As shown in *Appendix 2 – Reserved Matters Boundary Plan*, this application seeks detailed

approval for the Layout, Scale, Appearance, Landscape and Access in respect of four residential 'blocks' (Blocks H, J, K and M) comprising 611 Residential Units in conjunction with basement car parking, Major Highway Works and new landscaped public space.

As shown in *Appendix 3 – Demolition Plan*, Phase 4 involves the demolition of 155 existing residential dwellings comprising 11,906 square metres of residential floor space:

- Nos. 33-125 Tyrrel Way building (7,305m<sup>2</sup>)
- Nos. 11-72 Warner Close building (4,601m<sup>2</sup>)
- Car Park between Tyrrel Way and Warner Close

The proposed construction of 611 Residential Units will include 418 (68%) private residential units and 193 (32%) affordable housing units. The proposed Affordable Housing Units comprise 147 (76%) Intermediate Housing Units and 46 (24%) Social Rented Units. A total of 61 (10%) wheelchair accessible dwellings are proposed across all tenures and unit types.

It is noted that a Memorandum of Undertaking has been agreed between Barratt Metropolitan LLP, Metropolitan Housing Trust (MHT), and the London Borough of Barnet (LBB) for MHT to acquire the 66 Market Housing Units forming Block J4. MHT will deliver these additional Affordable Housing Units on a shared ownership basis, being treated as Intermediate Housing Units, separate to the requirement relating to the provision of Affordable Housing Units required under the Section 106 Agreement.

Proposed building heights predominantly range between 3 and 8 storeys in height, with the exception of Building K1, adjacent to the Welsh Harp SSSI, which rises to 21 storeys in compliance with the approved Building Heights Parameter Plan. Proposed Phase 4 buildings include the following:

- Resident buildings H1 & H2 (Detailed design by Makower Architects)
- Residential buildings J1/J2, J3, J4/J5 & J6 (Detailed design by Allies and Morrison)
- Residential buildings K1 & K2 (Detailed design by Makower Architects)
- Residential buildings M3 & M4 (Detailed design by Mikhail Riches)

The proposed residential dwellings have been designed to comply with the requirements of Lifetime Homes and the Mayor's Housing Design Guide. The proposed buildings comprise 364 dual aspect units and 247 single aspect units. No north facing single aspect dwellings are proposed as part of this application.

Proposed unit types:

- 26 x 1 bed studios (4.3%)
- 274 x 1 bed units (44.8%)
- 189 x 2 bed units (30.9%)
- 56 x 2 bed Duplex units (9.2%)
- 33 x 3 bed units (5.4%)
- 18 x 3 bed Duplex units (2.9%)
- 3 x 3 bed houses (0.5%)
- 12 x 4 bed units (2%)



Proposed residential floorspace:

- 56,633m<sup>2</sup> Gross External Area (GEA) total residential floorspace (excluding basement)
- 13,723m<sup>2</sup> Net Internal Area (NIA) affordable residential floorspace
- 17,454m<sup>2</sup> GEA basement car parking

Proposed amenity space (excluding public open space) of 9,823 m<sup>2</sup> comprising:

- Balcony areas of 3,662 m<sup>2</sup>
- Courtyard areas of 4,120 m<sup>2</sup>
- Private gardens of 1,531 m<sup>2</sup>
- 165 m<sup>2</sup> fitness studio (Gym) to be located in Block J5 Basement

### Open space, Trees and Landscape

Open space and landscape proposals for Phase 4 align with the established concept of the Masterplan which is structured around an integrated network of public, private and semi-private open spaces.

As shown in *Appendix 4 – Phase 4 Landscape Layout*, the private and semi-private landscaping proposals are based around a series of internal courtyards that serve respective Blocks H, J and K, with the provision of private gardens for Block M due to its building typology as semi-terrace style houses. Phase 4 landscape proposals also incorporate a ‘pocket park’ adjoining York Park which will provide Local Playable Space for Phase 4 residents and which will complement the public open space being delivered as part of the Regeneration Scheme.

It is noted that prior to the commencement of Phase 4, significant areas of public open space will be created as part of Phase 3. Phase 4 will provide the southern interface with a new pedestrian route delivered as part of Phases 3B and 3C, known as Broadway Place and The Green, which will create a new pedestrian route to the Welsh Harp SSSI from the Broadway. As shown in *Appendix 5 – Framework of Public Spaces*, this new pedestrian route will integrate with York Park, a strategic linear based open space that is located along the water’s edge of the Welsh Harp SSSI and which serves as a natural interface with the residential accommodation.

The proposed soft landscaping scheme comprises a variety of landscape typologies from the private courtyards and gardens shown in *Appendix 4* to the framework of public places shown in *Appendix 5*. With respect to trees, a total of 13 existing trees are required to be removed in order to facilitate the delivery of Phase 4. The principle of the removal of these trees was established under the 2013 Permission. It is noted that a total of 1,475 m<sup>2</sup> of bio-diverse and green roofs will be provided as part of Phase 4.

Implementation of the Scheme will deliver an overall increase in the quantity and quality of on-site amenity space, and significant improvements to the quality of, and access to,

existing public open space.

### Major Highways Works

Phase 4 proposes the delivery of Major Highway Works underpinning the Masterplan, providing significant transport infrastructure improvements necessary to deliver the Scheme. The proposed Major Highway Works have been designed to cater for the traffic likely to be generated by the Scheme, whilst also providing surplus capacity which provides the ability to accommodate future increases in traffic movements.

Proposed Major Highways Works include the following:

- Construction of a new access at Ravenstone Road connecting with West Hendon Broadway comprising two lanes outbound and one lane inbound including signalisation of the pedestrian crossing over the estate access road;
- Improvements to Cool Oak Lane signalised junction with the A5 including improved geometry for vehicles turning left into Cool Oak Lane from the A5;
- provision of a two lane approach for the A5 northbound and Cool Oak Lane;
- provision of staggered pedestrian crossings with a central island on the northbound A5 approach;
- carriageway widening to Station Road to create two lanes ahead and one right turn lane;
- Widening of Cool Oak Lane to accommodate two ahead and one right turn lanes together with a staggered pedestrian crossing with a traffic island;
- Provision of controlled pedestrian crossing north of Borthwick Road on the A5;
- Provision of controlled pedestrian crossing south of Stanley Road including a central island;
- Removal of Perryfield way gyratory and widening of Station Road to allow two-way flow with two right turn and one left turn lanes westbound and one merging lane eastbound including provision of staggered crossing;
- Removal of northbound and southbound bus lanes between Cool Oak Lane and Perryfield Way and Garrick Road and Park Road respectively;
- Creation of a left-in left-out priority junction with West Hendon Broadway at Milton Road (enforced by a means of a central kerbed median strip);
- Reversal of one-way traffic flow on Herbert Road;
- Closure of vehicular access to Stanley Road and Borthwick Road;

- Provision of a right turn lane into Garrick Road from the A5;
- Re-paved footways between Ramsey Close and Cool Oak Lane on the A5 and to the junction with Hendon Station along Station Road;
- Re-provision of the bus stand from Perryfield Way to Wilberforce Road;
- Construction of a new access at Ravenstone Road connecting with West Hendon Broadway comprising two lanes outbound and one lane inbound including signalisation of the pedestrian crossing over the Estate access road; and
- Creation of two-way traffic flow on Wilberforce Road between Station Road and Herbert Road.

A key component of the proposed works will be to the central section of West Hendon Broadway (“the Broadway”) which will be realigned to accommodate the new junctions and closure of the Perryfield Way gyratory. This will involve the introduction of direct right turn movements between the A5 and A504 Station Road and the site via the junctions noted above.

Proposed Major Highway Works also involve the widening of Station Road and the introduction of 2-way traffic flow from the A5 to the M1 over-bridge allowing the removal of through traffic from Garrick Road, Wilberforce Road and Herbert Road. The new layout will provide a fully linked signalised layout with two lanes for all traffic northbound and southbound on the A5 which will result in the removal of the short section of bus lanes currently providing some bus priority along this corridor. As will be outlined Part 5.2 of this report relating to consultation, Transport for London (TfL) and LBB Traffic & Development and Transport & Regeneration officers are supportive of the proposals.

### Urban Design

The delivery of Major Highway Works proposed under Phase 4 will see the creation of a new urban environment that will identify a clear hierarchy of pedestrian and vehicular routes and around the site through the removal of the Perryfield Way gyratory and the creation of East and West Streets.

As shown in *Appendix 6 – Street Hierarchy*, the proposed reconfiguration of the existing street layout is based upon a key principle of the Masterplan which is to provide a transition from the urban character of the Broadway to the natural setting of the Welsh Harp SSSI. The proposed road layout will integrate with Broadway Place/The Green and transform the journey from Hendon Station to the amenities of the Welsh Harp SSSI and its environs via a safe, accessible and visually interesting route.

Proposed buildings follow the massing principles established under the Masterplan with higher buildings running north to south and lower blocks east to west as to provide for good daylight levels throughout the site and within the proposed courtyards.

Scale, massing and building typologies are consistent with the approved Design Guidelines established under the 2013 Permission which establish character areas based on the existing urban fabric and site context whilst also providing for variations in materials within a

considered design framework. For example, the semi-terrace houses proposed for Block M relate directly to the building typology of adjoining residential properties to the south of the West Hendon Estate.

Condition 5 of the 2013 Permission requires reserved matters submissions to be made in accordance with the Parameter Plans and Design Guidelines which ensures a consistently high quality of development across all phases of the Scheme.

The creation of Broadway Place will improve access to the West Hendon Local Centre for occupiers of the new Residential Units whilst also improving access to the Welsh Harp SSSI for residents of the surrounding area and enhancing the public realm offering.

A Design Review Panel Meeting was held on Tuesday 19 August 2016 as required under Condition 51 of the 2013 Permission and for the purpose of obtaining design feedback from independent architects. Verbal feedback received was overly supportive of the design evolution.

### Sustainability

The 2013 Permission requires all Residential Units to be constructed in accordance with an acceptable level of sustainable design and construction, secured by conditions of approval. All Residential Units delivered as part of the Scheme are required to be certified as Code for Sustainable Homes Level 4, which entails the achievement of a 25 per cent reduction in carbon emissions beyond 2010 Building Regulations Part L standards.

Energy efficiency of the Scheme is based on a space heating and hot water supply provided via a district heating network linked to an Energy Centre located in the basement of Block E2, which was constructed as part of Phase 3A. The Energy Centre uses a combination of gas CHP (Combined Heat and Power) and gas fired boilers to deliver low carbon heat and hot water for residents in accordance with the requirements of the Energy Statement established under the 2013 Permission.

A Surface Water Management Scheme is in place and secured by Condition 24 of the 2013 Permission to ensure that the drainage provided as part of the development meets policy requirements.

A comprehensive strategy and associated measures to ensure the protection of the Welsh Harp SSSI were established under the 2013 Permission through the Environmental Statement and ultimately the development of an Ecological Management Plan (EMP). The EMP ensures that development of the Scheme does not prejudice the adjacent Welsh Harp SSSI and that onsite ecological features are protected, enhanced, created and managed in accordance with the Development Plan. The EMP is a live document and is required to be re-submitted on a phase by phase basis, secured by a condition of the 2013 Permission and discharged in consultation with Natural England. Natural England (NE) and Canal and River Trust (CRT) reviewed the revised EMP submitted in conjunction with this application and have confirmed its validity.

It was identified and agreed with NE that in order to minimise and monitor the impacts on the SSSI and existing habitats within the whole of Masterplan that the Developer would prepare a mitigation and monitoring plan to manage the impacts of demolition and

construction activities. This was implemented and undertaken as part of Phase 3A with evidence obtained from acoustic and ornithological monitoring indicating that there has been little disturbance to the SSSI and the wildlife within it. Notwithstanding this, mitigation works have been undertaken, including the installation of artificial nesting islands, bat/bird boxes, green and brown roofs and other habitat enhancements.

### Air Quality

An assessment of air quality impacts associated with the Scheme was undertaken as part of the 2013 Permission. This assessment accounted for emissions from the Energy Centre and also traffic emissions from roads adjacent to the development. Air quality predictions were assessed against national air quality objectives so that mitigation measures could be developed in areas of poor air quality. Air quality is predicted to meet national objectives across the majority of the Scheme however in certain locations suitable and appropriate mitigation measures are required for the properties adjacent to the Broadway. These measures include the installation of mechanical ventilation, which draws in cleaner air, and the introduction of winter gardens rather than balconies in order to minimise exposure.

Conditions associated with air quality assessment, extraction and ventilation equipment, and also impacts associated with construction, are all attached to the 2013 Permission and are required to be discharged by the Council on a phase by phase basis. The on-going monitoring and assessment of air quality ensures compliance with the Local Plan and national air quality objectives.

### Conclusion

The proposed development of Phase 4 is consistent with the approved Masterplan, Development Specification Document, Parameter Plans and Design Guidelines, all of which underpin the 2013 Permission. Major Highway Works proposed within Phase 4 will facilitate the on-going transformation of the West Hendon Estate and improve the social, economic and environmental wellbeing of not only the Estate, but also the wider community within the West Hendon area. Approval, subject to the below conditions is recommended.

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## **RECOMMENDATION**

### **Approve the application subject to the following conditions:**

1. Commencement

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

Reason:

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

2. Approved plans

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

058 - H1 - 07 - 001 Site Location Plan A3 1:1000 P1 P2  
058 - H1 - 07 - 100 Ground Floor Plan A3 1:200 P1 P2  
058 - H1 - 07 - 101 First Floor Plan A3 1:200 P1 P2  
058 - H1 - 07 - 102 Second Floor Plan A3 1:200 P1 P2  
058 - H1 - 07 - 103 Third Floor Plan A3 1:200 P1 P2  
058 - H1 - 07 - 104 Fourth Floor Plan A3 1:200 P1 P2  
058 - H1 - 07 - 105 Fifth Floor Plan A3 1:200 P1 P2  
058 - H1 - 07 - 106 Sixth Floor Plan A3 1:200 P1 P2  
058 - H1 - 07 - 107 Roof Plan A3 1:200 P1 P2  
058 - H1 - 07 - 120 Ground Floor Plan - Refuse Strategy A3 1:200 P1 P2  
058 - H1 - 07 - 200 Section AA A3 1:200 P1 P2  
058 - H1 - 07 - 201 Section BB A3 1:200 P1 P2  
058 - H1 - 07 - 202 Section CC A3 1:200 P1 P2  
058 - H1 - 07 - 203 Section DD A3 1:200 P1 P2  
058 - H1 - 07 - 300 South-West Elevation A3 1:200 P1 P2  
058 - H1 - 07 - 301 North-West Elevation A3 1:200 P1 P2  
058 - H1 - 07 - 302 North-East Elevation A3 1:200 P1 P2  
058 - H1 - 07 - 303 South-East Elevation A3 1:200 P1 P2  
058 - H1 - 07 - 400 Bay Study 01 A3 1:50 P1 P2  
058 - H1 - 07 - 401 Bay Study 02 A3 1:50 P1 P2  
058 - H1 - 07 - 402 Bay Study 03 A3 1:50 P1 P2  
058 - H1 - 07 - 500 1B-2P-01 A3 1:50 P1 P2  
058 - H1 - 07 - 501 2B-3P-01 D A3 1:50 P1 P2  
058 - H1 - 07 - 502 2B-3P-01 A3 1:50 P1 P2  
058 - H1 - 07 - 503 2B-3P-01-W A3 1:50 P1 P2  
058 - H1 - 07 - 504 2B-3P-02 A3 1:50 P1 P2  
058 - H1 - 07 - 505 3B-5P-01 A3 1:50 P1 P2  
058 - H1 - 07 - 506 3B-5P-02 A3 1:50 P1 P2  
058 - H1 - 07 - 507 3B-5P-01 D A3 1:50 P1 P2  
058 - H1 - 07 - 508 3B-5P-01-W A3 1:50 P1 P2  
058 - H1 - 07 - 900 Bird and Bat Box Location A3 1:200 P1 P2

058 - H2 - 07 - 001 Site Location Plan A3 1:1000  
058 - H2 - 07 - 100 Ground Floor Plan A3 1:200 P1 P2  
058 - H2 - 07 - 101 First Floor Plan A3 1:200 P1 P2  
058 - H2 - 07 - 102 Second Floor Plan A3 1:200 P1 P2  
058 - H2 - 07 - 103 ThirdFloor Plan A3 1:200 P1 P2  
058 - H2 - 07 - 104 Fourth Floor Plan A3 1:200 P1 P2  
058 - H2 - 07 - 105 Fifth Floor Plan A3 1:200 P1 P2  
058 - H2 - 07 - 106 Roof Plan A3 1:200 P1 P2  
058 - H2 - 07 - 120 Ground Floor Plan - Refuse Strategy A3 1:200 P1 P2  
058 - H2 - 07 - 200 Section AA A3 1:200 P1 P2  
058 - H2 - 07 - 201 Section BB A3 1:200 P1 P2  
058 - H2 - 07 - 202 Section CC A3 1:200 P1 P2  
058 - H2 - 07 - 300 South-West Elevation A3 1:200 P1 P2  
058 - H2 - 07 - 301 North-West Elevation A3 1:200 P1 P2  
058 - H2 - 07 - 302 North-East Elevation A3 1:200 P1 P2

058 - H2 - 07 - 303 South-East Elevation A3 1:200 P1 P2  
 058 - H2 - 07 - 400 Bay Study 01 A3 1:50 P1 P2  
 058 - H2 - 07 - 401 Bay Study 02 A3 1:50 P1 P2  
 058 - H2 - 07 - 500 1B-2P-01 A3 1:50 P1 P2  
 058 - H2 - 07 - 501 1B-2P-02 A3 1:50 P1 P2  
 058 - H2 - 07 - 502 1B-2P-03 A3 1:50 P1 P2  
 058 - H2 - 07 - 503 2B-3P-01 A3 1:50 P1 P2  
 058 - H2 - 07 - 504 2B-3P-02 A3 1:50 P1 P2  
 058 - H2 - 07 - 505 2B-3P-01-W A3 1:50 P1 P2  
 058 - H2 - 07 - 506 2B-3P-02-W A3 1:50 P1 P2  
 058 - H2 - 07 - 507 2B-4P-01-D A3 1:50 P1 P2  
 058 - H2 - 07 - 508 2B-4P-02-D A3 1:50 P1 P2  
 058 - H2 - 07 - 509 2B-4P-03-D A3 1:50 P1 P2  
 058 - H2 - 07 - 510 3B-5P-01 A3 1:50 P1 P2  
 058 - H2 - 07 - 900 Bird and Bat Box Location A3 1:200 P1 P2

765\_06\_07\_001 Reserved Matters Boundary Plan  
 765\_06\_07\_002 Reserved Matters Boundary Plan - Interim condition  
 765\_06\_07\_003 Reserved Matters Boundary Plan – Demolition  
 765\_06\_07\_004 Proposed Site Section 01  
 765\_06\_07\_005 Proposed Site Section 02  
 765\_06\_07\_006 Proposed Site Section 03  
 765\_06\_07\_007 Phasing Parameter Plan with Site Boundary  
 765\_06\_07\_008 Existing Site Boundary Plan  
 765\_06\_07\_098 Basement Plan  
 765\_06\_07\_099 Lower Ground Floor Plan  
 765\_06\_07\_100 Ground Floor Plan  
 765\_06\_07\_101 First Floor Plan  
 765\_06\_07\_102 Second Floor Plan  
 765\_06\_07\_103 Third Floor Plan  
 765\_06\_07\_104 Fourth Floor Plan  
 765\_06\_07\_105 Fifth Floor Plan  
 765\_06\_07\_106 Sixth Floor Plan  
 765\_06\_07\_107 Seventh Floor Plan  
 765\_06\_07\_108 Eight Floor Plan  
 765\_06\_07\_109 Roof Plan  
 765\_06\_07\_200 North East + South West Elevations  
 765\_06\_07\_201 South East + North West Elevations  
 765\_06\_07\_202 North East + South West Internal Elevations  
 765\_06\_07\_203 South East Internal Elevations  
 765\_06\_07\_204 North West Internal Elevations  
 765\_06\_07\_400 Bay Study 01 - Block J5 North East Elevation  
 765\_06\_07\_401 Bay Study 02 - Block J4 South West Elevation  
 765\_06\_07\_402 Bay Study 03 - Block J1 South East Elevation  
 765\_06\_07\_403 Bay Study 04 - Block J4 South West Elevation – Courtyard  
 765\_06\_07\_404 Bay Study 05 - Block J1 North – Courtyard  
 765\_06\_07\_416 J1-J6\_P\_3B5P\_D\_TYPE 3\_LWR  
 765\_06\_07\_417 J1-J6\_P\_3B5P\_D\_TYPE 3\_UPR  
 765\_06\_07\_438 J1\_P\_3B5P\_W\_TYPE 1  
 765\_06\_07\_445 J6\_P\_2B3P\_W\_TYPE 2

765\_06\_07\_462 J3\_AR\_2B4P\_D\_TYPE 2\_LWR  
 765\_06\_07\_463 J3\_AR\_2B4P\_D\_TYPE 2\_UPR  
 765\_06\_07\_466 J3\_AR\_3B5P\_W\_TYPE 1  
 765\_06\_07\_467 J3\_AR\_3B5P\_W\_TYPE 2  
 765\_06\_07\_475 J3\_AR\_2B4P\_F\_TYPE 4  
 765\_06\_07\_490 J4\_AI\_2B4P\_D\_TYPE 1\_LWR  
 765\_06\_07\_491 J4\_AI\_2B4P\_D\_TYPE 1\_UPR  
 765\_06\_07\_492 J4\_AI\_2B4P\_D\_TYPE 2\_LWR  
 765\_06\_07\_493 J4\_AI\_2B4P\_D\_TYPE 2\_UPR  
 765\_06\_07\_510 J4\_AI\_1B2P\_F\_TYPE 1  
 765\_06\_07\_511 J4\_AI\_2B4P\_F\_TYPE 1  
 765\_06\_07\_512 J4\_AI\_2B4P\_W\_TYPE 1  
 765\_06\_07\_524 J4\_AI\_2B4P\_W\_TYPE 2  
 765\_06\_07\_900 Block J - Bird and Bat Box Locations

058 - K - 07 - 001 Site Location Plan A3 1:1000 P1 P2  
 058 - K - 07 - 99 Lower Ground Floor Plan A3 1:200 P1 P2  
 058 - K - 07 - 100 Ground Floor Plan A3 1:200 P1 P2  
 058 - K - 07 - 101 First Floor Plan A3 1:200 P1 P2  
 058 - K - 07 - 102 Second and Third Floor Plan A3 1:200 P1 P2  
 058 - K - 07 - 104 Fourth Floor Plan A3 1:200 P1 P2  
 058 - K - 07 - 105 Fifth Floor Plan A3 1:200 P1 P2  
 058 - K - 07 - 106 Sixth to Eighteenth Floor Plan A3 1:200 P1 P2  
 058 - K - 07 - 119 Nineteenth Floor Plan A3 1:200 P1 P2  
 058 - K - 07 - 120 Twentieth Floor Plan A3 1:200 P1 P2  
 058 - K - 07 - 121 Roof Plan A3 1:200 P1 P2  
 058 - K - 07 - 200 Section AA-BB A1 1:200 P1 P2  
 058 - K - 07 - 201 Section CC A1 1:200 P1 P2  
 058 - K - 07 - 300 North-East and North-West Elevation A1 1:200 P1 P2  
 058 - K - 07 - 301 South-West and South-East Elevation A1 1:200 P1 P2  
 058 - K - 07 - 302 North-West K2 and South-East K1 Elevation A1 1:200 P1 P2  
 058 - K - 07 - 400 Bay Study 01 A3 1:50 P1 P2  
 058 - K - 07 - 401 Bay Study 02 A3 1:50 P1 P2  
 058 - K - 07 - 402 Bay Study 03 A1 1:50 P1 P2  
 058 - K - 07 - 403 Bay Study 04 A3 1:50 P1 P2  
 058 - K - 07 - 404 Bay Study 05 A3 1:50 P1 P2  
 058 - K - 07 - 500 K1 1B-2P-01 A3 1:50 P1 P2  
 058 - K - 07 - 501 K1 2B-3P-01 A3 1:50 P1 P2  
 058 - K - 07 - 502 K1 2B-3P-02 A3 1:50 P1 P2  
 058 - K - 07 - 503 K1 2B-3P-01-W A3 1:50 P1 P2  
 058 - K - 07 - 504 K1 2B-3P-02-W A3 1:50 P1 P2  
 058 - K - 07 - 505 K1 3B-5P-01-W A3 1:50 P1 P2  
 058 - K - 07 - 506 K1 3B-5P-02-W A3 1:50 P1 P2  
 058 - K - 07 - 507 K1 3B-5P-03-W A3 1:50 P1 P2  
 058 - K - 07 - 508 K1 3B-5P-04-W A3 1:50 P1 P2  
 058 - K - 07 - 509 K2 1B-2P-01 A3 1:50 P1 P2  
 058 - K - 07 - 510 K2 1B-2P-02 A3 1:50 P1 P2  
 058 - K - 07 - 511 K2 1B-2P-03 A3 1:50 P1 P2  
 058 - K - 07 - 512 K2 1B-2P-04 A3 1:50 P1 P2  
 058 - K - 07 - 513 K2 1B-2P-05 A3 1:50 P1 P2



058 - K - 07 - 514 K2 1B-2P-06 A3 1:50 P1 P2  
058 - K - 07 - 515 K2 2B-3P-01 A3 1:50 P1 P2  
058 - K - 07 - 516 K2 2B-3P-01-W A3 1:50 P1 P2  
058 - K - 07 - 517 K2 2B-3P-02 A3 1:50 P1 P2  
058 - K - 07 - 900 Bird and Bat Box Location A1 1:200 P1 P2

(00) 000 Block M3 / M4 - Location Plan  
(00) 001 Block M3 / M4 - Unit Types  
(00) 002 Block M3 / M4 - Tenure Mix  
(00) 003 Block M3 / M4 - Parameter Plan  
(00) 100 Block M3 / M4 - Ground Floor Plan  
(00) 101 Block M3 / M4 - First Floor Plan  
(00) 102 Block M3 / M4 - Second Floor Plan  
(00) 103 Block M3 / M4 - Roof Plan  
(00) 110 3B/5P - Ground Floor Plan  
(00) 111 3B/5P - First Floor Plan  
(00) 120 4B/7P - Ground Floor GA  
(00) 121 4B/7P - First Floor GA  
(00) 122 4B/7P - Second Floor GA  
A (00) 100 Block A - Proposed Ground Floor Plan  
A (00) 101 Block A - Proposed First Floor Plan  
A (00) 102 Block A - Proposed Second Floor Plan  
A (00) 103 Block A - Proposed Roof Plan  
B (00) 100 Block B - Proposed Ground Flood Plan  
B (00) 101 Block B - Proposed First Floor Plan  
B (00) 102 Block B - Proposed Second Floor Plan  
B (00) 103 Block B - Proposed Roof Plan  
C (00) 100 Block C - Proposed Ground Floor Plan  
C (00) 101 Block C - Proposed First Floor Plan  
C (00) 102 Block C - Proposed Second Floor Plan  
C (00) 103 Block C - Proposed Roof Plan  
(00) 200 Proposed North / South Elevations  
A (00) 200 Block A - North Elevation  
A (00) 201 Block A - South Elevation  
A (00) 202 Block A - East Elevation  
A (00) 203 Block A - West Elevation  
B (00) 200 Block B - North Elevation  
B (00) 201 Block B - South Elevation  
B (00) 202 Block B - East Elevation  
B (00) 203 Block B - West Elevation  
C (00) 200 Block C - North Elevation  
C (00) 201 Block C - South Elevation  
C (00) 202 Block C - East Elevation  
C (00) 203 Block C - West Elevation  
A (00) 300 Block A - Section A-A  
A (00) 301 Block A - Section B-B  
B (00) 300 Block B - Section C-C  
C (00) 300 Block C - Section D-D  
(90) 900 Block M3 / M4 - Drawing Issue Sheet  
(90) 901 Block M3 / M4 - GIA Schedule

(90) 902 Block M3 / M4 - NIA Schedule - SqFt  
(90) 902 Block M3 / M4 - NIA Schedule - SqM  
(90) 904 Block M3 / M4 - Amentiy Schedule  
(90) 905 Block M3 / M4 - GEA Schedule - SqM

C0044 L100 Landscape Masterplan Ground Floor  
C0044 L101 Landscape Coloured Masterplan  
C0044 L104 Landscape Masterplan Roof Level  
C0044 L200 Hard Landscape Plan Ground Floor  
C0044 L300 Soft Landscape Plan Ground Floor  
C0044 L500 Typical Ground Floor and Podium Sections  
C0044 L501 Typical Ground Floor and Podium Sections  
C0044 L900 Landscape Masterplan Play Spaces

West Hendon Phase 4 Reserved Matters Planning and Development Specification  
Conformity Statement (November 2016, Quod, Doc Reference Q10102)

West Hendon Phase 4 Reserved Matters Design and Access Statement (November  
2016)

West Hendon Phase 4 Reserved Matters Transport Statement (November 2016)

West Hendon Phase 4 Reserved Matters Transport Statement Addendum (6 April  
2017)

West Hendon Phase 4 Reserved Matters Environmental Statement of Conformity  
(November 2016)

West Hendon Phase 4 RM4/12 Daylight, Sunlight and Overshadowing Analysis  
(November 2016)

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4 and CS5 of the Barnet Core Strategy (Adopted September 2012) and Policy DM01 and DM02 of the Barnet Development Management Policies (Adopted September 2012) and policy 1.1 of the London Plan (2015).

3. Secured by Design

(a) Prior to commencement of the development, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full Secured by Design Accreditation.

The development shall only be carried out in accordance with the approved details.

(b) Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use.

4. Access Routes – Block M

Prior to commencement of the development, plans shall be submitted to, and

approved in writing by the Local Planning Authority, demonstrating the following:

(a) Details of levels and gradients of the approach routes to Block M where a ramped approach is proposed; and

(b) The provision of secure fencing that encloses the area to the north of Building M3 where it adjoins the residential property to north (No. 12 Sorrel Mead) and prevents public access. This area shall be provided as soft landscaping to be incorporated as part of the rear gardens serving Building M3

5. Warner Close Car Park

Before commencement of this phase a scheme to relocate the 65 pay by phone spaces in Warner Close car park either on or off street shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented prior to the demolition of the Warner Close car park.

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.

6. Prior to the submission of the next Reserved Matters Application a parking review shall be undertaken to identify locations for the re-provision of the 65 pay by phone car parking bays. Details are to be submitted and approved by the Local Planning Authority.

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 permitted development commences details of the refuse collection arrangements to allow refuse vehicles to collect from suitable acceptable distance confirmed by London Borough of Barnet Waste Collection shall be submitted to and agreed by the Local Planning Authority.

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

## **INFORMATIVES**

1. In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant

engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

2. In aiming to satisfy Condition 3, the applicant should seek the advice of the Metropolitan Police Service Designing Out Crime officers (DOCOs). The services of MPS DOCOs are available free of charge and be contacted via [docomailbox.nw@met.police.co.uk](mailto:docomailbox.nw@met.police.co.uk).
2. The applicant/developer should refer to the current “Code of Practice for Works affecting the Canal & River Trust” to ensure that necessary consents are obtained (<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>).
4. 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.
5. 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 no 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.

## **1. BACKGROUND TO THE APPLICATION**

The redevelopment of the West Hendon Estate is a long-standing priority of the Council. Paragraph 7.2.12 of Barnet’s Local Plan (Core Strategy) states that West Hendon (and other priority housing estates in the Borough) will be subject to long term programmes of regeneration to tackle poor quality housing, social isolation and to transform these areas into successful mixed tenure places.

An outline planning application for the redevelopment of the West Hendon Estate was originally submitted in December 2004 by Metropolitan West Hendon (Metropolitan Housing Trust). London Borough of Barnet resolved to grant permission in January 2006 (following an earlier committee where it was resolved to grant approval followed by further amendments to the application). Barratt Homes Limited became involved in the development in mid-2005 and required a number of amendments to reflect financial viability concerns. Following legal advice and subsequent review of the scheme, the application was taken to the Planning and Environment Committee on 19 March 2008, with outline planning permission granted on 1 July 2008 under application W/13987/04.

The Council entered into a development agreement with the key regeneration partners in 2006 making a commitment of approximately £450 million investment over 10 years. A limited liability partnership – Barratt Metropolitan LLP (BMLLP) – was initiated to oversee

the implementation of the scheme.

A standalone application (W/13230A/07) and separate Section 106 Agreement was also approved in December 2007 for the Pilot Phase 1A (Referred to as Phase 1) which comprised the demolition of existing buildings and construction of a part two, part three storey terrace of 6 no. dwellings with a new access road off Tyrrel Way and 2 no. two storey semi-detached dwellings fronting Cool Oak Lane with provision for car parking spaces and landscaping. Phase 1 has been implemented.

A Reserved Matters Application (RMA) for Phase 2A Lakeside (Referred to as Phase 2) was subsequently approved on 22 December 2008 under application H/04103/08. This provided for the construction of 186 dwellings and has been implemented in full.

Following the development of the above two phases, financial constraints meant that the remaining phases of the outline consent were not possible and in 2011 Barratt Metropolitan LLP (BMLLP) engaged in discussions with the London Borough of Barnet to amend the consent.

A new professional team was employed by BMLLP in September 2011 in order to revisit the approved Masterplan with a view to finding a viable solution for the future regeneration of the West Hendon Estate. Following this review a revised masterplan was subsequently developed and a new hybrid planning application (H/01054/13) submitted for its approval in 2013.

The Scheme comprised the demolition of existing buildings on the estate and:

- Construction of up to 2,000 residential units (maximum 202,000m<sup>2</sup> GEA);
- Provision of 3,870 m<sup>2</sup> GEA community use (Use Class D1) including land for a two-form entry primary school and nursery and community centre;
- Provision of 1,766m<sup>2</sup> Retail and related uses (Use Class A1-A5; Office (Use Class B1);
- Car parking at 0.8 spaces per unit including basement provision;
- Cycle provision;
- Landscaping and public realm works including the provision of a linear park between the estate and the Welsh Harp reservoir;
- Highways works, including new estate roads, works to A5 West Hendon Broadway and removal of the Perryfield Way gyratory
- A central Energy Centre;
- Various Interim works; and
- Two pedestrian bridges across the Welsh Harp reservoir (across the Silk Stream and adjacent to the existing Cool Oak Lane bridge.

The Planning and Environment Committee, at its 20 July 2013 Meeting, resolved to grant conditional approval to the Scheme. The 2013 permission comprised both detailed and outline components and is being delivered by a phased programme of demolition and redevelopment.

As shown by the area shaded purple on *Attachment 7 – Hybrid Planning Permission*, the detailed element of the 2013 Permission, the area to the south-west of the Estate adjoining the Welsh Harp and a small portion of the street block bound by Perryfield Way, related

solely to Phase 3A and provided for the construction of 358 new residential dwellings and 131 square metres of commercial floor space within buildings ranging from five (5) to twenty-six (26) storeys in height. Phase 3A reached practical completion in June 2016. The remainder of the Scheme that was approved in outline form is required to obtain detailed planning permission by way of reserved matters applications.

Application H/03991/14 was submitted in June 2014 and which sought a number changes to the phasing of the development. The changes incorporated the transfer of various blocks from Phase 3C into Phases 3A and 3B. This resulted in the delivery of Block E2 under Phase 3A, Blocks F1, F2, F3 and F4 being delivered under Phase 3B and Blocks G4, H3 and H4 remaining within Phase 3C. The proposed changes to the Phasing were approved by the Planning Committee in November 2014 which authorised the necessary legal work to draft a deed of variation to the Section 106 agreement.

The first Reserved Matters Application (RMA) relating to the 2013 Permission was subsequently received on 17 December 2014 during the construction of Phase 3A and under application 14/07694/RMA. As shown in *Appendix 8 – Phases 3B and 3C*, the RMA sought detailed planning permission for Phases 3B and 3C comprising the construction of 298 residential dwellings, commercial floor space totalling 1,245 square metres and 18 square metres of SSSI Warden Accommodation (as required under the 2013 Permission). The Planning Committee, at its Meeting held 26 March 2015, resolved to grant conditional approval to the application.

**Figure 1 – Chronological order of Planning Submissions for the West Hendon Estate**

Application Reference	Address	Description	Decision
W13937/04	West Hendon Estate, NW9	Redevelopment of site including the demolition of all existing buildings and construction of 2171 new residential units, approximately 10,000sqm of non-residential floorspace for retail (Class A1), office (Class A2), food and drink (Class A3), business (Class B1) and social/community and leisure (Classes D1 and D2) uses and provision of associated public and private open space, landscaping, car parking, access arrangements and highway/pedestrian improvements.	Approved 2 July 2008
H/04103/08	Rosemead and Warner Close West Hendon Estate, NW9	Reserved matters application seeking approval for landscaping, siting, design and external appearance in relation to Phase 2A of the redevelopment of West Hendon Estate, comprising 186 residential units (161 flats in block 'L' and 20 flats and 5 terraced houses in block 'M') pursuant to Condition 3 of outline planning permission W13937/04 for the redevelopment of the site approved 1 July 2008.	Approved 22 December 2008
W13230A/07	Lakeview Children's and Family Centre Tyrrell Way, NW9 7DX	Demolition of existing buildings and erection of part two storey and part three storey terrace of 6No. houses, with new access road off Tyrrel Way and 2No. two storey semi-detached houses fronting Cool Oak Lane. Provision of car parking spaces and landscaping.	Approved 14 August 2009

H/03152/12	West Hendon Estate, NW9	West Hendon Estate Request for EIA Screening and Scoping Opinion.	Opinion issued 11 January 2013
H/01054/13	West Hendon Estate NW9	<p>Hybrid planning application for the demolition and redevelopment of the West Hendon Estate to accommodate up to 2,000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure comprising:</p> <ul style="list-style-type: none"> <li>• Outline permission for the demolition of existing buildings and the construction of up to 1,642 new residential units (Class C3); up to 3,870m<sup>2</sup> (GEA) of D1 Class floorspace comprising nursery and primary school and community centre uses and up to 1,635m<sup>2</sup> (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 storeys, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp.</li> <li>• Full planning permission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) for the demolition of existing buildings and construction of 358 new residential units (Class C3), and 131m<sup>2</sup> (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 storeys, cycle and car parking provision including basement level parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works.</li> </ul> <p>Submission of Environmental Statement.</p>	<p>Approved 20 November 2013</p> <p>Included for a Section 106 Agreement</p>
H/03991/14	West Hendon Estate NW9	<p>Variation to 106 contribution to change sub phasing pursuant to planning permission H/01054/13 dated 20/11/13 for:</p> <p>"Hybrid planning application for the demolition and redevelopment of the West Hendon Estate to accommodate up to 2000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure comprising:</p> <p>Outline submission for the demolition of existing buildings and the construction of up to 1642 new residential units (Class C3); up to 3,870m<sup>2</sup> (GEA) of D1 Class floorspace comprising nursery and primary school and community centre uses and up to 1,635m<sup>2</sup> (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 stories, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp.</p> <p>Full planning submission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) for the construction of 358 new residential units (Class C3), and 131m<sup>2</sup> (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 stories, cycle and car parking provision including basement level</p>	<p>Approved November 2014</p> <p>Included a Deed of Variation to the Section 106 Agreement</p>

		parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works. Submission of Environmental Statement.”	
14/07964/RMA	West Hendon Estate NW9	Application for Approval of Reserved Matters relating to Scale, Layout, Appearance, Landscaping, Access and Parking, pertaining to Blocks F1, F2, F3, F4, G4, H3, H4 forming Part of Phase 3b and 3c of the West Hendon Estate Regeneration comprising 298 Residential Units (181 Market Value Units and 117 Affordable Units) Commercial Floorspace totalling 1,245m2 (Use Class A and B1) and 18m2 SSSI Warden Accommodation pursuant to condition 3 of Hybrid Planning Approval H/01054/13 dated 20th November 2013.	Approved 26 March 2015

Detailed approval has been granted for Phases 3A, 3B and 3C. Phase 3A has reached practical completion and Phase 4 is the next phase for which detailed approval is sought as part of the Regeneration Scheme.

## 2. MATERIAL CONSIDERATIONS

### 2.1 Key Relevant Planning Policy

#### National Planning Policy Framework (NPPF)

In March 2012, the Government published the National Planning Policy Framework (NPPF) which streamlines national planning policy into a consolidated set of priorities replacing Planning Policy Statements and Planning Policy Guidance. As outlined under paragraph 14, the fundamental premise of the NPPF is the delivery of sustainable development and economic growth with the presumption in favour of sustainable development being the golden thread of the document (p.4).

The purpose of the planning system is therefore to contribute to the achievement of sustainable development through supporting mutually beneficial outcomes in a social, economic and environmental sense as follows:

- Social role of supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment;
- Economic role of contributing to building a strong, responsive and competitive economy; and
- Environmental role of contributing to the protection and enhancement of our natural, built and historic environment.

The interconnected nature of the above roles means they are not to be viewed in isolation but rather as cross dimensional functions. Any development of the Site will therefore be required to bring forward mutually beneficial outcomes. For example and as outlined under paragraph 8 of the NPPF (2012, p.3):

*“economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities”.*



In this regard the NPPF is clear in directing that:

*“planning should operate to encourage and not act as an impediment to sustainable growth” (2012, p.6).*

### The London Plan (March 2016)

The London Plan is the spatial development strategy for London and provides a strategic plan for London through establishing an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years.

The London Plan legally forms part of the statutory development plan for Barnet and therefore relevant London Plan policies need to be taken into account when planning decisions are taken.

Relevant London Plan policies are as follows:

- Policy 1.1 – Delivering the strategic vision and objectives for London*
- Policy 2.2 – London and the wider metropolitan area*
- Policy 2.6 – Outer London: vision and strategy*
- Policy 2.8 – Outer London: transport*
- Policy 2.13 – Opportunity Areas and Intensification Areas*
- Policy 2.18 – Green Infrastructure: the network of open and green spaces*
- Policy 3.2 – Improving health and addressing health inequalities*
- 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 facilities*
- Policy 3.7 – Large residential developments*
- Policy 3.8 – Housing choice*
- Policy 3.9 – Mixed and balanced communities*
- Policy 4.7 – Retail and town centre development*
- Policy 4.8 – Supporting a Successful and diverse retail sector*
- Policy 5.1 – Climate change mitigation*
- Policy 5.2 – Minimising carbon dioxide emissions*
- Policy 5.3 – Sustainable design and construction*
- Policy 5.6 – Decentralised energy in development proposals*
- Policy 5.7 – Renewable energy*
- Policy 5.9 – Overheating and cooling*
- Policy 5.10 – Urban greening*
- Policy 5.11 – Green roofs and development site environs*
- Policy 5.12 – Flood risk management*
- Policy 5.13 – Sustainable drainage*
- Policy 5.14 – Water quality and wastewater infrastructure*
- Policy 5.15 – Water use and supplies*
- Policy 5.17 – Waste capacity*
- Policy 5.21 – Contaminated land*
- Policy 6.1 – Strategic approach*
- Policy 6.3 – Assessing effects of development on transport capacity*

*Policy 6.7 – Better streets and surface transport*  
*Policy 6.9 – Cycling*  
*Policy 6.10 – Walking*  
*Policy 6.13 – Parking*  
*Policy 7.1 – Building London’s neighbourhoods and communities*  
*Policy 7.2 – An inclusive environment*  
*Policy 7.3 – Designing out crime*  
*Policy 7.4 – Local character*  
*Policy 7.5 –Public realm*  
*Policy 7.6 – Architecture*  
*Policy 7.7 – Location and design of tall and large buildings*  
*Policy 7.8 – Heritage assets and archaeology*  
*Policy 7.13 – Safety, security and resilience to emergency*  
*Policy 7.14 – Improving air quality*  
*Policy 7.15 – Reducing noise and enhancing soundscapes*  
*Policy 7.18 – Protecting local open space and addressing local deficiency*  
*Policy 7.19 – Biodiversity and access to nature*  
*Policy 7.21 – Trees and woodlands*  
*Policy 8.1 – Implementation*  
*Policy 8.2 – Planning obligations*

It is further noted that the Mayor’s Housing Supplementary Planning Guidance (May 2016) provides guidance on how to implement the housing policies in the London Plan.

#### Barnet’s Local Plan (September 2012)

The Local Plan is the development plan and the statutory basis for decision making. Proposals that are consistent with the Local Plan should be approved without delay, unless material considerations indicate otherwise. Barnet's Local Plan consists of a suite of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs).

Relevant Core Strategy DPDs:

*Policy CSNPPF – Presumption in favour of Sustainable Development: Barnet’s place shaping strategy – Protection, enhancement and consolidated growth, the Three Strands Approach*  
*Policy CS3 – Distribution of growth in meeting housing aspirations*  
*Policy CS4 – Providing quality homes and housing choice in Barnet*  
*Policy CS5 –Protecting and enhancing Barnet's character to create high quality places*  
*Policy CS7 – Enhancing and protecting Barnet's open spaces)*  
*Policy CS8 – Promoting a strong and prosperous Barnet*  
*Policy CS9 – Providing safe, effective and efficient travel*  
*Policy CS12 – Making Barnet a safer place*  
*Policy CS13 – Ensuring the efficient use of natural resources*  
*Policy CS14 – Dealing with our waste*  
*Policy CS15 – Delivering the Core Strategy*

The Development Management Policies DPD also forms part of the suite of documents that constitute Barnet’s Local Plan.

Relevant Development Management Policies DPDs:

- DM01 – Protecting Barnet's character and amenity*
- DM02 – Development standards*
- DM03 – Accessibility and inclusive design*
- DM04 – Environmental considerations for development*
- DM05 – Tall buildings*
- DM06 – Barnet's heritage and conservation*
- DM08 – Ensuring a variety of sizes of new homes to meet housing need*
- DM10 – Affordable housing contributions*
- DM15 – Green belt and open spaces*
- DM16 – Biodiversity*
- DM17 – Travel impact and parking standards*

### Supplementary Planning Documents and Guidance

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

- *The Residential Design Guidance SPD (October 2016)*
- *Sustainable Design and Construction SPD (October 2016)*

### The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. It has been previously established that the planning obligations included within the Hybrid Planning Permission, and which also pertain to subsequent reserved matters submissions, are legitimate and appropriate under these regulations.

## **3. DESCRIPTION OF SITE AND SURROUNDINGS**

### **3.1 Site Location and Context**

Situated in the south west area of the Borough, the site is located within the West Hendon ward which borders the neighbouring Borough of Brent. As shown in *Attachment 9 – Aerial Photograph*, the West Hendon Estate is a unique site that is characterised by a set of diverse interfaces at each edge of the site boundary in terms of scale, use and character.

The eastern edge of the site is bound by the heavily trafficked Broadway (A5) containing a mixture of Victorian and more recent commercial and residential units. The rear of properties fronting the Broadway range between 3 and 6 storeys in height and are in varying states of condition and repair. Hendon railway station is located approximately 800 metres to the east of the site.

The Welsh Harp is located to the west of the site and possesses significance due to its relationship with the Site of Special Scientific Interest (SSSI). The Silk Stream becomes the Welsh Harp SSSI and encloses the north western boundary of the site. The site looks out across the Welsh harp towards West Hendon playing fields and Metropolitan Open Land.

Ramsey Close to the north of the site consists of two storey semi-detached houses built in the 1980s with rear gardens backing onto the site. The southern edge of the site is bordered by the rear gardens of the two storey properties on Cool Oak Lane.

Prior the commencement of the regeneration scheme, West Hendon Estate was characterised by a number of issues related to its design, layout and construction, whilst also suffering from problems such as crime and anti-social behaviour. These issues included:

- Poorly defined public and private space;
- No clear hierarchy of streets and desirable through routes;
- No sense of orientation within the estate;
- Lack of natural surveillance on public routes;
- No clear relationship between streets, buildings, open space and the Welsh Harp;
- No clear connection between the estate and the Broadway and other surrounding streets;
- Rear of existing properties to the Broadway left unresolved following demolition of previously existing Victorian streets in the 1960s;
- Unappealing entrances to blocks and poorly maintained internal communal areas;
- Building fabric in need of repair and upgrade to meet current environmental and building standards;
- Perryfield Way gyratory as a dominating feature upon arrival to the estate; and
- Poorly managed boundary with SSSI leading to unauthorised access.

### **3.2 Recent Construction on Site**

The two blocks developed for the detailed part (Phase 3A) of the 2013 Permission were Blocks E and G1/G2. The location of these buildings was chosen to facilitate commencement of the Scheme on the basis of no demolition work being required and due to their proximity to the new public space (Broadway Place/The Green) linking the Broadway to the Welsh Harp. Building G1/G2 is located to the east of the site on the old location of the Perryfield Way car park. It occupies the highest part of the site and encloses an existing block of residential and commercial properties fronting the Broadway.

The current location of the Perryfield Way gyratory will become East Street with Block G1/G2 being located at the intersection of East Street and Broadway Place/The Green leading to the Welsh Harp.

Block E is located to the west of the site adjacent to, but set back from the Welsh Harp. It occupies one of the lower areas of the site, overlooking the Welsh Harp and York Park. As shown in *Appendix 10 – Scheme Progress*, Blocks E1, E2, E3, E4, G1 and G2 are now complete. Construction work associated with Block F is currently underway with demolition works associated G4, H3 and H4 due to commence later this year.

#### **4. DESCRIPTION OF THE PROPOSED DEVELOPMENT**

This application seeks detailed approval of reserved matters relating to layout, scale, appearance, access and landscaping in respect of Blocks H, J, K and M, forming Phase 4 of the West Hendon Estate Regeneration Scheme and involving demolition of Existing Buildings (Nos. 33-125 Tyrrel Way, Nos. 11-72 Warner Close and the Car Park between Tyrell Way and Warner Close) and construction of 611 Residential Units (418 Market Value Units and 193 Affordable Housing Units) including Basement Car Parking, Major Highways Works and New Landscaped Public Space.

##### **Block H (Buildings H1 and H2)**

Buildings H1 and H2 will form the completion of Block H by integrating Buildings H3/H4 (being delivered under Phase 3C and which will form the southern boundary to Broadway Place) with the rear of properties fronting West Hendon Broadway.

Building H1 is a six story building containing 47 Market Units configured as a L shaped block framed by Milton and Stanley Road to its secondary frontages and East Street to its primary frontage. Primary entrance to the building is located off East Street with a row of duplexes that wrap around to Milton Road providing an active frontage to the street. A mix of 1, 2 and 3 bedroom units are proposed.

A polychrome brick palette is used to break down the scale of the main façade and the building is arranged with access galleries to the rear and main fronts facing the street. Material palette is two types of brick with the use of metal mesh for balcony balustrades and aluminium window frames. Public realm offered as part of Building H1 is its street frontage to East Street and Milton Road. A private courtyard is provided for the use of residents of this building.

Building H2 is a four storey building containing 39 shared ownership flats and located between Milton Road and the reconfigured Perryfield Way (East Street) that will integrate with Phase 3C. The main entrance is centrally located and divides the ground floor into two sides with a row of duplexes to one side and flats to the other. A mix of 1, 2 and 3 bedroom units are proposed, accessed from external galleries that connect to a central core on the upper floors.

A private courtyard serving Building H2 is located at first floor level on top of the plinth. All units include a balcony for private amenity space. Brick is the primary material proposed for facades. Aluminium windows and balconies with cantilevered glass balustrades complete the material palette for the main elevation with balcony sizes vary depending upon the unit typology. Street frontage is provided to East Street with the provision of a private courtyard for the use of residents of this building.

##### **Block J (Buildings J1 – J6)**

Block J consists of a group of four buildings ranging in height of between 2 and 8 storeys and which surround two courtyards forming shared amenity space for residents. Block J includes a combination of Market and Affordable Units comprising flats and duplexes.

Block J is located in the centre of the Masterplan with four external facades that form the interface with a variety of public spaces and streets whilst the inner courtyards provide a private, landscaped zone for residents of these buildings. Buildings along East and West Streets include duplex units on the two lower levels providing an active street frontage and passive surveillance. All units have a balcony, terrace or garden for private amenity space. The majority of units are dual aspect and there are no north facing single aspect units.

The buildings follow massing principles established under the Illustrative Masterplan with higher elements running north to south and lower blocks east to west to allow for good daylight levels throughout the site and within the courtyards.

The design employs double height spaces at entrances and access points to the courtyards announce the entry points along East and West Streets whilst also providing sheltered entrances within the building footprint.

The façade is constructed from brickwork, painted steel (balconies) and aluminium window frames. The material palette is predominantly brick with an alternating brick colour proposed for the lower two storeys of the long elevations. Balcony sizes vary depending upon the unit typology. Street frontage is provided to East and West Streets with an active interface to The Green. The courtyards are accessible at grade from East Street. Due to the level change of 3 metres between East and West Streets, the West Street entrance to the courtyards is provided by a flight of stairs with level accesses provided from East Street.

### **Block K (Buildings K1 and K2)**

Located in the south-western corner of the Masterplan on the waters' edge of the Welsh Harp SSSI and having a direct interface with York Park, The Green, West Street and a pocket park, Block K contains a total of 186 Market Units.

The lower component of Block K (Building K1) holds the bottom corner of where the strategic linear open space (York Park) intersects with The Green. Building K2 rises to 21 storeys and is the second of four tall buildings that were established within the Illustrative Masterplan and approved in outline under the 2013 Permission. Building K1 is predominantly comprised of 3 bedroom units whilst Building K2 consists of 1 and 2 bedroom units.

Buildings K1 and K2 are joined by a brick base that is level with West Street and a storey high towards the Welsh Harp SSSI which encloses the basement car park for these buildings. Both blocks feature deep balconies maximising private amenity space facing the reservoir.

Block K is a solid block that has been modelled in response to its four facades that propose the use of two brick types – a darker brick for Building K1 and a two tone brick pattern for Building K2. In addition to alternating brick courses for Building K2, a contrasting recessed brick band at every floor level is also proposed to create variation through the use of materials and provide visual interest that will also assist in moderating the visual impact associated with the height of the building.

Metal railings are used on all facades facing the Welsh Harp SSSI and throughout Building

K2. With the exception of the south façade, all Building K1 balconies feature cantilevered glass balustrades with balcony sizes relating to the flat typology. Block K provides an active relationship with The Green, York Park, West Street and a pocket park proposed to the south of Block K2. A private courtyard is provided for the use of residents of this building that is accessed through a gate or via the residential lobby at grade.

### **Block M (Buildings M3 and M4)**

Located within the south-eastern edge of the site and situated between the residential properties constructed as part of Phase 1 of the Illustrative Masterplan, Buildings M3 (Two buildings) and M4 consists of 15 townhouses arranged over three buildings.

Buildings M3 and M4 comprise a mix of 3 and 4 bedroom Market and Affordable Housing units that are all dual aspect dwellings facing north-west and south-east. The proposed dwellings are provided with individual gardens for private amenity space accessed internally through bi-folding doors and with secure rear access to gardens. Bins are enclosed in expanded aluminium mesh stores to the front of the properties – obscured from public view and ventilated.

### **Major Highway Works**

Phase 4 will deliver key transport infrastructure improvements through the provision of Major Highways Works proposed under this application:

- Construction of a new access at Ravenstone Road connecting with West Hendon Broadway comprising two lanes outbound and one lane inbound including signalisation of the pedestrian crossing over the estate access road;
- Improvements to Cool Oak Lane signalised junction with the A5 including improved geometry for vehicles turning left into Cool Oak Lane from the A5;
- provision of a two lane approach for the A5 northbound and Cool Oak Lane;
- provision of staggered pedestrian crossings with a central island on the northbound A5 approach;
- carriageway widening to Station Road to create two lanes ahead and one right turn lane;
- Widening of Cool Oak Lane to accommodate two ahead and one right turn lanes together with a staggered pedestrian crossing with a traffic island;
- Provision of controlled pedestrian crossing north of Borthwick Road on the A5;
- Provision of controlled pedestrian crossing south of Stanley Road including a central island;
- Removal of Perryfield way gyratory and widening of Station Road to allow two-way flow with two right turn and one left turn lanes westbound and one merging lane eastbound including provision of staggered crossing;

- Removal of northbound and southbound bus lanes between Cool Oak Lane and Perryfield Way and Garrick Road and Park Road respectively;
- Creation of a left-in left-out priority junction with West Hendon Broadway at Milton Road (enforced by means of a central kerbed median strip);
- Reversal of one-way traffic flow on Herbert Road;
- Closure of vehicular access to Stanley Road and Borthwick Road;
- Provision of a right turn lane into Garrick Road from the A5;
- Re-paved footways between Ramsey Close and Cool Oak Lane on the A5 and to the junction with Hendon Station along Station Road;
- Construction of a new access at Ravenstone Road connecting with West Hendon Broadway comprising two lanes outbound and one lane inbound including signalisation of the pedestrian crossing over the Estate access road;
- Re-provision of the bus stand from Perryfield Way to Wilberforce Road; and
- Creation of two-way traffic flow on Wilberforce Road between Station Road and Herbert Road.

A key component of the proposed works will be to the central section of West Hendon Broadway which will be realigned to accommodate the new junctions and the closure of the Perryfield Way gyratory. This will involve the introduction of direct right turn movements between the A5 and A504 Station Road and the site via the junctions noted above.

Proposed Major Highway Works also involve the widening of Station Road and the introduction of two-way traffic flow from the A5 to the M1 over-bridge allowing the removal of through traffic from Garrick Road, Wilberforce Road and Herbert Road. The new layout will provide a fully linked signalised layout with two lanes for all traffic northbound and southbound on the A5 which results in the removal of the short section of bus lanes currently providing some bus priority along this corridor.

### **New Public Space**

As shown in *Appendix 11 – Landscape Parameter Plan*, the 2013 Permission is structured around a coherent framework of public places and open spaces. The primary areas of public open space (York Park, The Green and Broadway Place) have been approved under the 2013 Permission and Planning Permission 14/07964/RMA for the approval of reserved matters relating to Phases 3B and 3C.

Major Highway Works proposed under Phase 4 will reconfigure the existing street layout in order to create a permeable pedestrian environment that will reinforce the character and interrelationship of the new public space being delivered. The removal of the Perryfield Way gyratory and creation of East and West Streets are key underpinnings that will facilitate the transformation of the Estate.



East and West Streets will be of coherent appearance but will change in character with East Street being more ordered and urban with West Street becoming more varied adjacent to the Welsh harp and reflecting the street hierarchy established under the Illustrative Masterplan and as shown in *Appendix 6 – Street Hierarchy*.

In addition to the delivery of Major Highways Works that are key to the regeneration of the estate, the construction of Blocks J and K will also complete the south side of the Green that will define the new public space at the heart of the redevelopment.

## **5. CONSULTATIONS**

### **5.1 Public Consultation**

6,806 local residents were consulted on the application by letter with a four week consultation period from 27 January – 23 February 2017. Site and local press notices were carried out on 26 January for 2017. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

#### Public Response

One response neither objecting nor supporting the proposal was received. The submission identified inadequate lighting requesting the provision of brighter street lighting for the safety of future residents in light several incidences of crimes.

#### Response to Residents Comments:

Street lighting requirements falls under the jurisdiction of the Council's Street Lighting officers. It is noted that Condition 89 of Hybrid Planning Permission requires details of street lighting to be submitted on a phase by phase basis to ensure proposed lighting to ensure an appropriate standard of street lighting is maintained across the Scheme.

### **5.2 Statutory Consultations**

#### Consultations Undertaken

The following consultees were notified but have not provided any comments on the application:

Greater London Authority	Princes Park Football Club
Transco	Brent Sports Council
Welsh Harp Conservation Group	Training Ship Broadsword
Barnet NHS	Welsh Harp Sailing Group
West Hendon Residents Association	Phoenix Canoe Club
Barnet Clinical Commissioning Group	Royal Society for the Protection of Birds
Welsh Harp Environmental Education Centre	Affinity Water
	Thames Water

Whilst no responses have been received from the above consultees, any comments

received before the Committee Meeting will be reported verbally or by way of an Addendum to the Committee Report.

### Consultation Responses Received

#### Transport for London (TfL)

On 10 March 2017 TfL made the following comments:

1. The permission indicates that car parking will be provided at 0.8 spaces per unit. The Phase 4 boundary with 94 parking spaces provided as surface parking and 474 spaces in Undercroft/Basement parking. The applicant should clarify how this equates to a parking ration of 0.8 Transp
2. 72 accessible spaces are proposed which is supported and the provision of Electric Vehicle Charging Points (EVCPs) is welcomed; TfL requests that their location is identified on plans.
3. The applicant proposes 922 cycle spaces. The proposed quantum would represent a provide details of residential short stay cycle parking. The London Plan requires 1 short stay space per 40 residential units. The design of cycle parking is considered London  
accepta
4. TfL have no objection to the proposed refuse arrangements subject to what has been agreed with the Council.
5. The development involves major highway works which is acceptable; TfL request the program

The applicant provided the following response to the above comments:

#### Applicants Response to TfL 3 April 2017

1.

Block	No. of Units	Parking requirement for Phase 4	Parking requirement within Phase 4 boundary	Surface parking within Phase 4 Boundary	Undercroft /basement parking in H2, J & K, within Phase 4 boundary
Block H1-2	86	69	69	19	50
Block J	324	259	259	18	241
Block K	186	148	125	16	109
Commercial	0	65	29	29	0
Phase 1 & 2	194	74	74	0	74
Block M	15	12	12	12	0
<b>Total</b>		<b>627</b>	<b>568</b>	<b>94</b>	<b>474</b>

Note the above is based on;

1. Block K: 23 car spaces are in phase 3, building F
2. Commercial: 36 car parking spaces of 65 are within phase 3 boundary
3. Phases 1&2: 47 existing surface spaces are retained and 73 spaces retained in building L Basement
4. Motor cycle spaces required: 1 per 20 car spaces = 30 motorcycle spaces
5. Cycle spaces required: 1 per 1 bed, 2 per 2+ bed = 922 cycle spaces (TfL 2013 calcs)

“The above table can be found in the Phase 4 RM Transport Statement and is broken down as follows:

Total No. of Units in PH4 is 611 →  $611 \times 0.8 = 488$  spaces required

Part of phase 4 is to be constructed on the existing surface level car park in Shearwater Drive currently serving Block L (phases 1 and 2) → There are a total of 194 units in Phases 1&2 which at the time was based on a ratio of 1:1 thus a total of 194 spaces are still required and are to be retained. As stated in note 2 of the table; Of the 194 required → 47 spaces will remain in the existing surface level car park and 73 spaces are retained in the basement of Block L. Thus a loss of  $194 - 47 - 73 = 74$  → Therefore the loss of 74 Phase 1&2 spaces must be re-provided as part of the Phase 4 development.

Part of phase 4 is also to be constructed on the existing surface level Warner Close car park containing 65 commercial spaces (pay-by-phone). All 65 spaces are to be re-provided.

Resulting in a total number of required spaces as part of Phase 4 being  $488 + 74 + 65 = 627$

The table also identifies how these are distributed. As per notes 1 and 2 under the table; of the 627 spaces required → 23 will be located in Block F Basement (constructed under Phase 3) and 36 of the commercial spaces will be located at surface level within Phase 3 → Hence;  $627 - 23 - 36 = 568$  required within the Phase 4 Boundary.

This is then broken down further into surface level and basement provision and should be

*self-explanatory.”*

**2.**

*“Drawing 765\_06\_07\_099 P2 (as issued for planning) shows the location of the parking bays with electric charging. This drawing is also attached.”*

**3.**

*“A further 15 cycle bays are to be provided at street level for visitors, and these 15 bays have already been included around the site within the Allies and Morrison / Cameo & Partners drawings. These cycle bays meet the London Plan requirement of 1 short stay space per 40 residential units.”*

**4.**

*“No response required.”*

**5.**

*“The Major Highway Works programme was discussed in more detail at our recent DTM.*

*The outcome of the discussion was that we are too early in the design stage to prepare a programme with any certainty due to the many variables and unknown constraints at this stage. Key factors raised in the discussion included the likely timeframe in obtaining approval for the diversion of multiple utilities and CPO of required land to carry out the works.*

*High level target dates previously submitted to TFL are as follows:*

**TARGET DESIGN COMPLETE: 2017 / 18**

**TARGET CONSTRUCTION START: 2017 / 18**

**TARGET COMPLETION: 2018 / 19**

*We have commenced formal consultation with TFL via a number of standard avenues including the TMAN, TMAP and TI Workbook process. As these applications progress we will continue to develop the programme and target construction periods ensuring close liaison with TFL to ensure the works are coordinated with other schemes within the wider area.*

*We hope the above provides TFL sufficient comfort that the works have been formally notified and that TFL will be closely consulted throughout the design.”*

On 12 April 2017 TfL made no further comments regarding the response provided and recommended that the Council approve the bus stand location and design as Local Planning Authority and as part of the wider decision on the application. The final response from TfL reiterated that the Council, as Highway Authority, will need to agree detail design and other operational requirements before works are completed on site and before the bus stands are handed over to TfL for operational use.

Natural England

Natural England (NE) raised no objection to the Phase 4 of the West Hendon Estate Regeneration Scheme advising that the proposal is unlikely to affect any statutorily affected sites or landscapes. In respect of bird monitoring, NE indicating that bird disturbance monitoring should continue for Phase 4, and that should any undue disturbance be recorded, then NE should be consulted. Condition 40 of the 2013 Permission addresses environmental monitoring consideration as they relate to the EMP and is required to be discharged on a phase by phase basis.

#### Environment Agency

The Environment Agency comments on 7 February 2017 advising of no comments in relation to the reserved matters application, noting that details of surface water drainage scheme will be required in accordance with Condition 22 of the 2013 Permission which is required to be discharged on a phase by phase basis.

#### Canal and River Trust

The Canal and River Trust (CRT) submitted a response on 14 February 2017 advising of no comment, however, requested an informative relating to the Code of Practice for works affecting the CRT.

#### National Grid

National Grid commented on 17 February 2017 advising of no objection.

#### Metropolitan Police

Metropolitan Police commented on 6 April 2016 requesting a condition and informative relating to Secure by Design. The condition and informative is recommended to be imposed.

#### Highways England

Highways England commented on 16 January that the application is a reserved matters application for a development which has been shown by previous investigation to have no archaeological interest on 16 and that no further assessment or conditions are necessary.

#### Historic England

Historic England commented on 7 February advising that no further assessment or conditions are necessary.

Brent Council – commented on 29 March 2017 advising of no objection to the proposal.

### **5.3 Internal Consultations**

- Traffic and Development
- Transport and Regeneration
- Trees and Landscaping
- Environmental Health
- Urban Design
- Green Spaces
- Street Lighting
- Drainage
- Refuse
- Regeneration
- Housing

No objections were made however the following comments have been received:

### Regeneration

*“Regeneration officers fully support for the proposal recognising the significance of Phase 4 for ensuring the successful delivery of the West Hendon Estate Regeneration Scheme. The regeneration of the West Hendon Estate has been a key priority for the Council since first highlighted in the Councils 2000 Housing Strategy. As one of the Councils identified Priority Estates its regeneration is critical to delivering the not only new and affordable housing homes but a new, attractive and sustainable neighbourhood with supporting infrastructure and facilities serving existing and new communities.”*

### Urban Design

*“The Architecture and Placemaking aspects of Phase 4 were the main elements discussed throughout the summer and autumn of 2016. Round table design discussions and presentations assisted in creating a very good synergy between the designers and planning prerequisites.*

*This Masterplan attempts to utilise a significant piece of land adjacent to the Welsh Harp. This type of lakeside living is rare and unique for London standards. The development is split into different phases, design consultancy started on blocks H, J, K and M and phase 4. In addition a design review panel was held to discuss these plots and Phase 4 in general on the 19th of August 2016.*

*The development comprises a variety of typologies, ranging from high rise apartment living, courtyard type developments, individual terraced dwellings and open spaces for the public and private open spaces for future residents.*

*Great focus was given to the pedestrian journey across phase 4 and how it links with the rest of the Masterplan. The designers were able to provide a proposal with easy to navigate streets, clear views to water and open areas, a legible height to width ratio on new streets and minimise pedestrian and vehicular interaction as much as possible.*

*The architecture is varied as we had three different design teams on board for this phase. The typologies, materials and forms are different but have common elements in the language of architecture. We were able to strike a good amount of differentiation in architecture which ultimately results in an environment that has more interest.*

*Open spaces offer a variety of outdoor activities suitable for all ages. Play spaces, places to sit and landscaped green all form the open space strategy for Phase 4. Great attention was paid to the landscaping as the designers wanted variety that can easily stitch to previous and subsequent phases. Finally a very good distinction between private and public space is designed.”*

#### Traffic & Development and Transport & Regeneration (combined response)

Commented on 31 March and 3 April 2017 as follows:

Which residential roads are being considering for future adoption? The London Borough of Barnet generally does not support the following on adopted roads:

- Perpendicular parking
- Vertical deflection

If adopted, 45 degree entry and exit at the end of on street parallel parking bays are required to assist street cleaning.

#### *Cycle Parking*

The proposed cycle parking fails to take into account the London Plan short stay requirement of 1 space per 40 units, which equates to provision for a further 15 cycles. Cycle parking in Block J states '27 cycles K1' and '10 cycles K2'. Is cycle parking for Blocks K1/K2 proposed in Block J?

In total:

Block J = 347 cycle spaces.

Block K1/K2 = 76 cycle spaces

Block H2 = 68 H1 cycles / 63 H2 cycles

Therefore, the proposed provision is 591 cycle spaces. A total provision of 922 long stay spaces and 15 short stay spaces is required.

#### *Motorcycle Parking*

Motorcycle space provision has been based on 1 space per 20 car spaces, providing a total of 30 spaces. Have surveys of existing motorcycle demand at West Hendon been undertaken to provide confidence that this provision is sufficient?

#### *Car Parking*

Details of the ramps (gradient/headroom) in Blocks J and K are required. Headroom details within the car parks will be required.

Table 2.3 identifies 40 accessible car parking spaces in Block J. However, a total of 59 accessible car parking spaces are identified on Drawings 765\_06\_07\_098 and 765\_06\_07\_099. Provision in Block J is below that in Block H2 and K. Why?

Block H1 does not have internal parking. However, only one disabled space is located outside this block. Further provision adjacent to the block should be provided.

In response to Condition 69, 20% active and 20% passive provision of electric vehicle parking points is proposed. However, in response to Condition 71, rather than provide 20% of spaces with a charge point, passive provision at all covered spaces is proposed, with provision provided on demand. The latter does not meet London Plan active criteria.

The potential provision of bays on the Broadway, limited to 20 minute stays outside of the peak hours requires further detailed analysis and review.

### *Condition 98*

The response to Condition 98 states: 'As there appears to be no overall increase in traffic it is not considered that any such changes are necessary to accommodate the additional traffic of the first units of Phase 4 in advance of the requirement for the major highway works.'

How many of the 1058 residential units permitted to be occupied prior to completion of the major highway works were actually being lived in at the time of the survey on the 6th June 2016?

### *Major Highway Works*

The following reviews have been undertaken of the proposed design drawings DWGWHPAS-C-DWG-4400 and DWGWHPAS-C-DWG-4405 to 4410:

- A Technical Audit by Capita dated August 2016
- A Road Safety Audit by Capita dated October 2016
- A Designers Response to the Road Safety Audit by Ch2m Hill dated December 2016
- A Draft Road Safety Audit Exception Report by the London Borough of Barnet dated March 2017

The following points require clarification:

ACSLs are shown on the drawings within the RSA but not the West Hendon Phase 4 Reserved Matters TS. If the ACSL's have now been removed, although this may slightly increase capacity for vehicles this would impact on the promotion of cycling. Please confirm what is proposed, whilst we confirm with TfL their stance on ACSL provision.

There are pedestrian and vehicle conflict areas on Stanley Road. Therefore, pedestrian safe areas may be required.

Can it be confirmed that the loading bay on Station Road is being removed.

TS Appendix A Drg. No. 058-H1-07-120 Rev P2, 058-H2-07-120 Rev P2 - No dropped kerbs for refuse collection points within 10 metre drag distance.

TS Appendix B Drg. No. DWGWHPAS-C-DWG-4412 – It looks like a refuse vehicle is to reverse onto a ramp and collect. Refuse will not collect from ramps and this will need to be a level surface.



TS Appendix B Drg. No DWGWHPAS-C-DWG-4413 – Milton Road access from A5 is very tight and may result in vehicle over-run and a maintenance issue.

TS Appendix C – Has agreement be made for collection of bins from the A5?

The applicants response to the above comments can be found in *Appendix 11 – Transport Statement Addendum*. The Transport Statement Addendum has been assessed by Traffic & Development and Transport & Regeneration officers and found to satisfactorily address the above comments, subject to the imposition of two conditions requiring further detail to be provided in relation to car parking provision and refuse collection arrangements.

### Trees and Landscaping

*“The landscape proposals are suitable for the Scheme. Tree, shrub and herbaceous plants selected are appropriate and will in the long term develop and provide long term visual soft landscape amenity. The use of strata cells below hard surfacing is supported as this will provide high quality rooting zone for trees.*

*The submitted landscape management plan provides sufficient measures to ensure the successful implementation and aftercare for trees and shrubs. If the Scheme is fully implemented there will be quality amenity spaces around the regenerated estate. No conditions were requested however two conditions were suggested which are supported.”*

## **6. KEY CONSIDERATIONS**

### **6.1 Vision for the Regeneration Scheme – The Masterplan**

The fundamental objective of the Masterplan is to secure the regeneration of the West Hendon Estate through transforming what is by current standards, a sub-standard quality of residential accommodation and disconnected external spaces into a well-connected, high quality and cohesive environment. Notwithstanding the complex and challenging nature of estate regeneration, the Design and Access Statement outlines three key aims that provide the key underpinnings of the Masterplan:

- 1.** Make an enjoyable place to live. Integrating with its surrounding context and creating enjoyable places to live through the provision of public parks, play spaces and community facilities that will provide the backdrop for the newly proposed residential accommodation. Creating new pedestrian routes to link existing public open spaces and streets around site with increased residential densities providing for additional custom that will help to support and sustain local businesses on the Broadway.
- 2.** Re-establish connections. Delivering a clear visual connection between the site and with the Welsh Harp SSSI whilst preserving its ecology. The proximity of the site to public transport services provides a well-connected location suitable for increased residential densities.
- 3.** Create a distinct part of London. Deliver new homes together with public open space, improved pedestrian links and re-established connection to the Welsh Harp

SSSI together with access to community facilities in a high quality built environment to support a vibrant and sustainable neighbourhood.

## **6.2 Principle of the Development**

The principle of development was established under 2013 Permission through approval of a Masterplan for the comprehensive regeneration of the West Hendon Estate. The assessment of the proposed development to be delivered as part of Phase 4 relates solely to those matters reserved for detailed approval in respect of layout, scale, appearance, access and landscaping.

## **6.3 Design Guidance**

The Design and Access Statement (DAS) sets out the design objectives and evolution of the Scheme to date, describing the Illustrative Masterplan and the key principles underpinning the design which informed the Development Parameter Plans and Design Guidelines. It describes the detailed design principles and proposals of the design, including that of landscape design and public realm. An access statement is provided which focuses on the provision for access to the development and wheelchair housing and how this has been applied to the reserved matters submission.

The DAS highlights the fundamental considerations that have informed the design evolution based on the principles of the:

***Community:*** Phasing and decanting to manage the regeneration of the West Hendon Estate for the existing community.

***Enhancing links:*** Reinforce and enhance the route between the Station and the Welsh Harp and redefine the sequence of spaces along this route.

***Integrating with the Broadway:*** Retain the majority of the Broadway to minimise the cost and disruption of the CPO process and to retain the commercial and social continuity.

***Welsh Harp:*** Set back from the Welsh Harp to respect this edge and to create a new public park. Optimise the number of homes with an aspect towards the Welsh Harp.

***Creating places:*** Allow buildings to form edges to streets and spaces to create a set of diverse places rather than compete for attention.

***Forming streets:*** Restore the street pattern on the West Hendon Estate to make it part of the continuous fabric of the City with buildings and entrances facing onto the streets to provide natural surveillance and activation.

***Providing homes:*** Provide high quality homes with private amenity space and secure shared courtyards with play spaces.

***Landscape:*** Enable increased access to green spaces by connecting the neighbourhood with the West Hendon playing fields with a new bridge and providing new parks as an integral part of the scheme.

**Identity:** Create a distinctive place with a clear sense of orientation and address.

**Coherence:** Suggest a consistent architectural language with variations on a theme to create visual richness whilst maintaining a coherent sense of place.

## **6.4 Parameter Plans**

### Parameter Plan 001 – Hybrid Application Area

This plan defines that part of the site that will be subject to an outline planning permission and that part of the site subject to a detailed planning permission within the planning application boundary.

The proposal complies with the provision of Parameter Plan 001.

### Parameter Plan 002 – Buildings to be Demolished

This plan identifies the existing buildings which are proposed to be demolished during the life of the development.

All the properties proposed to be demolished under Phase 4 are contained within the Parameter Plan and been previously identified for demolition.

### Parameter Plan 003: Development Area

This plan shows the proposed building lines for the development along key elevations. The plan reflects the Masterplan and seeks to identify potential areas for flexibility. It reflects the constraints of the site, influenced by daylight, sunlight, overshadowing, ecology, SSSI boundary, and existing buildings along the Broadway. An ancillary development zone beyond the red line is proposed to accommodate balconies and canopies but only in locations where this is appropriate given the above constraints.

The parameters allow the proposed building lines to move within the development blocks albeit the limit of deviation beyond this is restricted by the red line and the minimum dimension between buildings at specific locations.

### Parameter Plan 004 – Building Heights (Maximum and Minimum AOD)

This plan establishes maximum building heights across the site.

### Parameter Plan 005 – Open Space

This plan identifies the proposed zones for public open space; private/semi private open space; and illustrative courtyard zones. The total quantum of public amenity space proposed on site equates to approximately 1.6ha comprised of York Park (1.2ha), The Green (0.2ha) and Broadway Place (0.1ha). Illustrative courtyards, these equate to 1.2ha of amenity space.

### Parameter Plan 006 – Ground Floor Frontage Usage

This plan shows the land uses proposed at ground floor levels.

#### Parameter Plan 007 – Typical Above Ground Frontage Usage

The principal function of Parameter Plan 007 is to show the land uses proposed above ground floor.

#### Parameter Plan 008 - Car Park Parameter

This plan identifies areas within the site where it is proposed to excavate new basements for car parking purposes. The areas shown provide the maximum extent of these works.

#### Parameter Plan 009 – Strategic Phasing

The strategic phasing plan illustrates the strategic approach to the phases delivery of the Regeneration Scheme. It includes development that has already been implemented under Phases 1 and Phase 2

#### Parameter Plan 0010 – Vehicular and Pedestrian Circulation

This plan establishes the location of the strategic highway network, proposed vehicular and pedestrian access points and streets and proposed pedestrian only access points and streets. The two pedestrian bridges across the Silk stream and adjacent to Cool Oak Lane vehicular bridges are depicted as is the road network adjacent to the site (Garrick Road; Wilberforce Road; and Herbert Road) which are expected to benefit from traffic reduction as a result of the proposed Major Highways Works.

#### Parameter Plan 0011: Silk Stream Bridge Alignment

This plan sets the zone for the alignment of the Silk Stream Bridge. It sets the two landing zones either side of the Silk Stream at points which are considered appropriate to expected pedestrian movements and the need to access West Hendon playing fields. The plan has been produced in consultation with a range of stakeholders including Natural England, Canals and Rivers Trust and the Environment Agency.

#### Parameter Plan 0012: Silk Stream Bridge Levels

This plan sets the maximum structural depth between finished deck level and the relationship of this to the 1:100 year plus climate change flooding level (+39.39m).

#### Parameter Plan 0013: Cool Oak Lane Bridge

This plan denotes the alignment of the Cool Oak Lane Bridge. It demonstrates that the bridge is proposed to sit away from the listed structure of the existing Cool Oak Lane vehicular bridge and spans the Welsh Harp at an illustrative clear width of 3m and length of 50m.

The approved Parameter Plans are to be read in conjunction with the Design Guidelines and within the context of the overarching Development Specification document which provide for flexibility and variation with respect to the design of each phase, but within

defined parameters that ensure fundamental components such as affordable housing provision, open space and building heights comply with the 2013 Permission.

## **6.5 Design Guidelines**

### Site wide Principles

This sets out principles to be achieved across the site in order to achieve the characteristics as identified within the illustrative Masterplan. This incorporates site wide principles for layout and street hierarchies, building form, interface of buildings with the public realm, roof detailing, materials, car and cycle car parking, bridge design, environmental considerations, security and inclusive design.

### Streets and Spaces

This section sets out specific design guidelines for each individual street and space identified within the illustrative Masterplan. This includes character principles, building elevations and interface between buildings and the street.

### Tall Buildings

This section sets out the main architectural principles that must be incorporated within the four tall buildings identified along the edge of the reservoir. This includes principles for the placement, orientation, form, facade, detailing, public realm interface and environmental considerations.

### Courtyards

This section addressed how residential courtyards should be configured, including principles, typologies, accessibility, play space, materials, furniture and lighting and vegetation.

### Landscape and Public Realm

This section provides guidance on the creation of public spaces, in particular York Park, Broadway Place and the Green, together with further guidance as to how landscape and public realm detailing should take place within the streetscape. This includes details of likely planting palettes, and play provision principles.

## **7. PLANNING ASSESSMENT**

### **7.1 The Development Framework (The 2013 Permission)**

The 2013 Permission established a comprehensive development framework to facilitate delivery of the Regeneration Scheme. Notwithstanding detailed approval which was granted for Phase 3A and which has been implemented, in granting outline approval for all remaining phases of the Regeneration Scheme, the 2013 Permission established a comprehensive framework of controls to inform and guide reserved matters submissions.

#### *7.1.1 Conditions of Approval*

The 2013 Permission incorporated 103 conditions of approval, including that 8 are of fundamental significance to this reserved matters submission

Condition 1 established the boundaries between the area for which planning approval was granted in detail, and that granted approval in outline form.

Condition 2 established the timeframe within which the first reserved matters submission was required to be made whilst

Condition 3 required all remaining reserved matters submissions by 20 November 2018, being 5 years from the days of the 2013 Permission.

Condition 4 requires the Regeneration Scheme to be carried out in accordance with the mitigation measures established under the Environmental Statement.

Condition 5 requires that reserved matter submissions are made in accordance with the following plans and specifications:

- Development Specification Rev A
- Design Guidelines Rev A
- Parameter Plans (Referred to in Part 6.4 above)

Condition 5 requires a Statement of Compliance to be submitted with each reserved matters submission in accordance with the above plans and specifications. A Statement of Compliance has been submitted with the subject application and will be addressed as part of this assessment.

Condition 6 requires that no development shall take place within a phase of the outline permission until such time as the relevant reserved matters submission for that phase has been submitted to and approved in writing by the Local Planning Authority (LPA).

Condition 7 prevents variations to the Strategic Phasing Plan (Parameter Plan 009) unless it can be demonstrated that:

The proposed variation is unlikely to give rise to any new or significant environmental effects in comparison to the development as approved and as assessed in the Environmental Statement; or

- The application is accompanied by environmental information the scope of which has been previously agreed by the LPA to assess the likely significant effects on the development having regard to the proposed variation.

The subject reserved matters submission has been made in accordance with the above requirements.

There are also a number of conditions which can be described as static conditions which establish standards, requirements, parameters and controls over proposed made under reserved matters submissions in accordance with the 2013 Permission.

Condition 10 limits the number of Residential Units to be developed across the Regeneration Scheme to a maximum of 2,000 dwellings.

Condition 11 limits the total quantum of built floorspace for the Regeneration Scheme as follows:

- 202,000 m<sup>2</sup> of Residential (Use Class CS) floorspace
- 3,870 m<sup>2</sup> metres of Community Use (Use Class D1) floorspace
- 1,766 m<sup>2</sup> of Retail and relates uses (Use Classes A1-A5); Office (Use Class B1)

Condition 12 stipulates that no building within the outline component of the 2013 Permission shall exceed 29 floors in height.

Condition 13 mandates that all Residential Units shall be constructed to meet and achieve the Lifetime Home Standard and maintained for the life of the development

Condition 14 requires all Residential Units to be constructed to achieve not less than Code Level 4 in accordance with the Code for sustainable Homes

Condition 15 requires all non-residential units to be constructed to achieve BREEAM 'good'.

Condition 16 mandates that all Residential Units shall be constructed to achieve the minimum internal space standards set out in Table 3.3 of the London Plan (2011).

Condition 17 requires a minimum provision of 10 per cent of the Residential Units to be built to Wheelchair Housing Standards or easily adaptable for residents who are wheelchair users

Condition 18 specifies that the D1 Community use in Block G5 shall remain in community use unless it can be demonstrated that there is not sufficient demand to support such a use, in which case the use may transfer to Retail use, A1, A5 or Office (B1).

Condition 68 requires parking provided for each phase at a minimum of 0.8 spaces per Residential Unit. The condition also requires that parking spaces shall not be used for any other purpose other than for parking vehicles in connection with the approved development.

The subject reserved matters submission maintains compliance with the standards, requirements, parameters and controls as outlined in the above conditions.

There are also a number of conditions which require the submission of supporting information to be submitted with each reserved matters submission:

- Condition 22: Landscape Management Plan
- Condition 23: Invasive Plant Survey
- Condition 24: Surface Water Drainage Scheme
- Condition 25: FRA Conformity Statement
- Condition 36: Operational Site Waste Management Plan
- Condition 43: Land, Tree and Hedge Survey
- Condition 44: Bird/Bat Box Details
- Condition 51: Design Review Panel Report

- Condition 39: Conformity Statement/ Review of Ecological Management Plan

The above conditions have been submitted as separate applications but as part of the subject reserved matters submission. The above conditions have been assessed and found to satisfy the relevant statutory requirements and policy provisions and as such have been recommended for discharge as they relate, but separate to, the subject reserved matters submission.

**7.1.2 Section 106 Agreement**

In addition to the 103 conditions attached the 2013 Permission, there are also legal obligations sets out within the Section 106 Agreement that must be considered as part of any reserved matters submission.

A fundamental component of the Section 106 Agreement as it relates to this reserved matters submission is under Scheme B, Part1, Paragraph 2 which requires the Developer to provide no less than twenty-five per cent (25%) of the total number of Residential Units as Affordable Housing Units in accordance with the Affordable Housing Tenure Mix unless otherwise agreed in writing by the Council. The Affordable Housing Tenure Mix requires that a minimum of 43 per cent (43%) shall be provided as Social Rented Housing Units with the remainder being Intermediate Housing Units.

Furthermore, Schedule D, Paragraph 1 requires the Developer to submit to the Council with the first reserved matters submission for Phase 4, a detailed specification for the Major Highway Works for the Council's approval in writing. Paragraph 2 of Schedule D requires that the Developer shall not commence Phase 4 until detailed specification for the Major Highway Works has been approved by the Council.

**7.1.3 The Development Specification Document (DSD)**

Development Specification Revision a, referred to in respect of Condition 5 above, is a development control document

Table 1 below (Table 4.1 of the DSD) sets out the maximum permissible floorspace (GEA) m2 and the maximum number of Residential Units. Parts of Table 3.1 appear as explicit controls as set out under Conditions 11 (Floorspace) and 13 (Number of Residential Units) of the 2013 Permission and therefore take precedence over this table.

**Table 1 –Proposed Maximum Floorspace (m2) (GEA) (DSD Table 4.1)**



Use Class	Proposed GEA (m <sup>2</sup> )	
	A	B
	Maximum Development Specification	Illustrative Masterplan
Total Residential (Use Class C3)	202,000	198,864
Community (Use Class D1)	3,870	3,870
Retail & Related Uses (Use Class A1 – A5); Office (Use Class B1)	1,766	1,766
Basement & Undercroft Car Parking	52,000	51,531
	Residential Units	
Residential Units	2000	2000

Notes:

1 All figures are gross external areas

2 The floorspace figures exclude external or rooftop plant

3 The floorspace figures include both the detailed planning permission and outline planning permission development areas

4 The above figures exclude extant planning permission H/01827/11 dated 31st January 2012 for land at Deerfield & West Hendon Social Club, 1-3 Station Road or any subsequent planning application for this site.

5 The above figures do not include any public, private, communal or child play space amenity.

6 The floorspace figures exclude any interim works undertaken during the course of the phased build out of this development and relate only to the completed development.

7 The maximum development specification floorspace includes an allowance for wheelchair accommodation

8 The Illustrative masterplan floorspace does not include an allowance for wheelchair accommodation

The application seeks a variation to the Basement and Undercroft Car Parking Area due to part infill of the proposed basement between Blocks J and K in order to create additional car parking than previously anticipated. This will see an increase of 9,030m<sup>2</sup> above the 52,000m<sup>2</sup> specification outlined above in order to provide a total basement area of 61,030m<sup>2</sup>. The proposed variation will be addressed in further detail under *Part 7.1.5* below.

Table 4.2 of the DSD sets out the total residential floorspace to be demolished in order to facilitate the Regeneration Project. The proposed demolition of existing residential dwellings complies with the *Parameter Plan 002 – Buildings to be Demolished* and is therefore compliant in this regard.

Table 4.3 of the DSD establishes the minimum amount of affordable floorspace (22,446 m<sup>2</sup> NIA) to be provided as part of the Regeneration Project and which is also enforced through the obligations laid down under the Section 106 Agreement described above. Table 3.4 (below) sets out the Strategic Housing Mix for the Regeneration Scheme. Due to the phased nature of delivery, monitoring schedules have been provided as part of this application that tracks the progress towards delivery of the above requirements. The Strategic Housing Mix monitoring schedule submitted as part of the Planning and Development specification Conformity Statement accompanying the subject reserved matters submission demonstrates that Phase 4 maintains compliance with the Strategic Housing Mix established under the DSD.

**Table 2 – Strategic Housing Mix (DSD Table 4.4)**

Bed	Percentage Range
<b>Private</b>	
1 bed	20% - 35%
2 bed	45% - 65%
3 bed	10% - 20%
4 bed	0% - 5%
<b>Intermediate</b>	
1 bed	27% - 55%
2 bed	30% - 44%
3 bed	15% - 30%
<b>Rent</b>	
1 bed	20% - 30%
2 bed	48% - 60%
3 bed	10% - 20%
4 bed	4% - 8%

Table 3 below establishes the key development standards mandated under the 2013 Permission, also indicating which condition provides the enforcement mechanism.

**Table 3 – Environmental Development Standards (DSD Table 6.1)**

EDS ref.	Planning Condition	STANDARDS
<b>Energy</b>		
1	None	Use of sustainable, energy efficient building techniques to reduce CO2 emissions;
2	None	Adopt the 'energy hierarchy' approach to delivering a 'lean', 'clean' and 'green' energy solution as encouraged by the London Plan 2011 policy 5.2 and LBB Local Plan 2012 policy CS13.
3	None	Building Regulations 2010 Part L1a and L2a
4	14	Mandatory Energy (Ene 1) criteria that meets requirements

EDS ref.	Planning Condition	STANDARDS
		for Code level 4
5	None	Comply with the London Plan 2011 policy 5.6 with the inclusion of a community heating network supplied from an Energy Centre containing gas-fired CHP serving the whole site.
		<b>Sustainability</b>
6	14	Code for Sustainable Homes level 4 (Nov 2010)
7	15	BREEAM New Construction 2011 'Good' for all non-domestic buildings (except possibly Block G retail which may be too small to assess)
8	13	Lifetime Homes for all residential units
9	None	Register on the Considerate Constructors Scheme (CCS)
10	100 and 103	Internal acoustic performance where airborne sound values are 5dB higher and impact sound 5dB lower than Part E
11	None	Water consumption to be <105 litres/head/day (based on the Code for Sustainable Homes Water Calculator)
12	36	Provide a Site Waste Management Plan
13	None	Achieve an aggregate score >60%, and in compliance with minimum acceptable standards, in the Housing Quality Indicators (April 2008)
		<b>Parking</b>
14	68	Prior to the commencement of each phase of the outline scheme details of the car parking spaces for that phase shall be provided to the Highways Authority prior to submitting to Local Planning Authority for written approval and shall not be used for any purpose other than parking of vehicles in connection with the approved development. Parking to be provided for each phase at a minimum of 0.8 spaces per residential unit.
15	None	Residential cycle parking in line with 2013 TfL standards
16	67	Commercial car parking 65 parking spaces
17	None	Motorcycle spacing at 20% of parking spaces
		<b>Air Quality</b>
18	99	Air pollutant concentrations will be compared with the air quality objectives prescribed within Air Quality (England) Regulations 2000 [SI 2000 No. 928.] and Air Quality (England) (Amendment) Regulations 2002 [SI 2002 No. 3043.]. Where residents are introduced into an area where air pollutant concentrations exceed air quality objectives, mitigation measures will be employed in order to minimise human exposure. This could involve, for example, altering the internal building design and introducing mechanical

EDS ref.	Planning Condition	STANDARDS
		ventilation that draws in air from locations where there is compliance with objectives.
		<b>Noise and Vibration</b>
20	None	The suitability of the site for residential development will be assessed in accordance with the principles in the National Planning Policy Framework (2012). Where feasible and appropriate the guideline levels contained within the World Health Organisation 'Guidelines for Community Noise' 1999 will be followed for outdoor spaces.
21	103 and Informative 9	Internal noise levels within residential units will meet the 'good' standard in Table 5 of BS 8233 (BS 8233, 1999; Sound insulation and noise reduction for buildings. Code of Practice), or an equivalent contemporaneous standard, wherever practicable, and will meet the 'good' standard throughout.
22		The predictions of road traffic noise will be undertaken in accordance with the Calculation of Road Traffic Noise (1988) and the additional guidance contained within DMRB HD213/11 (2011 November edition) "Noise and Vibration".
23	34	Potential noise impacts to new noise-sensitive buildings will be addressed through design of the external building fabric of each to achieve suitable internal noise standards. The prevailing standards will be applied, at detailed design, which are for schools - Building Bulletin 93, Acoustic Design of Schools, "A Design Guide", Department for Education and Skills; and Acoustic Performance Standards for the Priority School Building Programme, Education Funding Agency. This document should be used in place of Section 1 of the Second Edition of Building Bulletin 93 (BB93), published in 2003 as the acoustic performance standards for the Priority Schools Building Programme (PSBP).
24	100 and 102 and Informative 9	The potential noise impact of permanent plant on nearby noise sensitive properties will be addressed using the criteria in British Standard 4142: 1997 (BS 4142:1997 Method for rating industrial noise affecting mixed residential and industrial areas) to achieve a zero noise rating.
25	8	The assessment of construction-related impacts should follow the guidance provided by British Standard 5228 (BS5228) 'Noise and Vibration Control on Construction and Open Sites' (2009).
		<b>Housing</b>
26	16	Table 3.3 London Plan Minimum Unit Size
27	17 (in part)	Section 2.19 of the DG Inclusive Design

7.1.4 *Statement of Compliance*

A Statement of Compliance accompanying the reserved matters submission is included below:

**Table 4 – Statement of Compliance**

	Condition	Document	Compliance
Fundamental	1	Development to be contained in the hybrid planning application boundary.	Yes
	2	Outline development commenced before 20 November 2018 or before the expiration of two years from the date of the approval of the last reserved matter, whichever is the latter.	Yes
	3	Reserved matters defined as layout, scale, appearance, access and landscaping with the first phase reserved matters to be submitted prior to expiration of five years from the date of this permission.	Yes
	4	Development commenced in accordance with Table 19.1 and 19.2 of the EIA (Environmental Mitigation).	Yes = see Document 5
	5	Reserved matters to be submitted in accordance with the Development Specification Revision A, the Design Guidelines Revision A and also the 11 Parameter Plans.	Yes – see this document and A&M DAS
	6	No development shall take place within the phase of the outline permission until reserved matters for that phase have been submitted to and approved by the Local Planning Authority.	Yes
	7	No variations to the strategic phasing plan unless the applicant can demonstrate that the change is unlikely to give rise to any new or significant environmental effects in comparison with the development as approved.	Yes – see Section 6 of this report
	10	The maximum number of residential units to be developed on the application site shall not exceed 2,000.	Yes – see A&M Monitoring Schedule (Document 11)

	11	The total quantum of built floorspace for the Development across the site shall not exceed the GEA for individual land uses comprising: a) 202,00sqm residential (Use Class C3) b) 3,870sqm Community Facilities (Use Class D1) c) 1,766sqm Retail and related uses (Use Class A1- A5); Office (Use Class B1).	Yes – see A&M Monitoring Schedule (Document 11)
Static	12	No building within the outline scheme shall exceed 29 floors in height.	Yes
	13	All 2,000 new residential units shall be constructed to meet and achieve the Lifetime Homes Standard and maintained for the life of the development.	Yes
	14	All residential units shall be constructed to achieve not less than Code Level 4 in accordance with the Code for Sustainable Homes.	Yes
	15	All non-residential units shall achieve BREEAM 'good'.	Yes
	16	All residential units shall be constructed to achieve the minimum internal space standards set out in Table 3.3 of the London Plan (2011).	Yes – see A&M DAS
	17	A minimum of 10% of the residential dwellings within the development approved shall be built to Wheelchair Housing Standards or easily adaptable for residents who are wheelchair users.	Yes – see A&M DAS
	18	The D1 community use in Block G5 shall remain in community use unless it can be demonstrated that there is not sufficient viable demand to support such a use, in which case the use may transfer to retail use, A1, A5 or office B1 (we consider that this transition of use would be in addition to the maximum floorspace requirements of condition 11).	N/A
Reserved Matters Condition Requirements	22	Landscape Management Plan – Landscape Management Plan.	Information submitted with RM
	23	An invasive non-native plants survey.	Information submitted with RM
	24	Detailed surface water drainage scheme.	Information submitted with RM
	25	Conformity statement with Flood Risk Assessment (FRA).	Information submitted with RM
	36	Operational Site Waste Management Plan (OWMP).	Information submitted with RM

	43	A land survey, tree and hedge survey and arboriculture implications assessment in accordance with the relevant British Standard(s).	Information submitted with RM
	44	Details of the proposed bird bricks, boxes or other appropriate features according to the nesting preferences of the species already associated with the site, or targeted priority species will be incorporated in new buildings as identified within the Environmental Statement.	Information submitted with RM
	51	Details of the proposed design review panel.	Information submitted with RM
	68	Parking to be provided for each phase at a minimum of 0.8 spaces per residential unit.	Yes – see A&M DAS and CH2MHill Transport Statement
<b>Review Only</b>			
	<b>Condition</b>	<b>Document</b>	<b>Compliance</b>
Reserved Matters Condition Requirements	39	Conformity Statement / review of the Ecological Management Plan.	Information submitted with RM
	50	Review of Estate Management Plan where necessary.	Information submitted with RM

### 7.1.5 Areas of Non-Compliance

The proposal seeks minor variations to the controls set out under the Development Framework that have arisen as a result of the detailed design process.

#### – Window Reveals –

Proposed brick depths of the Phase 4 elevations are one brick deep in lieu of a brick depth of 1.5 as set under the Design Guidelines. The applicant indicates that the basis for the proposed variation is associated with construction. The proposed variation to the window reveals are not considered to pose a material change to the overall visual appearance of the buildings, rather, it provides subtle variations and

#### – Break in Building Line between Blocks H4 & H3 and H2 –

A break in the building line between Block H4 & H3 and H2 is proposed in order to facilitate the provision of servicing off the Broadway for the retail unit under Block H4. This is due to a lack of through access onto East Street. The separation of these buildings will provide for a necessary access route not originally envisaged.

The proposed variation is considered minor in nature and inconsequential in terms of material impact. It is noted that due to the complex nature of the phases regeneration, it is acknowledged that there must be a degree of flexibility to provide for responsiveness to unforeseen changes that can arise as detailed design is developed.

- Block J (2 Storey block) below minimum specified building height –

The Building Heights Parameter Plan (Parameter Plan 004) set a minimum height allowance of 56.7 metres for the inner building of Block J. The proposed minimum building height of Block J has been set at 54.7 metres for the purpose of ensuring sufficient daylight and sunlight into the courtyard area.

The adjusted building height and resulting changes to building mass has been tested through daylight and sunlight analysis and found to be an acceptable solution. The grounds upon which the variation is being sought and the proposed reduction to minimum building height raises no concern.

## **7.2 Reserved Matters**

### **7.2.1 Access and Layout**

The previously existing West Hendon Estate possessed a lack of clear through routes into the site from surrounding areas with poor connections to the north or west, including a lack of any direct pedestrian linkages to the north for access to the West Hendon Playing fields, or to the leisure and recreation opportunities of the Welsh Harp to the west.

The delivery of Broadway Place and The Green as part of Phases 3B and 3C will create a new primary pedestrian route through the site. The Major Highway Works forming part of Phase 4 and the creation of East and West Streets will establish a new street hierarchy based on an accessible and integrated layout that will improve access around and across the site.

The design of the main streets which are parallel to the Welsh Harp and the Broadway have been conceived with varying character in order to make the transition from the busy Broadway to the waters' edge of the Welsh Harp SSSI. East Street will provide a formal straight street parallel to the Broadway with the northern end to be completed by a public space serving the community centre. West Street will provide a shared surface street running parallel to York Park, intended to include varying widths and including small pockets of landscape and spaces and trees that will enhance the public realm offering.

Pedestrian routes are simple, distinctive and continuous in design and are formed by the proposed building frontages. Broadway Place and The Green provides a wide pedestrian route to the Welsh Harp, providing an integrated layout with the surrounding area.

Linkages to the surrounding area and opportunities for leisure and recreation will be strengthened through the delivery of new pedestrian and cycle bridges (Cool Oak Lane and Silk Street being delivered as part of part of the Regeneration Scheme). The proposed Cool Oak Lane pedestrian and cycle bridge is required to be delivered prior to the occupation of any Residential Units as part of Phase 3 and for which detailed approval is proposed under application 17/0168/RMA.



The following public realm improvements to the strategic road network as part of the Regeneration Scheme include the following:

- Footway improvements along Station Road addressing current lack of crossing points
- Footway improvements to West Hendon Broadway;
- Bus stop improvements;
- Widening of Station Road;
- Removal of bus lanes and Highway improvements to A5;
- Provision of two new, and two improved pedestrian crossings to the A5; and
- Comprehensive streetscape improvements to Station Road and the Broadway.

All podium gardens, courtyard and amenity spaces provide step free access throughout, with gradients of 1:21 or shallower, and pathways that are firm and even and at least 1200mm wide. Seating is provided every 50 metres or less.

It is noted that Block J contains two open-air podium gardens, the smaller of which can be accessed directly from cores to buildings J4 & J5 and the larger of which from the remaining cores with users able to move freely between the two. The podiums are bordered by duplexes with rear gardens open directly onto them. There is level access between all duplex gardens and podium gardens.

All of the Residential Units, including the approaches to the building and the common parts, are designed to meet the Lifetime Homes standards as defined by the Code for Sustainable Homes Technical Guide (November 2010) and the Building Regulations Part M.

Block J contains a walkway which runs between these gardens and which links East and West Streets. The walkway is gated at each end and is accessible to residents only. There is a level change of 3 metres between East and West Streets and this is addressed through a flight of stairs descending the walkway down to the West Street entrance. This entrance is not wheelchair accessible and as such disabled residents will access Block J via the undercroft car parks, the building entrances along East Street or external entrances to individual dwellings. This issue was raised during pre-application discussions with the applicant at which point it was suggested that a wheelchair accessible ramp should be provided from West Street. Due to the level change of 3 metres between East and West Street and the distance required to provide an acceptable gradient, it has not been possible for this to be achieved without a fundamental redesign of the layout to Block J which has resulted in the design as proposed.

It is noted that proposed dwellings within Block J that have designed as Wheelchair Housing Design Guide dwellings are all located on the southern and eastern elevations, in close proximity to the communal building entrances from East Street. The absence of a wheelchair accessible ramp being provided from West Street is therefore considered acceptable in this instance.

Level or gently-sloping approach routes serve all building entrances and all individual dwellings, with the exception of Block M, where a ramped approach may be required at a gradient of 1:17. The approach route is subject to further design consideration and as such a condition has been recommended to require the submission of further detail demonstrating a satisfactory design solution.

With respect to Block M it is also noted that there is a space of approximately 1.5 metres separating the northern boundary of Building M3 with the adjoining residential property to the north (No. 12 Sorrel Mead). The subject space leads to a fenced area or 'void' between the respective residential properties of Sorrel Mead and Building M3 with no through access for the public. It is therefore recommended that this area is fenced to prevent public access and instead provided as soft landscaping to be incorporated as part of the rear gardens serving Building M3. It is recommended that this requirement is incorporated as part of the above recommended condition.

### 7.2.2 *Scale*

The scale of development proposed under Phase 4 reflects that established under the Masterplan which seeks to deliver a residential neighbourhood based on a network of streets and appropriate housing typologies. The massing strategy underlying the Masterplan was developed around a number of key residential typologies.

The Masterplan provides for the provision of low rise 'interface' courtyard blocks behind the buildings on the Broadway, as provided by proposed Buildings H1 and H2 which relate to the existing building scale in this location and provides for a transition to higher massing further into the site towards Block J.

The Masterplan seeks to incorporate low rise townhouses to the south of the site as to relate to existing building scale and residential typology in these locations. This is achieved through proposed Buildings M3 and M4.

Block J is located in the centre of the site and provides a clear and coherent central zone providing the interface between the lower interface buildings on the Broadways and the higher massing towards the Welsh Harp SSSI.

The Masterplan provides for tall buildings to be located on the edge of York Park with a restrained geometric shape. This is proposed by way of Building K1. All of the proposed buildings comply with the maximum height parameters established under the approved Parameter Plans.

The design of proposed buildings follows the scale and massing principles established under the Design Guidelines which provide clear guidance for reserved matters submissions.

### 7.2.3 *Appearance*

The Masterplan is founded on the philosophy of a high quality built environment to be achieved through the use of high quality design and building materials. Design Guidelines established under the 2013 Permission, the use of a Design Review Panel assessment along with material and detail submission requirements, all secured by conditions of the 2013 Permission required to be discharged on a phase by phase basis, ensure a consistently high quality of design and standard of material as the Scheme is progressively delivered.

In addition to the provision of a clear and connected layout, street hierarchies and the establishment of scale, massing and building typologies, the approved Design Guidelines

also provide clear guidance with respect to the appearance of the proposed buildings to be brought forward under reserved matters submissions. Whilst a degree of flexibility and variation has been built into the Design Guidelines to ensure an appropriate level of variation and prevent a uniform design across the Regeneration Scheme, clear guidance is provided in respect of building form, layout and elevation.

The Design Guidelines provide guidance in respect of windows and opening, entrances, and the interface of buildings with the public realm, whilst also addressing balconies and roofs. Entrance areas and lift/stair cores have been designed where possible to give a clear view from the street through the core to the courtyards beyond. In key locations double height open portals are provided to open up the courtyards to the street

Development proposed under Phase 4 takes suitable account of the context and character of the surrounding area whilst providing a strong relationship with the Welsh Harp SSSI with a built form that demonstrates a high quality appearance.

#### 7.2.4 *Landscaping*

The landscape proposals for Phase 4 continue the broader concept of the Masterplan that seeks to strengthen the connection between the urban and natural environment. The natural landscape of the site slopes from east to west with a variety of landscape typologies proposed as part of Phase 4. Structured streetscapes connect to pedestrian routes which pass through pocket parks and podium gardens whilst at a higher level green roofs provide visual amenity and contribute to the Scheme's biodiversity enhancements.

Key landscaped areas include:

- Block J podium garden
- Block K podium garden
- Block H1 courtyard garden
- Block H2 podium garden
- Pocket Park
- East Street / South Street / West Street
- Stanley Road
- Milton Road
- Perryfield Way
- Biodiverse and Green Roofs

London Plan policy 7.1 *Building London's 'Neighbourhoods and Communities'* sets out a series of overarching design principles for development in London. It recommends that development is designed to contribute to people's sense of place and enhance the character, legibility, permeability and accessibility of the neighbourhood. Local Plan policy DM01 highlights 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.

Each landscape typology has been based on a considered approach with careful regard given to servicing, maintenance and access, combining aesthetic and practical considerations.

The delivery of Phase 4 will define and complete the new pedestrian route to the Welsh Harp SSSI and reinforce a key concept of the Masterplan underpinning the Scheme. That is, to transform the journey from Hendon Station to the amenities of the Welsh Harp SSSI and its environs via a safe, accessible and visually interesting route.

In addition the Cool Oak Lane Pedestrian and Cycle Bridge will improve accessibility to existing areas of open space, sport and recreation provision around the Welsh Harp. Obligations for off-site Leisure and recreation contributions for Phase 4 were secured under the Section 106 Agreement and will improve the quality of nearby open spaces for the use of future occupants.

The Scheme will deliver an overall increase in the quantity and quality of on-site amenity space, and significant improvements to the quality of existing public open spaces that will make them more sustainable and accessible than at present, including the reconfiguration of York Park and the new pedestrian route between the Broadway to the Welsh Harp SSSI.

### **7.3 Sustainability**

London Plan Policy 5.2 – Minimising Carbon Dioxide Emissions requires development to follow the energy hierarchy: Being Lean, Being Clean and Being Green. Major developments are required to meet targets for sustainable design and in achieving minimum improvements of carbon dioxide emission reductions. The Energy Strategy for the Scheme has been developed to meet the requirements of the Development Plan.

London Plan Policy 5.6 – Decentralised Energy in Development Proposals confirms that development proposals should evaluate the feasibility of Combined Heat and Power (CHP) Systems. London Plan Policy 5.7 – Renewable Energy confirms that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation where feasible.

The Energy Statement established under the 2013 Permission was founded on three principles: install systems and fabric that ensures energy efficiency and conservation in operation; supply heating and hot water via a community network supplied from an Energy Centre that incorporates combined heating and power and includes photovoltaic arrays on available roof spaces.

Energy efficiency of the Scheme is based on a space heating and hot water supply provided via a district heating network linked to an Energy Centre located in the basement of Block E2, which was constructed as part of Phase 3A. The Energy Centre uses a combination of gas CHP and gas fired boilers to deliver low carbon heat and hot water for residents in accordance with the requirements of the Energy Statement established under the 2013 Permission.

Core Strategy Policy CS13: Ensuring the efficient use of natural resources that the Council will:

- Seek to minimise Barnet's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life.

- Promote the highest environmental standards for development to mitigate and adapt to the effects of climate change.
- Expect development to be energy efficient and seek to minimise any wasted heat or power.
- Expect developments to comply with London Plan Policy 5.2.
- Maximise opportunities for implementing new district wide networks supplied by decentralised energy.
- Make Barnet a water efficient borough, minimise the potential for fluvial and surface flooding and ensure developments do not harm the water environment, water quality and drainage systems.
- Seek to improve air and noise quality

The 2013 Permission requires all Residential Units to be constructed in accordance with an acceptable level of sustainable design and construction, secured by conditions of approval. All Residential Units delivered as part of the Scheme are required to be certified as Code for Sustainable Homes Level 4, which entails the achievement of a 25 per cent reduction in carbon emissions beyond 2010 Building Regulations Part L standards. It is noted that Code for Sustainable Homes was withdrawn in April 2015 and as such the condition of approval attached to the 2013 Permission represents a legacy case that remains valid for Phases 4, 5 and 6 of the Scheme.

A Surface Water Management Scheme is in place and secured by condition of the 2013 Permission to ensure that the drainage provided as part of the development meets policy requirements. Thames Water has confirmed that there is adequate waste water infrastructure to accommodate delivery of the Scheme. The design approach employed in development of the Scheme minimises the use of mains water in order to ensure its conservation.

An assessment of air quality impacts associated with the Scheme was undertaken as part of the 2013 Permission. This assessment accounted for emissions from the Energy Centre and also traffic emissions from roads adjacent to the development. Air quality predictions were assessed against national air quality objectives so that mitigation measures could be developed in areas of poor air quality. Air quality is predicted to meet national objectives across the majority of the Scheme however in certain locations suitable and appropriate mitigation measures are required for the properties adjacent to the Broadway. These measures include the installation of mechanical ventilation, which draws in cleaner air, and the introduction of winter gardens rather than balconies in order to minimise exposure.

Conditions associated with air quality assessment, extraction and ventilation equipment, and also impacts associated with construction, are all attached to the 2013 Permission and are required to be discharged by the Council on a phase by phase basis. The on-going monitoring and assessment of air quality ensures compliance with the requirements of the Local Plan and national air quality objectives.

London Plan Policy 7.19 – Biodiversity and Access to Nature confirms that where possible, development proposals should make a positive contribution to the protection, enhancement, creation and management of biodiversity with development proposals giving the highest protection to sites such as the Welsh Harp SSSI. When considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest the following hierarchy will apply:

- Avoid adverse impact to the biodiversity interest;
- Minimise impact and seek mitigation;
- Only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation; and
- Measures to protect and enhance the special interest of the Welsh Harp SSSI and integrate it with the development and associated open spaces.

Protection measures for the Welsh Harp SSSI are set out in the Environmental Statement and are controlled through an Ecological Management Plan which is reviewed and updated where required on a phase by phase basis and secured by condition. The interface of the Welsh Harp SSSI and newly provided York Park, through new landscaping and public open space, provides ecological improvements to the environment.

Obligations secured through the Section 106 Agreement fund a Welsh Harp SSSI Warden Officer to facilitate monitoring, mitigation and enhancement measures for the Welsh Harp SSSI. Initial contributions have been paid as various triggers of the Section 106 Agreement have been reached. The roles and responsibilities for the post have been developed in consultation with the London Wildlife Trust, which is the host organisation for the Warden Officer, who was appointed in June 2016.

## **7.4 Standard of Accommodation**

### *7.4.1 Tenure, Amount and Location*

London Plan Policy 3.14 – Existing Housing resists the loss of housing, including affordable housing, unless the housing is replaced at existing or higher densities with at least equivalent floor space. Supporting text of Policy 3.14 (p.127) states that in the case of estate renewal, the regeneration benefits to the local community and proportion of affordable housing in the surrounding area should be taken into account and that redevelopment of affordable housing should only be permitted when replaced by better quality accommodation.

Phase 4 proposes the construction of 611 Residential Units, consisting of 418 Market Housing Units and 193 Affordable Housing Units. The Affordable Housing Units comprise 147 (76%) Intermediate Housing Units and 46 (24%) Social Rented Units. The proposed construction of 193 Affordable Housing Units as part of Phase 4, combined with 191 Affordable Housing Units as part of Phase 3, will deliver a total of 384 Affordable Housing Units in compliance with the Section 106 Agreement and is response to the decant needs of earlier phases. A breakdown of the proposed dwelling mix is included in Table 5 overleaf.

The minimum level of Affordable Housing Units to be delivered across the Scheme, as established through a viability assessment undertaken as part of the 2013 Permission, is 25% of the total Residential Units being provided. A viability review mechanism is attached

to the Section 106 Agreement to secure an increase in the number of Affordable Housing Units being provided by the Scheme in the event of economic improvements.

London Plan Policy 3.4 – Optimising Housing Potential (p.100) stipulates that development should optimise housing output for different types of locations within the relevant density ranges suggested in Table 3.2 of the London Plan (p.101). Phase 4 proposes a diversity of housing types and tenures in accordance with the Strategic Housing Mix established under the 2013 Permission.

As shown in *Appendix 12 – Phase 4 Location of Tenure Types*, Building H1 is located to the east of East Street and on the highest part of the Phase 4 site, and will include a total of 47 Market Housing Units. Building H2 is located to the east of East Street to the north of H1, and will include a total of 39 Affordable Housing Units.

Building J 9J1 – J6) is located in the centre of the site and will include 144 Affordable Housing Units and 180 Market Housing Units in buildings ranging in height from 2 to 8 storeys. Building K1 is located to the west of West Street and will include a total of 43 Market Housing Units. Building K2 adjoins building K1 and contains a total of 143 Market Housing Units. Building M is located in the south of the site and will include 10 Affordable Housing units and 5 Market Housing Units, all arranged in three storey semi-terrace style townhouses.

Due to the phased nature of the development, compliance with London Plan Policy 3.14 is subject to the delivery of Phases 4, 5 and 6 in order to deliver a greater level of Affordable Housing Units than previously provided on the Estate prior to the commencement of the Scheme. Phase 4 of the Scheme will provide additional residential accommodation within the Estate, supporting the achievement of the Mayor's housing targets for London and the Council.

**Table 5 – Dwelling Mix**

1. Private Units			
Flat/House type	Number of units proposed	Total NIA (sqm)	Unit % of mix
Studio	25	1038	6.0%
1 Bed flat (1B2P)	210	10741	50.2%
2 Bed flat (2B3P/2B4P)	117	8150	28.0%
2 Bed duplex (2B4P)	30	2527	7.2%
3 Bed flat (3B5P)	20	1957	4.8%
3 Bed duplex (3B5P)	11	1161	2.6%
3 Bed houses (3B6P)	0	0	0.0%
4 Bed houses (4B7P)	5	615	1.2%
<b>TOTAL</b>	<b>418</b>	<b>26189</b>	<b>100%</b>

2. Affordable Units			
Flat/House type	Number of units proposed	Total NIA (sqm)	Unit % of mix
Studio (1B2P)	0	0	0.0%
1 Bed flat (1B2P)	13	667	28.3%
2 Bed flat (2B3P/2B4P)	13	940	28.3%
2 Bed duplex (2B4P)	4	397	8.7%
3 Bed flat (3B5P)	6	623	13.0%
3 Bed duplex (3B5P)	0	0	0.0%
3 Bed houses (3B6P)	3	284	6.5%
4 Bed houses (4B7P)	7	860	15.2%
<b>TOTAL</b>	<b>46</b>	<b>3371</b>	<b>100%</b>

2b. Intermediate units			
Flat/House type	Number of units proposed	Total NIA (sqm)	Unit % of mix
Studio (1B2P)	1	41	0.7%
1 Bed flat (1B2P)	51	2559	34.7%
2 Bed flat (2B3P/2B4P)	59	4449	40.1%
2 Bed duplex (2B4P)	22	1947	15.0%
3 Bed flat (3B5P)	7	617	4.8%
3 Bed duplex (3B5P)	7	740	4.8%
3 Bed houses (3B6P)	0	0	0.0%
4 Bed houses (4B7P)	0	0	0.0%
<b>TOTAL</b>	<b>147</b>	<b>10352</b>	<b>100%</b>

3. Total Units (Private and Affordable)			
Flat/House type	Number of units proposed	Total NIA (sqm)	Unit % of mix
Studio (1B2P)	26	1079	4.3%
1 Bed flat (1B2P)	274	13967	44.8%
2 Bed flat (2B3P/2B4P)	189	13539	30.9%
2 Bed duplex (2B4P)	56	4870	9.2%
3 Bed flat (3B5P)	33	3197	5.4%
3 Bed duplex (3B5P)	18	1901	2.9%
3 Bed houses (3B6P)	3	284	0.5%
4 Bed houses (4B7P)	12	1475	2.0%
<b>TOTAL</b>	<b>611</b>	<b>40311</b>	<b>100%</b>

	NIA (sqm)	GIA (sqm)	GEA (sqm)
Total Residential	40309	52646	56633
Total Other (SSSI office)	0	0	0
Total Commercial	0	0	0
Total Combined Undercroft and Basement	0	15658	17454
<b>TOTAL</b>	<b>40309</b>	<b>68304</b>	<b>74087</b>

	Number of units
Total Habitable Rooms	1679
Total Wheelchair Accessible Units	61
Total Single Aspect Units*	247
Total Dual Aspect Units	364
Site Area (hectares)	4.76

\*no single aspect units are north facing

	Block	Number of units
Wheelchair units	K1/K2	19
	H2	4
	H1	5
	J	33
<b>TOTAL</b>		<b>61</b>

### 7.4.2 Quality and Choice

London Plan Policy 3.5 – Quality and Design of Housing Developments (p.102) requires housing development to be of the highest quality internally, externally and in relation to their context and the wider environment. Table 3.3 of the London Plan (p.103) establishes minimum space standards for new development with London Plan Policy 3.8 – Housing Choice (p.108) outlining the strategic objective of ensuring that Londoners have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwelling in the highest quality environments.

Core Strategy Policy 3.8 (p.108) requires that Boroughs ensure new developments offer a range of housing choices, in terms of both the mix of housing size and dwelling type. In accordance with the requirements of Policy 3.8 (p.109), ninety per cent of new dwellings are to be ‘accessible and adaptable dwellings’ with a minimum of ten per cent as ‘wheelchair user dwellings’. More generally, London’s changing urban environment must respond positively to the needs of an ageing population, including the principles for inclusivity and those to develop and extend the lifetime of a home.

Compliance with the above requirements is achieved through conditions of approval attached to the 2013 Permission which are required to be discharged by the Council on a phase by phase basis. The Planning and Development Specification Conformity Statement submitted with the Phase 4 RMA demonstrates compliance with the above requirements. Phase 4 Residential Units will provide an appropriate mix of dwelling types, sizes and tenures and include a range of measures to ensure that the Scheme will provide an inclusive environment for all members of the community. All Residential Units are proposed



to be constructed to provide adaptable and accessible dwellings, able to accommodate a greater range of occupants and capable of meeting changing needs and lifestyles.

### 7.4.3 Amenity Space

Open space and landscape proposals for Phase 4 align with the established concept of the Masterplan which is structured around an integrated network of public, private and semi-private open spaces.

By way of background it is noted that the assessment of the 2013 Permission took account of the fact that the pre-existing Estate was typical of 1960s design in incorporated very few private gardens, but rather was structured around large amounts of communal open space comprised of shared lawn areas within the horseshoe blocks and the existing York Park. These spaces were largely undefined grassed areas and paved areas.

All residential units will be provided with private amenity space in the form of a balcony or terrace and additional communal areas of open space will be incorporated within the courtyards formed by the residential blocks.

Delivery of the Regeneration Scheme in its entirety will provides an increase in the overall quantity of useable on-site amenity space that is considered to substantially raise the quality of functional open space in comparison to the pre-existing provision of the Estate.

Table 6 below provides a breakdown of amenity space across the proposed Phase 4 buildings.

**Table 6 – Amenity Space Schedule**

Block H1	Communal sqm	Private sqm	Block K	Communal sqm	Private sqm
Courtyard	449		Courtyard	338	
Private garden		81.9	Private garden		50.6
Balconies		204.9	Balconies		1686.6
TOTAL	449	286.8	TOTAL	338	1737.42
TOTAL COMBINED		735.8	TOTAL COMBINED		2075.42
TOTAL COMBINED REQUIRED (BARNET COUNCIL)*		595	TOTAL COMBINED REQUIRED (BARNET COUNCIL)*		2305
TOTAL PRIVATE REQUIRED (BARNET COUNCIL)**		275	TOTAL PRIVATE REQUIRED (BARNET COUNCIL)**		1024
<b>Block H2</b>	<b>Communal sqm</b>	<b>Private sqm</b>	<b>Block M3/M4</b>	<b>Communal sqm</b>	<b>Private sqm</b>
Courtyard	280		Courtyard	246	
Private garden		53.9	Private garden		912
Balconies		200	Balconies		
TOTAL	280	253.9	TOTAL	246	912
TOTAL COMBINED		533.9	TOTAL COMBINED		1158
TOTAL COMBINED REQUIRED (BARNET COUNCIL)*		520	TOTAL COMBINED REQUIRED (BARNET COUNCIL)***		780
TOTAL PRIVATE REQUIRED (BARNET COUNCIL)**		229	TOTAL PRIVATE REQUIRED (BARNET COUNCIL)***		147
<b>Block J</b>	<b>Communal sqm</b>	<b>Private sqm</b>	<b>Public amenity space</b>	<b>Communal sqm</b>	<b>Private sqm</b>
Courtyard	2807		Pocket park	511	
Private garden		432.5	TOTAL	511	0
Balconies		1570			
TOTAL	2807	2002.5			
TOTAL COMBINED		4809.5	TOTAL REQUIREMENT		8285
TOTAL COMBINED REQUIRED (BARNET COUNCIL)*		4085	TOTAL PROVISION		9823.62
TOTAL PRIVATE REQUIRED (BARNET COUNCIL)**		1901	DIFFERENCE		1538.62

The proposals comply with requirements of Barnet's Sustainable Design and Construction SPD in respect of minimum residential space standards, internal layout and design, and outdoor amenity space, with the exception of the following:

– Block K Outdoor Amenity Space –

A total of 2,075 square metres of outdoor amenity space is proposed to be provided in lieu of the 2,305 square metres standard required under Table 2.3 – Outdoor Amenity Space of Barnet's Sustainable Design and Construction SPD. The proposed shortfall represents a variation of approximately 10 per cent. Part 2.3.3 of Barnet's Sustainable Design and Construction SPD outlines that high density development, such as flats, may not always be able to provide private amenity space to the standards outlines under Table 2.3. The proposed variation is considered to be minor in nature and in the context of the quality and quantum of public open space being delivered as part of the Regeneration Scheme, is supported.

– Block M Outdoor Amenity Space –

It is noted that outdoor amenity space for eight of the proposed residential dwellings forming Block M, do not meet the requirements of Table 2.3 of Barnet's Sustainable Design and Construction SPD that requires the provision of 40 square metres of space for houses of up to four habitable rooms.

Proposed shortfalls range from 4 to 18 per cent, with a proposed rear garden of 32.7 square metres representing the most significant deviation from the standards required under Table 2.3.

Following discussions with the designer of Block M, a written justification has been received:

*“As recognised the evolution of Block M3/M4 has come from the site levels falling 4m from North to South, maintaining an overlooking distance of 21m from the existing units at the rear of Block and achieving the required NIA/GIA.*

*Originally the design of the terrace included 2 blocks of houses. One length of 10 (Block A+B) and the other of 5 (Block C). However, for the blocks to follow the topography of the site the block of 10 was separated into two blocks of 5.*

*This also provided all housing, not just the private houses with rear access. Which allows any garden waste/bikes to be carried around the units rather than through reducing the potential of any damage to the houses.*

*As discussed there was potential to provided rear access to the very north of the terrace however, to achieve the GIA/NIA required this increased the width of the houses rather than the height causing this access route to be narrow and unpractical for residents. (This can be fenced off in the next stage)*

*As mentioned it's worth noting that the rear access between blocks A and B has not been removed from the houses but provided as 'private/communal' amenity space to block A and*

*B, accessible by residents of block A and B only. Therefore, it's clear that this amenity is included in the amenity area of units."*

It is recognised that the unusual configuration of the site boundary engulfing Block M does represent a challenging layout within which to balance planning requirements relating to amenity space and privacy, whilst also balancing practical considerations associated with user functionality of the proposed dwellings. Notwithstanding this the rear access way serving the gardens of the proposed dwellings represents additional space that could be utilised as outdoor amenity space thereby reducing the extent of the proposed variation, it is considered that the rationale of the design approach and the benefit of providing the rear access, justifies the proposed variation.

As outlined under *Part 7.2.1* above, in order to address a void space between the northern boundary of Building M3 and the adjoining residential property to the north ( In order to address safety concerns and make efficient use of space it is therefore recommended that a condition is imposed that requires this area to be fenced off from the street and incorporated into the rear garden of the dwelling to which it adjoins.

#### 7.4.4 *Child Play Space*

London Plan Policy 3.6 states that new residential developments should include provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. This is further articulated within the Mayor's Supplementary Planning Guidance (SPG) document 'Providing for Children and Young People's Play and Informal Recreation'.

Table 7 below shows the expected child yield associated with Phase 4.

**Table 7 – Child Yield and Play Space Requirements**

	Studio	1 bed	2 bed	3 bed	4 bed	5 bed	TOTAL
Social rented/affordable	0	13	17	6	0	0	36
Intermediate	1	51	81	14	0	0	147
Market	25	210	147	31	0	0	413
<b>TOTAL</b>	<b>26</b>	<b>274</b>	<b>245</b>	<b>51</b>	<b>0</b>	<b>0</b>	<b>596</b>

Number of houses						
	1 bed	2 bed	3 bed	4 bed	5 bed	TOTAL
Social rented/affordable	0	0	3	7	0	10
Intermediate	0	0	0	0	0	0
Market	0	0	0	5	0	5
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>12</b>	<b>0</b>	<b>15</b>

Porportion of children		
	Number of children	%
Social rented/affordable	50	46
Intermediate	34	31
Market	24	22
<b>TOTAL</b>	<b>107</b>	<b>100</b>

Play space requirements		
GLA benchmark (sqm)*	Alternative local benchmark (sqm)**	Total (sqm play space required)
10		1071.6
	5	535.6

The Design Guidance sets out detailed principles for the delivery of play space within each reserved matters application as a mechanism to ensure that sufficient provision is made within each phase. This seeks to accord with the GLA “Shaping Neighbourhoods: Children and Young People’s Play and Informal Recreation” SPG (2012) and Play England Guidance “ Design for Play: A Guide for Creating Successful Play Spaces (2008).

The ‘Providing for Children and Young People’s Play and Informal Recreation’ SPG sets a benchmark of 10sqm of usable child play space to be provided per child, with under-5 child play space provided on-site. Based on Table 7 above and the anticipated child yield of 107, a total of 1,070m<sup>2</sup> of child play space is required. A total area of 1,080m<sup>2</sup> is provided.

It is proposed to deliver a total of 497 square metres of Doorstep Play space within podium gardens serving the residential blocks. Local Play space of 346 square metres is proposed to be delivered through the Pocket Park adjacent Block K whilst 237 square metres of Youth Play is provided by way of Neighbourhood Play space located in close proximity to the proposed buildings but falling outside the boundaries of the Phase 4 site area. Due to the phased nature of the Regeneration Scheme it is not possible to incorporate all typologies of play space within the boundaries of each phase however it is noted that the proposal is consistent with the Landscape Parameter Plan that established the approach to the provision of Doorstep Play areas and Neighbourhood Play spaces.

The Regeneration Scheme delivers a range of play spaces in accordance with the SPG including doorstep, local, neighbourhood and youth playable space. Both Neighbourhood Play areas being delivered as part of the Regeneration Scheme are to be located within York Park. These locations were established under the 2013 Permission and were chosen to ensure that all children within the proposed development are within the 400m recommended maximum walking distance for a Local Equipped Area for Play (LEAP) or 1000m for a Neighbourhood Equipped Area for Play (NEAP).

In granting approval of the 2013 Permission, it was acknowledged that there is a shortfall in the provision for older children (12+) of the Regeneration Scheme which required mitigation. This is addressed through the delivery of the new Silk Stream Bridge and Cool Oak Lane Pedestrian and Cycle Bridges which will provide access to West Hendon Playing Fields, Silver Jubilee Park and Woodfield Park Sports Ground and their associated facilities. This ensures that all residents of the Regeneration Scheme will be within the target walking distance of 800m of youth provision.

It is considered that there is sufficient space within and in close proximity to the site to fulfil the Mayor’s SPG benchmark requirements for access to children’s play space.

#### *7.4.5 Floorspace Standards*

Residential floorspace standards are outlined Table 3.3 of the London Plan and Table 2.1 – Minimum Residential Space Standards of the Barnet’s Sustainable Design and Construction SPD. Detailed plans and the Area Schedules document submitted as part of the application demonstrate compliance with the above requirements.

#### 7.4.6 Daylight, Sunlight and Overshadowing

An assessment of the impact on daylight and sunlight and overshadowing levels based on the current details for the reserved matters application has been carried out in accordance with the BRE Guidance 'Site Layout Planning for Daylight and Sunlight'.

The Guidance provides a breakdown of the aspects of assessment as follows:

- Vertical Sky Component: A measure of the amount of skylight available at the centre of a habitable room window and also, the amount of direct skylight received inside the corresponding habitable room. The BRE guide states that daylight provision may be affected if the VSC calculation is less than 27% or less than 0.8 times its former value;
- Daylight Distribution: A measure that calculates the amount of area of a habitable rooms which receives direct skylight and how much does not. The BRE guide recommends that the minimum DD values should be achieved for bedrooms (1%), living rooms (1.5%) and kitchens (2%);
- Annual Probable Sunlight Hours (APSH): Is a measure of the average number of hours per year in which direct sunlight is received by a window. The BRE guide states that rooms may be affected if they receive less than 25% APSH for the year and 5% APSH for the winter;
- Average Daylight Factor: Is a measure of the daylight received inside a habitable room. The BRE guide recommends that the minimum ADF values should be achieved for bedrooms (1%), living rooms (1.5%) and kitchens (2%); and
- Shadowing: The BRE guide recommends that at least half the area of an amenity space should receive at least 2hrs of sunlight on the equinox (21 March).

Average Daylight Factor (ADF), Daylight Distribution (DD), Annual Probable Sunlight Hours (APSH) and external Overshadowing assessments have been undertaken to the proposed habitable rooms and outside amenity spaces.

The Daylight, Sunlight and Overshadowing Analysis Report submitted as part of the application demonstrates that when the open plan kitchen/dining/living room areas are assessed against a target of 1.5%ADF, the results of the ADF assessments show that overall 89.5% of the proposed habitable rooms will enjoy good levels of daylight in accordance with the BRE guidelines. NSL results show that approximately 80% of all rooms should enjoy a good level of daylight distribution.

The daylight results show that the overall results demonstrate a good level of compliance for an urban environment, consistent with that provided for Phases 3A, 3B and 3C.

APSH results indicate that adequate levels of sunlight will be enjoyed given the general orientation of the blocks and urban area. Those windows that receive lower levels of sunlight are typically set back behind balconies where a balance between the provision of the beneficial private amenity space and the slightly lower levels of sunlight within habitable rooms must be struck.

The overshadowing results to the proposed open amenity spaces show that good levels of sunlight in accordance with the BRE guidelines should be enjoyed to all spaces except Block H2. It is noted that the results to Block H2, although slightly below the suggested guidance, will enjoy good levels of sunlight for an urban area. The assessment demonstrates that overall, levels of overshadowing to proposed amenity spaces are acceptable in the context of the proposed size and density of the Regeneration Scheme.

## **8. SECURITY, SAFETY AND CRIME MITIGATION**

The points of access and entry to the various blocks, residential cores, provision of amenity areas, defensible separation between public and private areas as well as the design of the internal streets, reflects the standards required under the Development Specification Document and Parameter Plans established under the 2013 Permission.

Metropolitan Police Secure-By-Design officers were consulted from the inception of the Masterplan underpinning the Regeneration Scheme. Initial consultation raised a number of issues which were addressed through the design response as outlined below:

- Public space lighting to be designed to enable view of approaching faces
- Entrance lobbies to be designed to be separated from stair/lift core by a secure door
- If no secondary doors to corridors are installed at upper levels of lift cores, CCTV to be installed in lifts and lift lobbies
- Ground floor windows and doors to be designed to secure by design standards
- Stacked balconies to be designed to avoid climbable elements
- Residential windows top overlook any roof garden if possible, for passive surveillance
- Wheelchair flats to be designed without winders/Teleflex to open windows
- Bin stores to include secure by design doors at entrance to core
- Access to/from car park to be controlled to ensure access is only given to identified users
- CCTV required at each core in basement and at bicycle store
- Bicycle racks to ensure bikes can be locked at both wheels and frame
- Vehicular and pedestrian gates to car park to ensure no gap between the opening and gate that would allow a person to climb over and into the car park
- Defensible planting to be installed to all ground floor façade with windows facing out public realm

In respect of the subject application, Metropolitan Police Secure-By-Design Officers raise no objection to the proposal but have requested a condition requiring full Secured by Design accreditation. The condition is recommended to be imposed.

## **9. PHASING AND DECANT**

Phasing for the whole of the Regeneration Scheme is tightly constrained by the residential decant requirements and need to rehouse secure tenants within the site. Parameter Plan 009 – Strategic Phasing establishes the phasing sequence within which the Masterplan is to be brought forward under the 2013 Permission.

A phasing programme for delivery of the Scheme is set out below:

**Table 8 – Scheme Phasing**

<b>Phase</b>	<b>Construction Commenced / Due to Commence</b>	<b>Completed / Due for Completion</b>
Pilot / Phase 1	March 2011	December 2011
Lakeside / Phase 2	June 2010	July 2013
Phase 3a	January 2014	2015
Phase 3b	2016	2018
Phase 3c	2017	2018
Phases 4, 5 and 6	2019	2027

LBB Regeneration officers advise that the properties currently covered by the Phase 4 application incorporates 155 resident dwellings comprising 34 leaseholders, 29 secure tenants and 73 non-secures. Leaseholders will be offered the opportunity to acquire a new home on the estate through a shared-equity scheme. Secure tenants will be offered a new home on the regenerated estate.

Non-secure tenant needs are assessed against the Councils housing allocations policy and are re-housed in suitable alternative accommodation. In phases 3B and 3C, the majority of non-secure residents were rehoused, many of which in better circumstances, and overall 95% remained within the borough. Housing assistance has also been offered to private tenants facing particular issues who are not technically eligible for assistance.

## **10. TRANSPORT, HIGHWAYS AND PARKING**

As outlined under Part 4 above, the proposal seeks permission for Major Highways Works key to delivery of the Regeneration Scheme.

In order to facilitate access to the Phase 4 development site, the signalised junction of the Broadway with North road and two priority junctions at Milton Road with The Broadway and West Road with Cool Oak Lane will be created. The proposed works will require realignment of some parts of the Broadway and Cool Oak Lane in order to accommodate these junctions.

A number of pedestrian crossings are proposed to be created on the Broadway, Cool Oak Lane and Station Road. The proposed development seeks an integrated approach to design with pedestrian and vehicular movements being considered alongside landscape and on street parking requirements. The design intention is to create streets with strong

pedestrian linkages forming logical routes through the site and connecting with the Broadway, Hendon Station to the east and leisure and recreational facilities to the west.

Shared surfaces are proposed where the main pedestrian routes interact with internal roads. Streets have been designed to accommodate refuse vehicles and other HGV movements for deliveries and a servicing strategy is a condition of the 2013 Permission that is required to be discharged on a phase by phase basis.

Parking provision across the Regeneration Scheme is provided at a ratio of 0.8, amounting to a total of 1,600 parking spaces. A breakdown of parking requirements is shown in Table 9 below.

**Table 9 – Parking Provision\***

CAR, MOTORCYCLE, AND CYCLE SCHEDULE					
CALCULATION OF THE REQUIREMENT					
MAIN PARKING PROVISION					
	No. of units	Parking requirement for Phase 4	Parking requirement to be provided within Phase 4 boundary (see notes 1-6 below)	Surface parking within Phase 4 boundary	Undercroft/basement parking in H2, J and K, within Phase 4 boundary
Block H1-4	86	69	69	19	50
Block J	324	259	259	18	241
Block K	186	148	125	16	109
Commercial	0	65	29	29	0
Phases 1&2	194	74	74	0	74
Block M	15	12	12	12	0
<b>TOTAL</b>		<b>627</b>	<b>568</b>	<b>94</b>	<b>474</b>

Note the above is based on:

1. Block K: 23 car spaces are in phase 3, building F
2. Commercial: 36 car parking spaces of 65 are within phase 3 boundary
3. Phase 1&2: 47 existing surface spaces are retained, and 73 spaces retained in building L basement
4. Motor cycle spaces required: 1 per 20 car spaces = 30 motorcycle spaces
5. Cycle spaces required: 1 per 1 bed, 2 per 2+ bed = 922 cycle spaces (TfL 2013 calc)

LOCATION OF THE CAR, MOTORCYCLE AND CYCLE PROVISION			
Location	Car Parking	Motor cycles	Cycles
Surface parking	94	0	0
Building H1	0	0	68
Building H2	13	0	63
Building J	389	26	496
Building K	72	4	265
Building M	0	0	30
<b>TOTAL</b>	<b>568</b>	<b>30</b>	<b>922</b>

*\*Continued overleaf*



ACCESSIBLE PARKING PROVISION	
<b>Designation Of Parking In Phase 4</b>	
Phase 4 use	465
Commercial	29
Phase 1&2	74
<b>TOTAL</b>	<b>568</b>
<b>CALCULATION OF ACCESSIBLE PARKING PROVISION</b>	
<b>Phase 4 car spaces: (1 accessible space per WCA unit)</b>	
Block H1	5 WCA units
Block H2	4 WCA units
Block J	33 WCA units
Block K	19 WCA units
<b>TOTAL</b>	<b>61 WCA units</b>
<b>Commercial and phase 1&amp;2 car spaces (10% of spaces accessible)</b>	
Commercial	29
Phase 1&2	74
Total	103
<b>TOTAL 11 ACCESSIBLE CAR SPACES REQUIRED (10% OF 103 CAR SPACES)</b>	
<b>TOTAL ACCESSIBLE CAR SPACES REQUIRED 72 CAR SPACES</b>	
<b>Location of accessible car spaces</b>	
External surface	10
Block H	3
Block K	19
Block J	40
<b>TOTAL</b>	<b>72</b>
<b>Summary of car parking space types</b>	
Accessible parking spaces	72
Standard parking spaces	496
<b>TOTAL PARKING SPACES</b>	<b>568</b>

The proposed transport infrastructure improvements and Major Highways Works have been assessed by the Council's Traffic & Development and Transport & Regeneration officers, and in consideration of additional information submitted by the applicant (See *Appendix 11*) have been assessed and found to be satisfactory for the purposes of the application.

The principle of the proposed works, as established under the 2013 Permission, are agreed, however it is noted that the technical detail associated with the proposed works will be required to be agreed by way of a Section 278 Agreement prior to commencement of development of Phase 4.

## **11. REFUSE AND SERVICING**

All residents are required to take their refuse to either ground level or basement refuse stores. Bin stores have been designed in accordance with the requirements of the Council's 'Provision of Household Recycling and Waste Service' guidance for developers and architects. A series of euro bins each with a capacity of 1,100 litres and 240 litres will provide segregated handling for household waste, mixed recycling and organic waste. On collection days the on site management team will collect the bins from any stores that are beyond the reach of Barnet Council bin collection services, store them at a designated collection point and return them following collection.

Existing commercial units along the Broadway depend on a mix of rear and on-street servicing. Existing servicing arrangements for units along the Broadways are to be retained as far as practical. This can be achieved by a combination of service points on existing side streets that are to be retained for shared surfaces with limited vehicular access and on street servicing from bays along the Broadway.

The development will be served with heat generated from a Central Energy Centre (heat and power) located below Building E and a District Heating pipework system serving the various blocks. All cores will be provided with Heat Interface Sub Stations to provide hydraulic separation for the building from the main District heating Mains.

Electrical power will be provided from a number of electrical Substations located at lower ground floor in the respective blocks. Each building is provided with a break tank and booster pump to provide boosted cold water to all apartments. All blocks over 18 metres in height will have dry risers and fire fighting lifts. Where a building or single core is over 30m metres tall a wet riser will be provided.

## **12. EQUALITY AND DIVERSITY ISSUES**

Section 149 of the Equality Act 2010, which came into force on 5 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 application for approval of reserved matters, the term “protected characteristic” includes:

- Age;
- Disability;
- Gender reassignment;
- Pregnancy and maternity;
- Race;
- Religion or belief;

- Sex; and
- Sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for Phase 4 of the Regeneration Scheme will comply with the Council's statutory duty under this legislation.

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

A total of 10% of the Residential Dwellings provided will be wheelchair accessible and/or able to be modified to accommodate a wheelchair occupier.

The development includes level, step-free pedestrian approaches to the main entrances to the buildings to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.

A total of 10% of all parking will be dedicated parking spaces for people with a disability and will be provided in locations convenient to the entrances to the parking area.

The development of Phase 4 is consistent with statutory requirements and policy provision of national, regional and local policy in a manner that will assist in providing an inclusive environment which is accessible to all.

## **12. CONCLUSION**

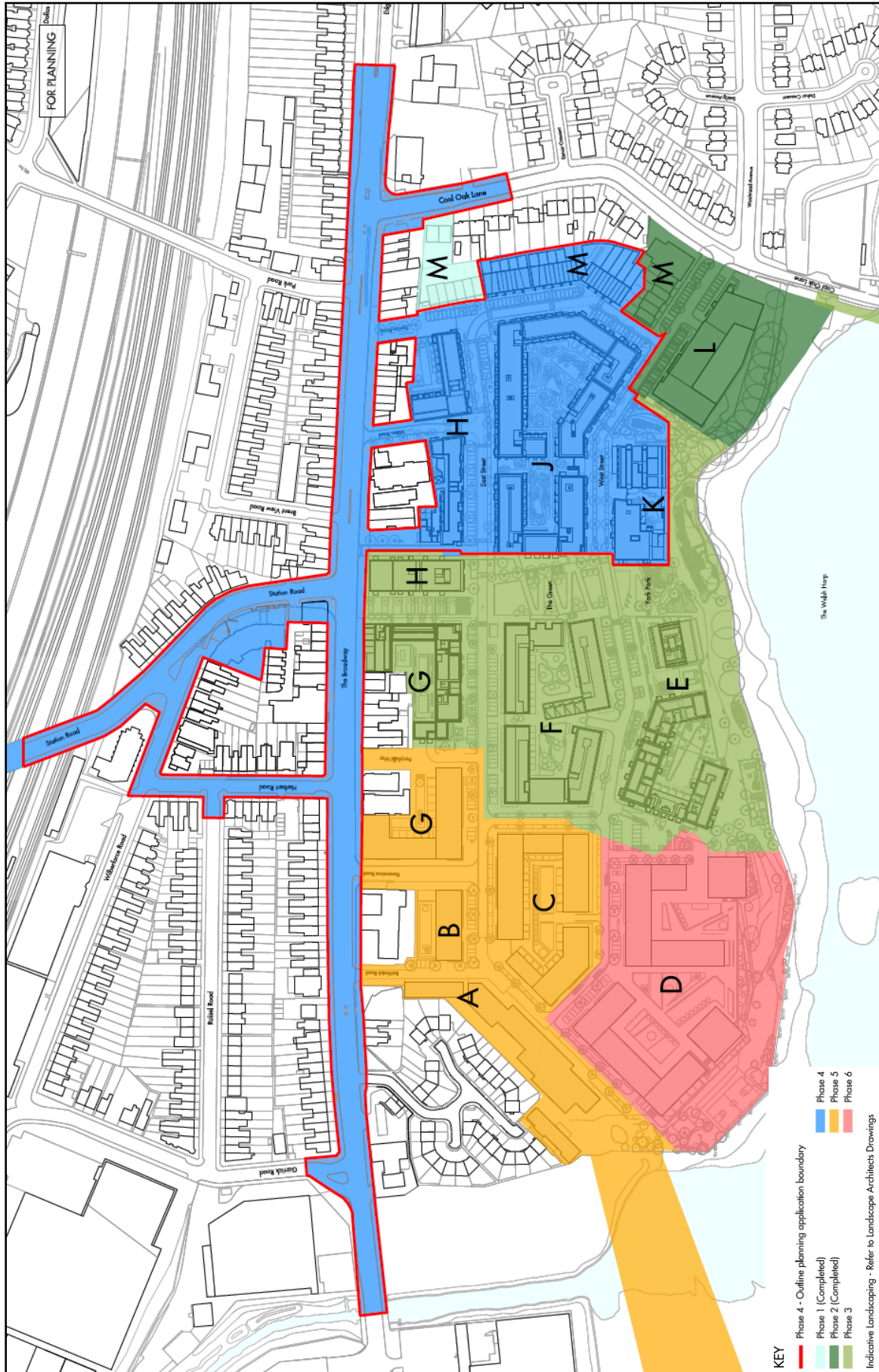
The purpose of this report is to consider reserved matters relating to Layout, Scale, Appearance, Access and Landscaping as they relate to Phase 4 of the West Hendon Estate Regeneration Scheme.

Minor variations proposed under the subject reserved matters submission have been considered within the context of the established development framework, that which provides scope for minor departures within the context of the overarching 2013 Permission. The proposed variations are supported on the grounds that they are not considered to give rise to any new significant environmental effects in comparison to the development as approved and as assessed in the Environmental Statement accompanying the 2013 Permission. Further, the proposed variations are minor in nature and the grounds for which they are sought are considered to be justified.

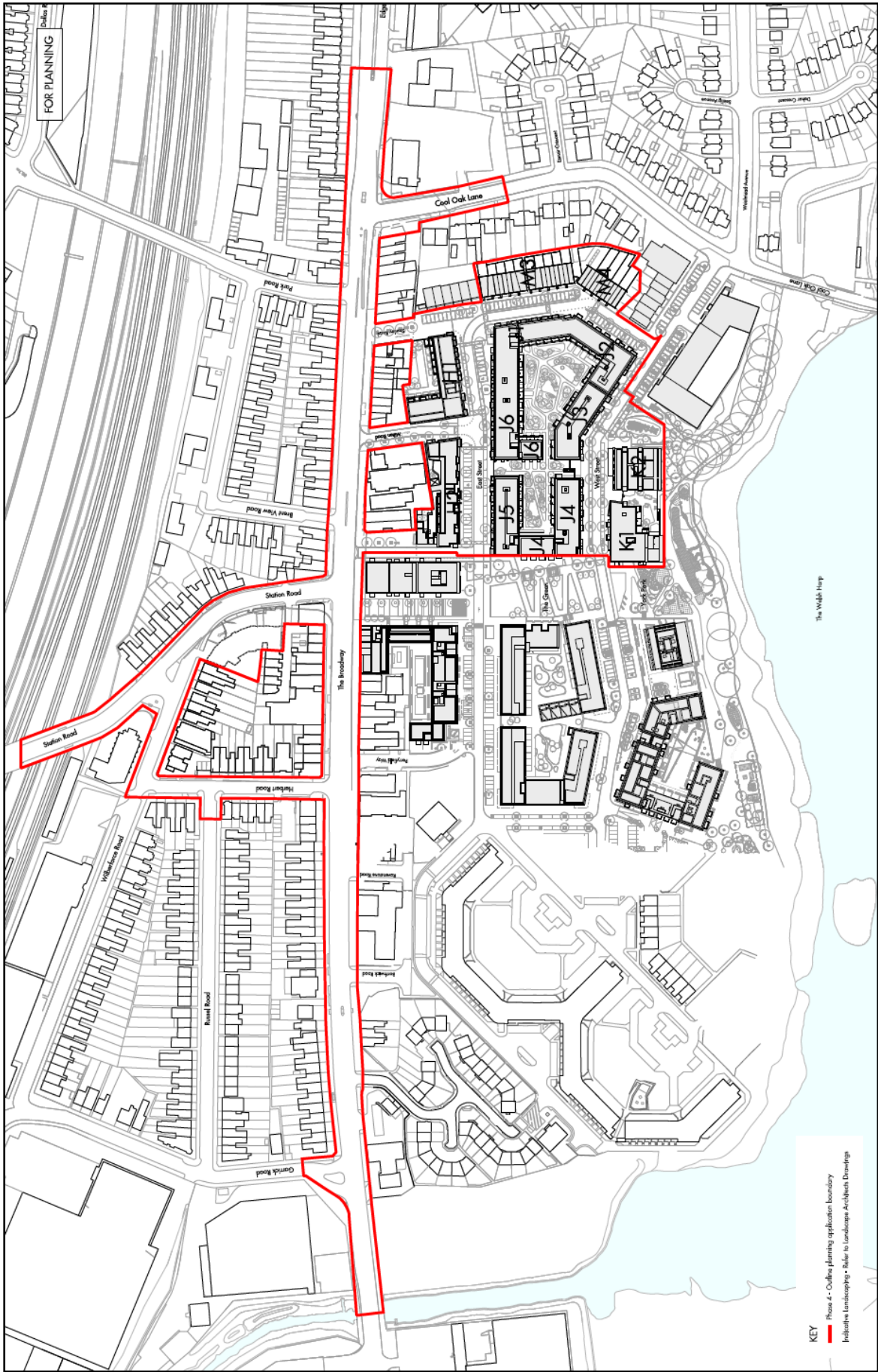
The details submitted have been assessed and found to comply with statutory requirements and policy provisions applicable to the reserved matters submission. In undertaking the assessment, the proposal has been assessed against the established development framework as established under the 2013 Permission. That is, the Development Specification Document and approved Parameter Plans and Design Guidelines, all of which are adhered through a comprehensive framework of conditions attached to the 2013 Permission and required to be discharged on a phase by phase basis.

Approval, subject to the conditions outlined above, is recommended.

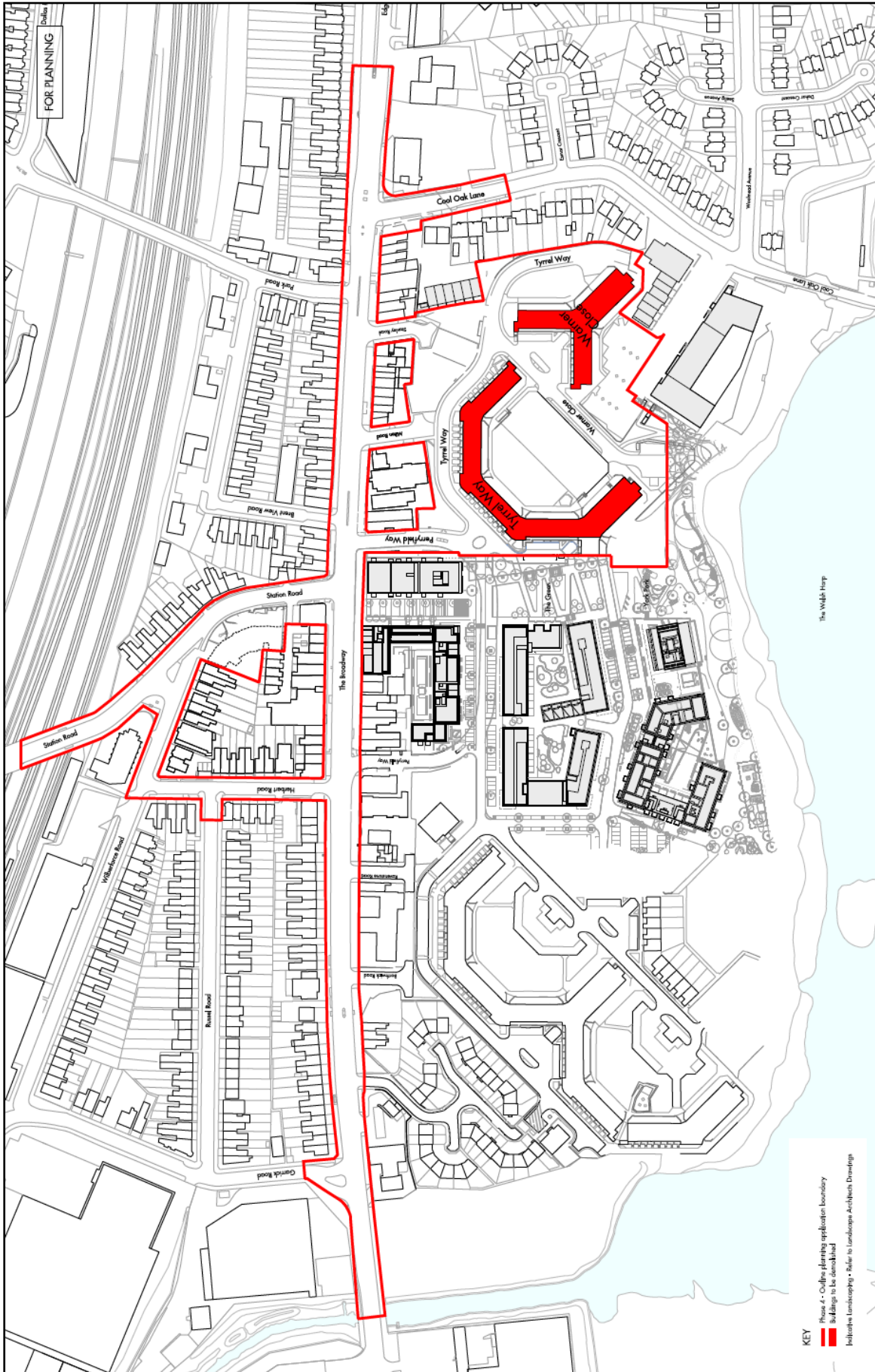
# Appendix 1 – Phase 4 Site Plan



***Appendix 2 – Reserved Matters Boundary Plan***



**Appendix 3 – Demolition Plan**



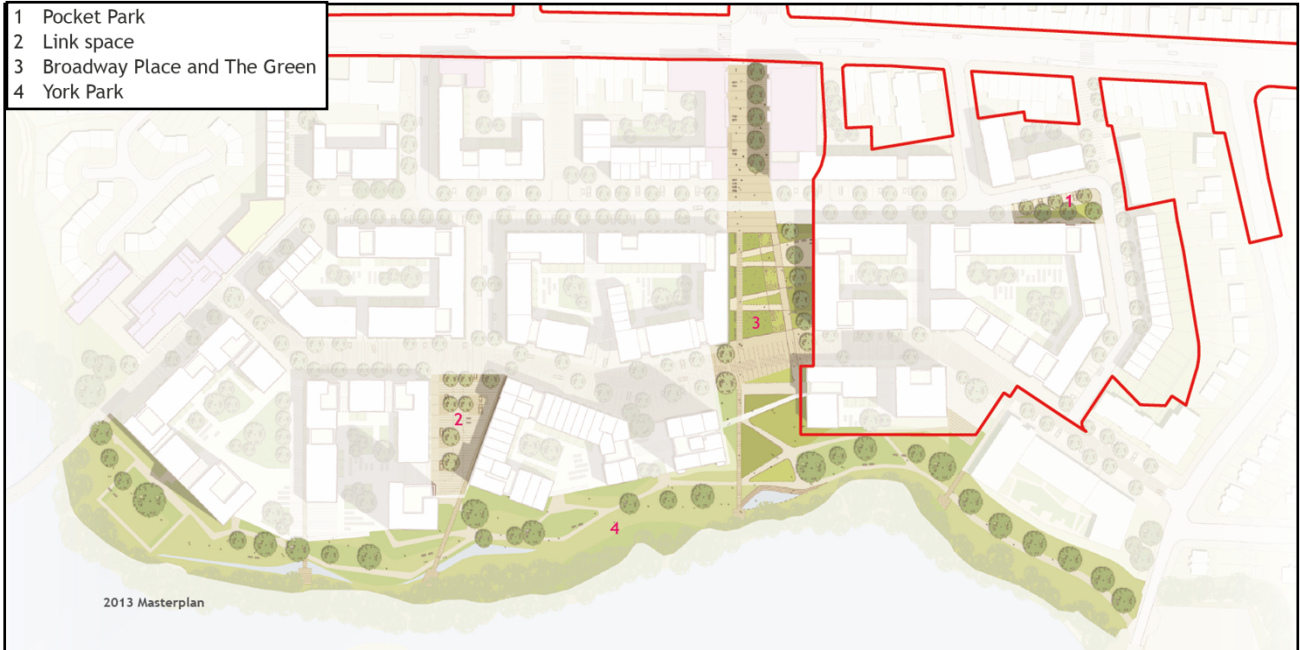
**Appendix 4 – Phase 4 Landscape Layout**



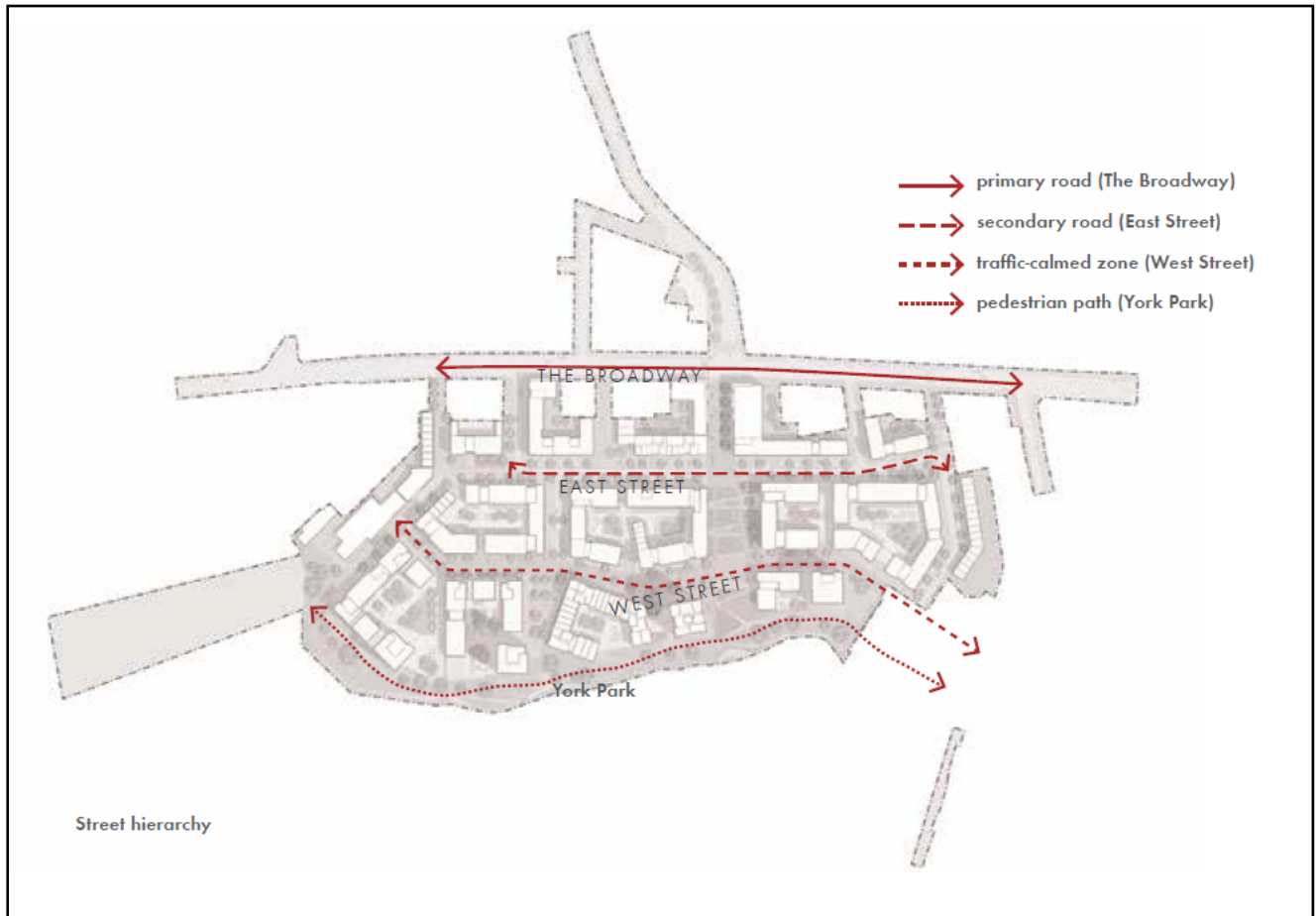


## Appendix 5 – Framework of Public Spaces

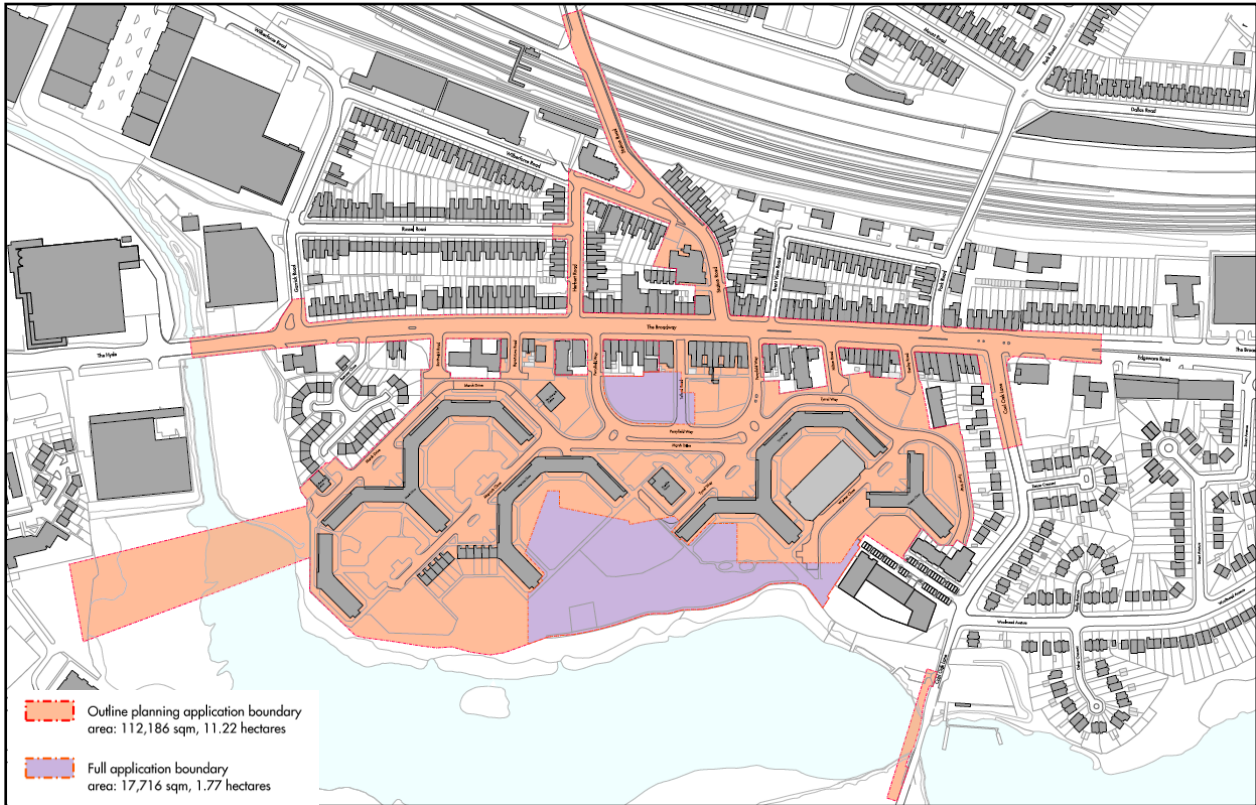
- 1 Pocket Park
- 2 Link space
- 3 Broadway Place and The Green
- 4 York Park



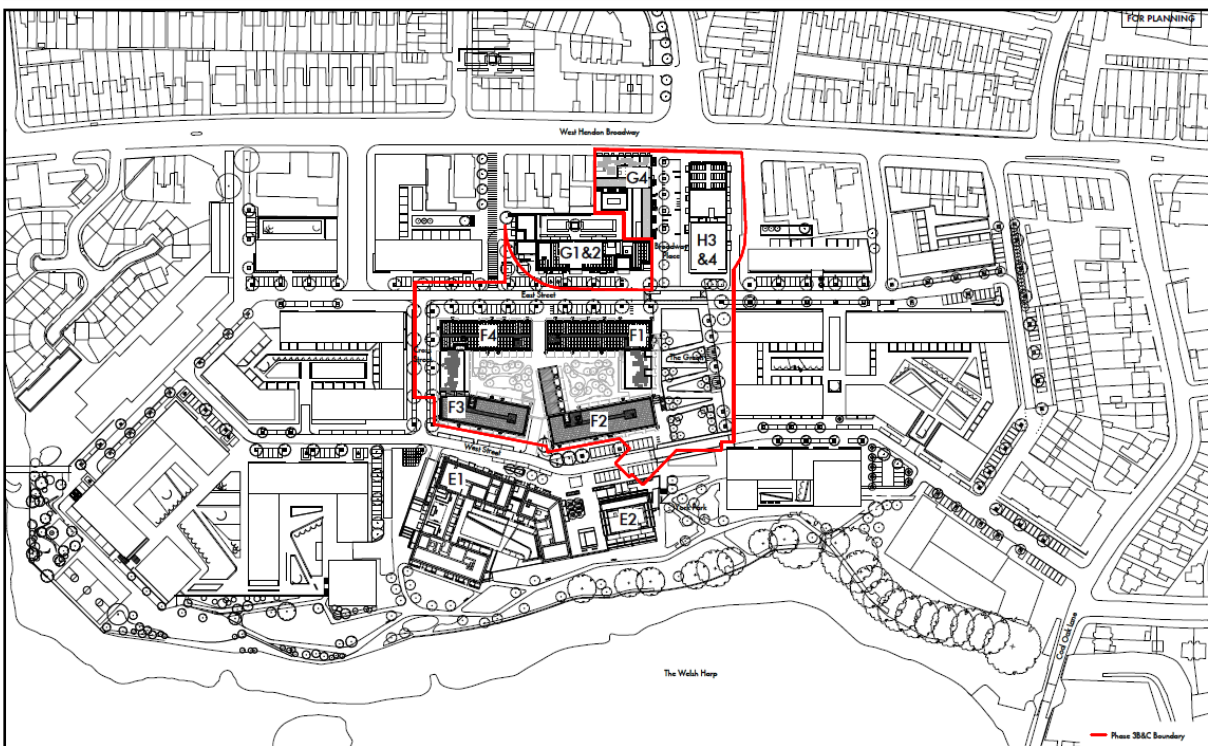
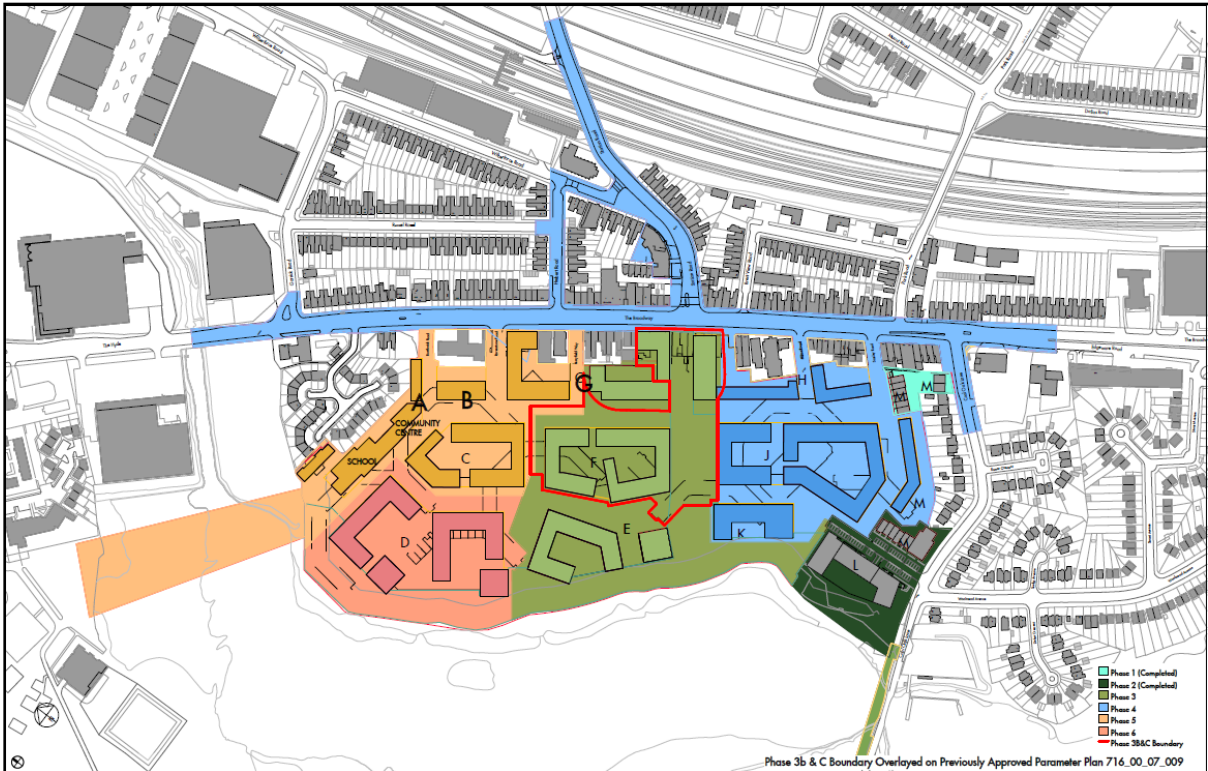
## Appendix 6 – Street Hierarchy



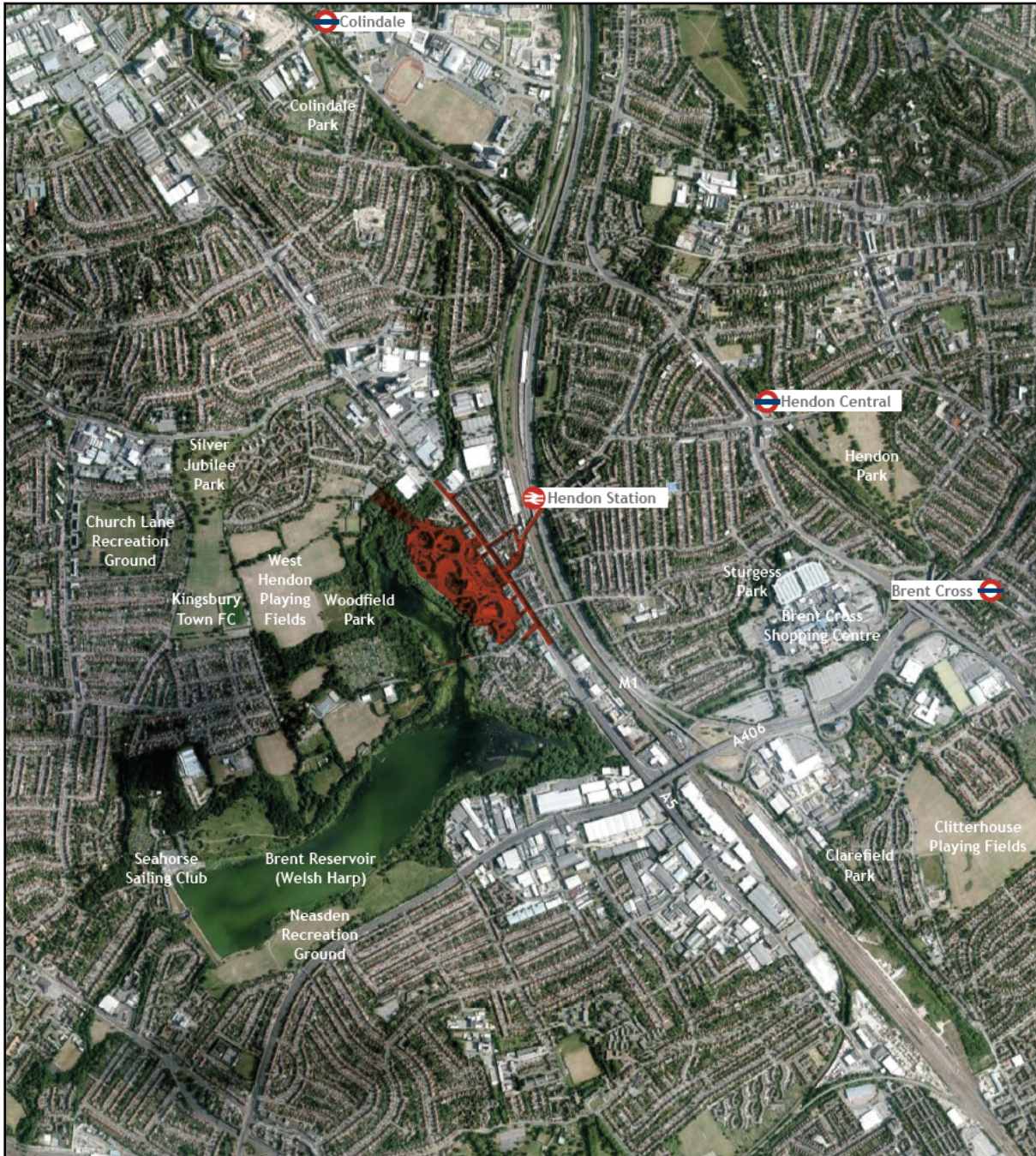
**Appendix 7 – The 2013 Permission**



**Appendix 8 – Phases 3B and 3C**



**Appendix 9 – Aerial Photograph**

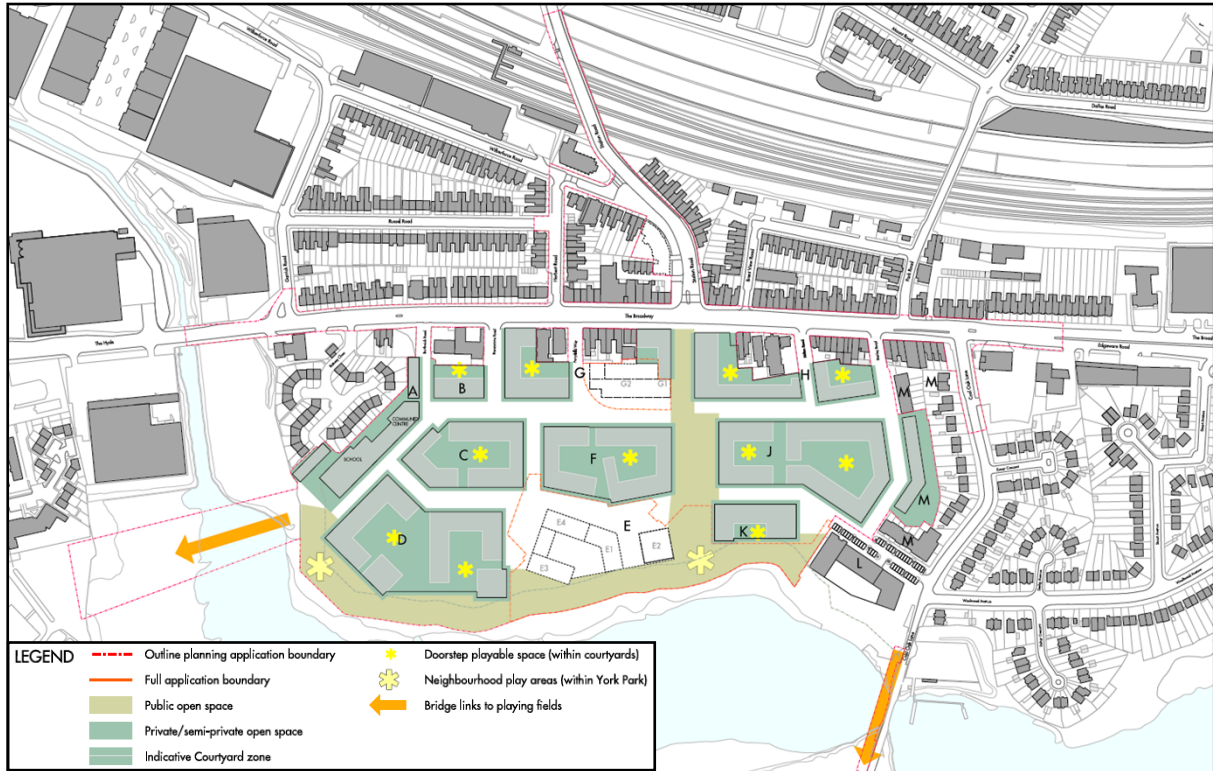


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Appendix 10 – Scheme Progress



## Appendix 11 – Landscape Parameter Plan





## West Hendon – Phase 4 Reserved Matters

PREPARED FOR:	Grady O'Brien (LBB)	Neil Wells (Quod)
COPY TO:	Eric Holroyd (Barratt London)	
	Paul Restall (CH2M)	
PREPARED BY:	Andy Mileham & Stuart Clark	
DATE:	April 06, 2017	
PROJECT NUMBER:	GWHPAS/AJM/TN02	
REVISION NO.:	First Issue	
APPROVED BY:	Paul Restall	

### Introduction

CH2M have been commissioned by Barratt Metropolitan as Transport Consultants to prepare a Transport Statement to support the reserved matters application for detailed permission of Phase 4 of the West Hendon development and provides the necessary information to Barnet Council in respect of discharging a number of conditions of the outline planning permission ref: H/01054/13.

This document is an addendum to the Transport Statement (TS) to address further comments on the transport impact of the development raised by consultees following review of the TS undertaken by London Borough of Barnet (LBB). This addendum report should be read alongside the TS.

### Structure of Report

An email was received from LBB dated 31<sup>st</sup> March 2017 (See [Appendix A](#)) which highlights a series of points that require further clarification. The comment raised by LBB is presented in italics, followed by CH2M's formal response.

### Road Adoption

*LBB Comment - Which residential roads are being considering for future adoption? The London Borough of Barnet generally does no support the following on adopted roads:*

- *Perpendicular parking*
- *Vertical deflection*

*If adopted, 45 degree entry and exit at the end of on street parallel parking bays are required to assist street cleaning.*

**CH2M Response** – It should be noted that all internal estate roads within the study area are intended to remain private. Therefore, the parking layouts provided within the TS is deemed acceptable and is in accordance with DfT document Manual for Streets. It should be noted that street widths have been kept narrow to act as a form of traffic calming with footways proposed on both sides. Where perpendicular parking is proposed a 1.2m wide buffer strip has been provided to separate them from the carriageway and will be used to aid manoeuvring without the need to widen carriageways.

## Cycle Parking

**LBB Comment** - The proposed cycle parking fails to take into account the London Plan short stay requirement of 1 space per 40 units, which equates to provision for a further 15 cycles. Cycle parking in Block J states '27 cycles K1' and '10 cycles K2'. Is cycle parking for Blocks K1/K2 proposed in Block J?

**CH2M Response** – It should be noted that Block J and K basement is linked, so some of Block K's cycle spaces are also visible on the Block J drawings. Therefore, the spaces marked for K1 and K2 on the Block J drawing are actually some of the required allocation for Block K and not Block J.

**LBB Comment** - In total:

Block J = 347 cycle spaces.

Block K1/K2 = 76 cycle spaces

Block H2 = 68 H1 cycles / 63 H2 cycles

Therefore, the proposed provision is 591 cycle spaces. A total provision of 922 long stay spaces and 15 short stay spaces is required.

**CH2M Response** – The table below which is also referenced as Table 2.2 within the TS Reserved Matters document for Phase 4 clarifies that there will be a total of 922 long stay cycle spaces within the site.

Table 1

Phase 4 – Location of Parking Provision

Location	Car Parking	Motor Cycles	Cycles
Surface Parking	94	0	0
Building H1	0	0	68
Building H2	13	0	63
Building J	389	26	496
Building K	72	4	265
Building M	0	0	30
<b>Total</b>	<b>568</b>	<b>30</b>	<b>922</b>

The Cameo Landscape drawings also indicate 46 surface level bike stands providing 92 short term spaces which is well in excess of the 15 required. Therefore the above cycle parking numbers should now be deemed acceptable.

## Motorcycle Parking

**LBB Comment** - Motorcycle space provision has been based on 1 space per 20 car spaces, providing a total of 30 spaces. Have surveys of existing motorcycle demand at West Hendon been undertaken to provide confidence that this provision is sufficient?

**CH2M Response** – As stated and agreed with the Transport Assessment that was submitted during the outline planning permission ref: H/01054/13. For powered two wheelers, guidance has been taken from the IHIE Guidelines for Motorcycling which recommends 1 space per 20 car parking spaces. Therefore, the provision of 30 spaces is deemed acceptable.

## Car Parking

*LBB Comment - Details of the ramps (gradient/headroom) in Blocks J and K are required. Headroom details within the car parks will be required. Table 2.3 identifies 40 accessible car parking spaces in Block J. However, a total of 59 accessible car parking spaces are identified on Drawings 765\_06\_07\_098 and 765\_06\_07\_099. Provision in Block J is below that in Block H2 and K. Why?*

*Block H1 does not have internal parking. However, only one disabled space is located outside this block. Further provision adjacent to the block should be provided. In response to Condition 69, 20% active and 20% passive provision of electric vehicle parking points is proposed.*

*However, in response to Condition 71, rather than provide 20% of spaces with a charge point, passive provision at all covered spaces is proposed, with provision provided on demand. The latter does not meet London Plan active criteria.*

*The potential provision of bays on the Broadway, limited to 20 minute stays outside of the peak hours requires further detailed analysis and review.*

**CH2M Response** – The following details for Blocks J & K have been provided below;

Table 2  
Specifications for Blocks J & K

Block	Ramp Gradient	Car Park Headroom
J & K	1:10 (1:16 transition top and bottom)	Min 2.700m (Structural) Min 2.10 (With Service Void)

In accordance with the document Design recommendations for multi-storey and underground car parks its states within Section 4.3.6 that “the recommended minimum clear height or headroom, measured normal to surfaces, for vehicles is 2.10m”. All design and geometry assumes 100mm ground clearance beneath vehicles, which covers all standard cars.

With regard to the reference of Table 2.3 which identified 40 accessible car parking spaces in Block J, when compared to the total of 59 car parking spaces on Drawings 765\_06\_07\_098 and 765\_06\_07\_099. Block J and K basement is linked, so Block K’s car park is also visible on the Block J drawings. Therefore, the extra 19 spaces on the drawing are actually the required allocation for Block K and not Block J.

With regard to the statement on why the provision in Block J is below that in Block H2 and K is that the calculation itself is based on 1 accessible space per 1 WCA unit, however the scheme also had to incorporate accessible spaces from previous Phases 1 & 2 as detailed in the tables overleaf.

**ACCESSIBLE PARKING provision****DESIGNATION OF PARKING IN PHASE 4**

Phase 4 use	465
Commercial	29
Phase 1&2	74
<b>Total</b>	<b>568</b>

**CALCULATION OF ACCESSIBLE PARKING PROVISION**

**Phase 4 car spaces:** (1 accessible space per WCA unit)

Block H1	5 WCA units
Block H2	4 WCA units
Block J	33 WCA units
Block K	19 WCA units
<b>Total</b>	<b>61 WCA units</b>

**Commercial and phase 1&2 car spaces:** (10% of spaces accessible)

Commercial	29
Phase 1&2	74
<b>Total</b>	<b>103</b>

**Total 11 accessible car spaces required** (10% of 103 car spaces)

**Total accessible car spaces therefore required: 72 car spaces**

**LOCATION OF ACCESSIBLE CAR SPACES:**

External surface	10
Block H	3
Block K	19
Block J	40
<b>Total</b>	<b>72</b>

Further provision of accessible spaces for Block H1 has been acknowledged and will be reviewed during detailed design to increase the number where possible.

In response to the 20% active and 20% passive provision of electric vehicle. It is envisaged that rather than providing 20% of the total number of spaces with a charge point on a nominal basis the intention is to ensure that all covered parking spaces will be potentially used for the purposes of electrical charging. Therefore the provision of car charging points will then be an on-demand basis. And if popular, the provision provided would be twice that of the London Plan target.

With regard to the comment of the parking along the Broadway and the reference that it should be more tightly controlled. CH2M can confirm that as part of the detailed design stage, the parking and on-street servicing along the Broadway is being reviewed and is subject to modelling outputs.

**Condition 98**

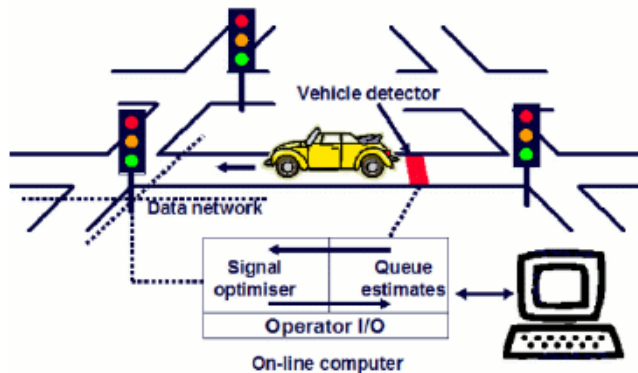
*LBB Comment - The response to Condition 98 states: 'As there appears to be no overall increase in traffic it is not considered that any such changes are necessary to accommodate the additional traffic of the first units of Phase 4 in advance of the requirement for the major highway works.'*

*How many of the 1058 residential units permitted to be occupied prior to completion of the major highway works were actually being lived in at the time of the survey on the 6th June 2016?*

**CH2M Response** – As stated within the original TA (Chapter 6); - at the end of Phase 3 the proposed redevelopment was modeled based on the predicted net increase of 497 residential units. The TA states that only minor modifications such as changes to the traffic signal timings would be required up to this threshold.

Using data supplied by the developer, a total of only 286 new units have been occupied to date.

Since the TA was written in 2013, TfL have implemented the program SCOOT (Split Cycle Offset Optimisation Technique) at all the key junctions along the Broadway. This program is an adaptive system that responds automatically to fluctuations in traffic flow through the use of on-street detectors embedded in the road (see image) therefore the SCOOT control would be expected to keep improving capacity by actively amending the signal timings until the major highway works are completed.



It should also be noted that from the observed flows collected in 2016 and referenced in the Reserved Matters TS that the general trend in the area has been a modest reduction in flows, hence the junctions should be working more effectively than what was originally reported in 2013.

There is also a budget allowance in the S106 for potential interim modifications to traffic signal timings if agreed between the developer and the highway authority. Which is subject to agreement with TfL, who would implement any changes.

The appropriateness of any such alterations is also likely to depend on the programmed implementation of the major works, which is yet to be determined. As there appears to be no overall increase in traffic it is not considered that any such changes are necessary to accommodate the additional traffic of the first units of Phase 4 in advance of the requirement for the major highway works.

## Major Highway Works

**LBB Comment** - The following reviews have been undertaken of the proposed design drawings DWGWHPAS-C-DWG- 4400 and DWGWHPAS-C-DWG-4405 to 4410:

- A Technical Audit by Capita dated August 2016
- A Road Safety Audit by Capita dated October 2016
- A Designers Response to the Road Safety Audit by Ch2m Hill dated December 2016
- A Draft Road Safety Audit Exception Report by the London Borough of Barnet dated March 2017

The following points require clarification:

ACSLs are shown on the drawings within the RSA but not the West Hendon Phase 4 Reserved Matters

TS. If the ACSL's have now been removed, although this may slightly increase capacity for vehicles this would impact on the promotion of cycling. Please confirm what is proposed, whilst we confirm with TfL their stance on ACSL provision.

There are pedestrian and vehicle conflict areas on Stanley Road. Therefore, pedestrian safe areas may be required.

Can it be confirmed that the loading bay on Station Road is being removed.

TS Appendix A Drg. No. 058-H1-07-120 Rev P2, 058-H2-07-120 Rev P2 - No dropped kerbs for refuse collection points within 10 metre drag distance.

TS Appendix B Drg. No. DWGWHPAS-C-DWG-4412 – It looks like a refuse vehicle is to reverse onto a ramp and collect. Refuse will not collect from ramps and this will need to be a level surface.

TS Appendix B Drg. No DWGWHPAS-C-DWG-4413 – Milton Road access from A5 is very tight and may result in vehicle over-run and a maintenance issue.

TS Appendix C – Has agreement be made for collection of bins from the A5?

**CH2M Response** - Currently CH2M are undertaking the detailed design for the major highway works, with the emphasis that ACSL's will be provided at all junctions within the study area as identified on the design drawings in Appendix E of the TS. Conversations are ongoing with TfL at present.

CH2M can also confirm that the loading bay located on Station Road is not being removed and will stay in its current location. With regard to pedestrian and vehicle conflict areas on Stanley Road, the Shared Surface has been created in order to create a 'homezone' feel and act as a form of traffic calming, principally by means of geometry but with sympathetically detailed traffic calming measures where required.

**Appendix B**, identifies that this particular stretch of road will have traffic calming measures such as a ramp, therefore reducing vehicle speeds and removing the risk of pedestrian and vehicle conflict. With reference to Drg. No. 058-H1-07-120 Rev P2, 058-H2-07-120 Rev P2 - and the reference to no dropped kerbs for refuse collection points. CH2M can confirm that this will be investigated further during the detailed design stage and dropped kerbs provided where necessary.

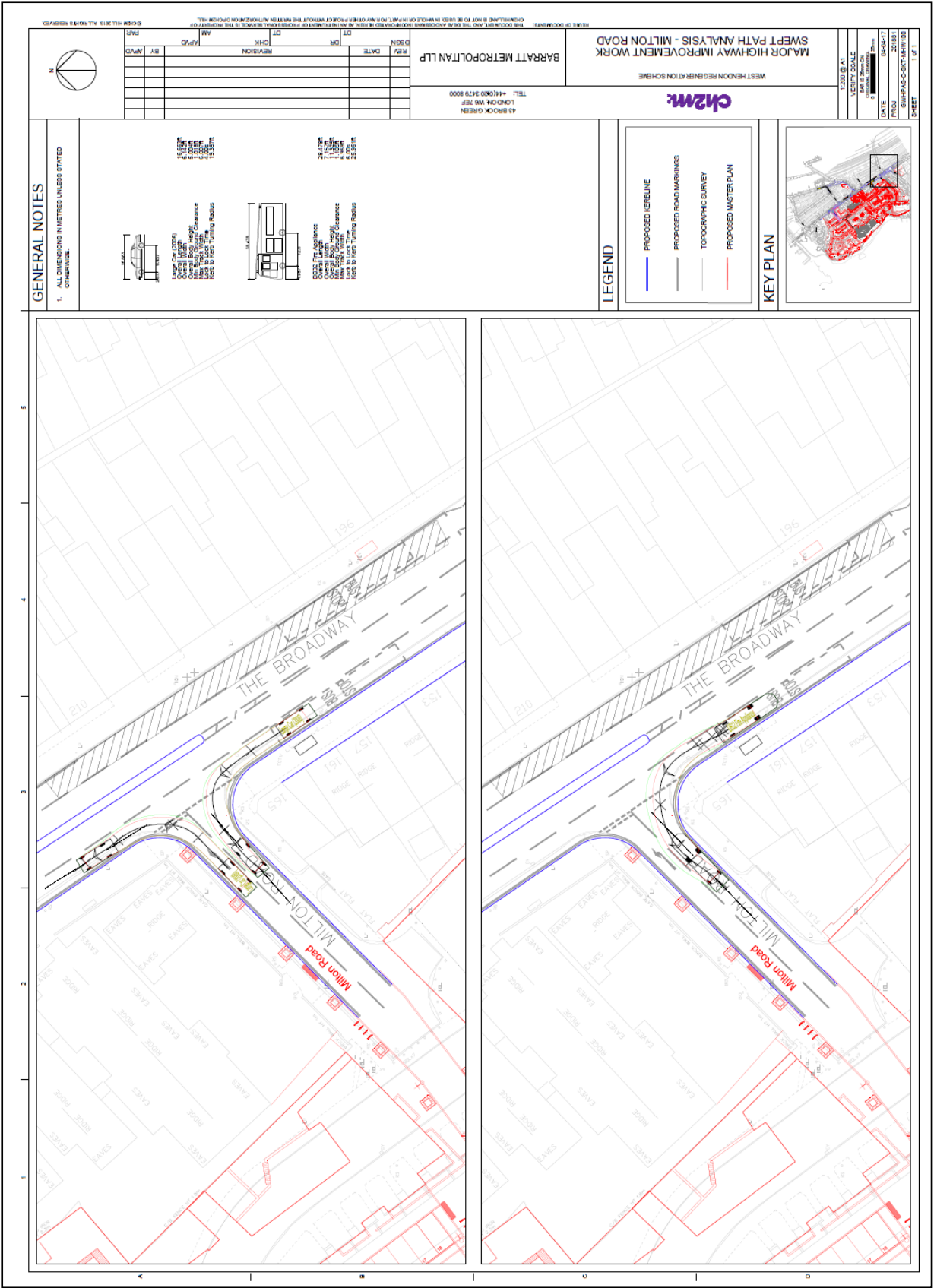
CH2M can confirm that no refuse vehicles will reverse onto a ramp for collection. This drawing error and confirm that all refuse will be collected at street level. Currently no agreement has been made for the collection of bins from the A5. However, it is envisaged that collection along the A5 would continue in its current form.

### AutoTrack Assessment

With reference to the Milton Road access from the A5 being tight and that vehicles would over run the kerb and cause maintenance issues, a revised swept path analysis has now been undertaken using the standard practice vehicles such as a fire tender and is provided for reference as GWHPAS-C-SKT-MHW100 in [Appendix C](#).

It should be noted that Milton Road forms the minor secondary access to the site with Ravenstone Road being designed as the main access route from both the A5 and the site. Therefore it is envisaged that certain vehicles of a certain size would use this to gain access instead. It is expressed that a car transporter is required to turn from the A5 into Garrick Road/Wilberforce Road/Herbert Road between the North Circular and West Hendon Broadway. A swept path assessment has been undertaken and is provided for reference on drawing GWHPAS-C-SKT-MHW101 and is located within [Appendix D](#).

By widening the junction Radii of Herbert Rd/Broadway to 8m the tracking demonstrates that a car transporter can undertake the required turning movements successfully if required. It is recommended that the Toyota garage is consulted during detailed design to establish the necessary design vehicle and agreed servicing route prior to finalising the highway design.





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**WEST HENDON REGISTRATION SCHEME**  
**MAJOR HIGHWAY IMPROVEMENT WORK**  
**SWEPT PATH ANALYSIS**  
**GARRICK / WBERFORCE / HERBERT**

**ch2m**  
 43 BROOK GREEN  
 LONDON W8 7TF  
 TEL: +44 (0) 20 775 8000

**BARRATT METROPOLITAN LLP**

REV	DATE	BY	CHKD	DT	DR

REV	DATE	BY	CHKD	DT	DR

L350 @ 1:1  
 VERIFY SCALE  
 DATE: 20/11/2018  
 PROJ: W8150-23-01-000  
 SHEET: 11.01.1

**GENERAL NOTES**

1. ALL DIMENSIONS IN METRES UNLESS STATED OTHERWISE

**LEGEND**

- PROPOSED KERBLINE
- PROPOSED ROAD MARKINGS
- TOPOGRAPHIC SURVEY
- PROPOSED MASTER PLAN

**KEY PLAN**

**Scale**

Overall Length: 0.0000m  
 Overall Width: 0.0000m  
 Overall Area: 0.0000m<sup>2</sup>  
 Overall Volume: 0.0000m<sup>3</sup>  
 Overall Weight: 0.0000kg  
 Overall Density: 0.0000kg/m<sup>3</sup>  
 Overall Mass: 0.0000kg  
 Overall Energy: 0.0000J  
 Overall Power: 0.0000W  
 Overall Force: 0.0000N  
 Overall Pressure: 0.0000Pa  
 Overall Temperature: 0.0000K  
 Overall Time: 0.0000s  
 Overall Frequency: 0.0000Hz  
 Overall Acceleration: 0.0000m/s<sup>2</sup>  
 Overall Velocity: 0.0000m/s  
 Overall Displacement: 0.0000m  
 Overall Distance: 0.0000m  
 Overall Angle: 0.0000rad  
 Overall Area: 0.0000m<sup>2</sup>  
 Overall Volume: 0.0000m<sup>3</sup>



**Appendix 13 – Location of Tenure Types**

