

MEETING

PLANNING COMMITTEE

DATE AND TIME

MONDAY 5TH NOVEMBER, 2018

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

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

Claire Farrier
Eva Greenspan
Brian Gordon

Kathy Levine
Tim Roberts
Shimon Ryde

Mark Shooter
Stephen Sowerby
Laurie Williams

Substitute Members

Val Duschinsky
Reema Patel
Gill Sargeant

John Marshall
Helene Richman
Simberg

Arjun Mittra
Gabriel Rozenberg

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

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

Andrew Charlwood – Head of Governance

Governance Service contact: governance.service@barnet.gov.uk

Media Relations contact: Gareth Greene 020 8359 7039

ASSURANCE GROUP

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ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 8
2.	Absence of Members	
3.	Declarations of Members' disclosable pecuniary interests and non-pecuniary interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Referral from Chipping Barnet Area Planning Committee, 15 October 2018 - Barnet Market (High Barnet Ward)	9 - 64
7.	Referral from Finchley and Golders Green Area Planning Committee, 15 October 2018: 1-5 Princes Parade and 1-3 Heather Gardens (Golders Green Ward)	65 - 112
8.	Colindale Gardens (formerly Peel Centre), Aerodrome Road, NW9 5JE (Colindale Ward)	113 - 140
9.	Land At 236 -252 Summers Lane London N12 0JY (Woodhouse Ward)	141 - 166
10.	Land West Of Edgwarebury Farm Edgwarebury Lane Edgware HA8 8QX (Edgware)	167 - 184
11.	Colindale Telephone Exchange (Colindale Ward)	185 – 256
12.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee

5 September 2018

Members Present:-

AGENDA ITEM 1

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

Councillor Claire Farrier	Councillor Shimon Ryde
Councillor Eva Greenspan	Councillor Mark Shooter
Councillor Brian Gordon	Councillor Stephen Sowerby
Councillor Kathy Levine	Councillor Laurie Williams
Councillor Tim Roberts	

Apologies for Absence
None

1. MINUTES OF THE LAST MEETING

The Chairman of the Committee, Councillor Wendy Prentice welcomed all attendees to the meeting.

It was **RESOLVED** that the minutes of the previous meeting held on 25th July 2018 be agreed as a correct record.

2. ABSENCE OF MEMBERS

None.

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

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

The Committee noted the addendum to the Planning Committee agenda items which had been published and tabled at the meeting.

6. CENTRAL RESERVATION HIGH ROAD LONDON N12 0AP - 18/3315/ADV

Officers introduced the report and addendum.

The Committee received an oral representation from Mr Peter Hale who spoke in objection to the application.

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

Voting was recorded as follows:

For: 7

Against: 4

Abstentions: 0

The Committee therefore RESOLVED to Approve the application subject to the conditions in the officer's report and addendum.

7. HENDON CEMETERY AND CREMATORIUM HOLDERS HILL ROAD LONDON NW7 1NB - 18/3958/FUL

Officers presented the report. The Committee noted the oral presentation of the applicant's agent.

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

Votes were recorded as follows:

For: 11

Against: 0

Abstentions: 0

The Committee therefore RESOLVED to Approve the application subject to the conditions in the officer's report.

8. CHURCH END LIBRARY 24 HENDON LANE LONDON N3 1TR - 18/3470/FUL

Officers introduced the report.

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

Voting was recorded as follows:

For: 11

Against: 0

Abstentions: 0

The Committee therefore RESOLVED to Approve the application subject to the conditions in the officer's report.

9. LAND AT 2 GERON WAY, LONDON NW2 6GJ - 17/6714/EIA

Officers introduced the report and addendum, and highlighted Recommendation 1 of the Officers Report advising that the planning application is subject to referral to the Mayor of London.

A representation in objection of the application was heard from Mrs Alison Hopkins, Ms Gill Close, Councillor Anne Clarke (Childs Hill), Councillor Lia Colacicco and Councillor Liz Dixon (neighbouring LB Brent Ward Members).

Following discussion of the item, the Chairman moved to vote on the recommendation in the cover report, which was to approve the application subject to conditions in the report and addendum and subject to there being no direction from the Mayor of London to call in or refuse the application.

Voting was recorded as follows:

For: 8

Against: 1

Abstentions: 2

The Committee therefore RESOLVED to Approve the application subject to the conditions in the officer's report and addendum.

10. 27 WOODSIDE AVENUE LONDON N12 8AT - 18/2032/FUL

Officers presented the report and addendum.

The Committee received a verbal presentation in objection to the application from Mr Stephen Millard. The applicant's agent addressed the Committee.

Councillor Farrier moved a motion for an additional condition restricting the use of the ancillary intervention centre only during daytime unless otherwise agreed by the Council.

The additional condition was unanimously approved:

The use of the intervention centre hereby permitted shall not be open to users before 8am or after 8pm daily unless otherwise agreed in writing by the Local Planning Authority.

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

Following discussion of the item, the Chairman moved to vote on the recommendation in the cover report, which was to approve the application subject to conditions in the report, the addendum and the additional condition set out above.

Voting was recorded as follows:

For: 11

Against: 0

Abstentions: 0

The Committee therefore RESOLVED to Approve the application subject to the conditions in the officer's report and addendum and the additional condition set out above

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

None.

The meeting finished at 9.20 pm

	AGENDA ITEM 6 Planning Committee 5 November 2018
	<p>Title Referral from the Chipping Barnet Area Planning Committee: Barnet Market</p> <p>Report of Head of Governance</p> <p>Wards High Barnet</p> <p>Status Public</p> <p>Enclosures Appendix A – Report considered by Chipping Barnet Area Planning Committee – Barnet Market Appendix B – Chipping Barnet Area Planning Committee 15.10.18 Addendum to Officers Report - Barnet Market</p> <p>Officer Contact Details Jan Natynczyk, Governance Officer Jan.natynczyk@barnet.gov.uk 020 8359 5129</p>

<h3>Summary</h3>
<p>Agenda Item 9 (Barnet Market) of the Chipping Barnet Area Planning Committee on 15 October 2018 was referred up to Planning Committee, by the Chairman in accordance with the Council’s constitution. The Planning Committee is therefore requested to consider the recommendations and take a decision on them.</p>

<h3>Recommendations</h3>
<p>1. That the Planning Committee consider and determine the application as set out in the report previously considered by the Chipping Barnet Area Committee</p>

1. WHY THIS REPORT IS NEEDED

- 1.1 The Constitution allows the Chairman of an Area Planning Committee to refer, prior to a vote being taken, any item that that he/she feels should be determined by the main Planning Committee. The Chairman must also give reasons for referring the item.
- 1.2 The attached report was considered by the Chipping Barnet Area Planning Committee on 15 October 2018.

2. REASON FOR REFFERAL

- 2.1 The Chairman referred the matter to main Planning Committee on the following grounds:

The Chairman informed the Committee, that he had decided to refer the Chipping Barnet Market planning application to the main Planning Committee by virtue of paragraph 2.3 (e) of the Council's constitution. The reasons being that the former site of Barnet Market was a town centre strategic site and the planning application was relevant to the regeneration of a town centre and regenerating town centres was a strategic objective. Councillor Sowerby considered that the Barnet Market application would be more appropriately determined by the main Planning Committee which was principally responsible for strategic and regenerative applications.

It was also noted that the speakers' rights would also be automatically transferred to the main Planning Committee.

3. REASONS FOR RECOMMENDATIONS

- 3.1 As set out in the substantive report.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 4.1 As set out in the substantive report.

5. POST DECISION IMPLEMENTATION

- 5.1 As set out in the substantive report.

6. IMPLICATIONS OF DECISION

- 6.1 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**
- 6.2 As set out in the substantive report.
- 6.3 **Legal and Constitutional References**

6.3.1 The Council's constitution, permits a Chairman of an Area Planning Committee, to refer an application to the main Planning Committee, provided that it is referred before the vote is taken. The Chairman must give reasons for referring the application.

6.4 **Risk Management**

6.5 As set out in the substantive report.

6.6 **Equalities and Diversity**

6.7 As set out in the substantive report.

6.8 **Consultation and Engagement**

6.9 As set out in the substantive report.

7. **BACKGROUND PAPERS**

7.1 None.

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Location	Site Of Barnet Market Chipping Close Barnet EN5 4LP	
Reference:	18/5395/FUL	Received: 4th September 2018 Accepted: 4th September 2018
Ward:	High Barnet	Expiry 4th December 2018

Applicant:

Proposal: Erection of a part three, part four storey building to create a hotel (Class C1) and ancillary restaurant with associated parking, access, servicing, boundary treatments and other associated works

Recommendation: Approve subject to s106

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

RECOMMENDATION I:

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

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

1. A contribution of £10,000 towards the monitoring of the Travel Plan for the development.
2. S278 works for the upgrade of paving on St Albans Road and implementation of noise reducing paving material on Chipping Close.
3. CPZ monitoring (£10,000), consultation (£15,000) and implementation (£10,000).

4. A contribution of £91,688 towards the provision of apprenticeship schemes and employment training within the Borough.
5. An agreement that the relocation of the Barnet Market (ref: 18/2483/FUL) will be fully implemented before site works (excluding site investigations, groundworks, site preparation and mobilisation) relating to this application are commenced. Fully implemented means all conditions are discharged and the use commences.
6. A contribution of £3,050 towards the monitoring of the S106 agreement.

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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

Site Location Plan (PL101)
Proposed Landscape Plan (PL002 Rev. A)
Proposed Site Plan (PL003 Rev. C)
Proposed Ground Floor Plan (PL004 Rev. F)
Proposed First Floor Plan (PL005 Rev. D)
Proposed Second Floor Plan (PL006 Rev. D)
Proposed Third Floor Plan (PL007 Rev. D)
Proposed Roof Plan (PL008 Rev. D)
Proposed Sections (PL010 Rev. C)
Proposed Elevations (PL011 Rev. C)

Drainage Strategy (ARUP - 28 August 2018)
Air Quality Assessment (ARUP - 29 August 2018)
Acoustic Planning Report (ARUP - 24 August 2018)
Sustainability Statement (ARUP - 29 August 2018)
Utilities Report (ARUP - 25 April 2018)
Archaeological Evaluation Report (MOLA - 12th March 2018)
Daylight and Sunlight Report (Malcolm Hollis - 03 September 2018)
Delivery and Servicing Management Plan (rpg - August 2018)
Transport Statement (rpg - August 2018)
Travel Plan (rpg - August 2018)
Ground Investigation Report (Hunter - September 2017)
Site Plan and Investigation Locations (Chandos Remediation Ltd - Appendix A)
Heritage Statement (Turley - August 2018)
Tree Survey (FLAC - August 2018)

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

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

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

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

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

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

- 4 a) Prior to their use in the development, details of all new facing brickwork and natural slate roofing materials, including sample panels to be provided on site showing brick bond and pointing for the external surfaces of the building hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority.

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

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

- 5 a) Prior to their installation, details of dormer windows at a scale of 1:20 for the building hereby approved shall 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), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 6 a) Prior to their installation, details of the conservation-type rooflights, timber sash windows including cills and reveals, external doors, chimney stacks and pots and cast metal rainwater goods for the building hereby approved shall 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), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

7 a) Prior to the installation of the shopfront, details of the timber shopfront of the building hereby approved, shall 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), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

8 a) Prior to the construction of the roof and eaves, details of the Chipping Close and St Albans Road eaves treatment for the building hereby approved, including design and materials, shall 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), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

9 a) The development shall not be occupied until details of soft landscaping along St Albans Road and Chipping Close elevations have been submitted to and agreed in writing by the Local Planning Authority.

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

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.

10 a) The development shall not be occupied until a scheme of hard landscaping has been submitted to and agreed in writing by the Local Planning Authority.

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

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

11 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. Details should include the fence and gate located between the building hereby approved and no.3 St Albans Road and all other boundary treatments.

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

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

12 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. PL004 Rev. F shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

13 Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include for the provision of 20% active and 20% passive parking spaces with electric vehicle charging facilities. The development shall be implemented in full accordance with the approved details prior to first occupation 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.

14 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be 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 the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and 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.

- 15 Before the development hereby permitted is occupied disabled parking spaces shall be provided in accordance with the London Plan Parking Standards. Thereafter, the parking spaces shall only be used as agreed and not for any purpose other than parking and turning of vehicles for the disabled use in connection with approved development.

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

- 16 a) Notwithstanding the details submitted with the application and otherwise hereby approved, the development shall not be occupied 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).

- 17 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 with the Highways Authority under Section 278 Agreement of the Highways Act, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses,

consequential damage to public highway as a result of the proposed development, and pedestrian footway upgrade works to Chipping Close (south side) and St Albans Road (west side).

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority 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.

- 18 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.

- 19 The premises shall be used for C1 (Hotel) and an ancillary ground floor restaurant and bar and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

- 20 The restaurant and bar associated with the hotel use shall not be open to non-resident guests after 11pm.

Reason: To ensure appropriate use of the site and safeguard the amenities of the area.

- 21 Prior to above ground works, 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 shall have 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.

- 22 Prior to above ground works, impact studies of the existing water supply infrastructure shall have been submitted to, and approved in writing by, the local planning authority. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

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

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

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

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

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

25 a) Prior to the first occupation of the development hereby approved, installation of mechanical plant and ventilation / extraction equipment, a report 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 shall have 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.

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

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

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

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

The submitted Construction Method Statement shall include as a minimum, details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- For major developments only: provide a copy of an asbestos survey;
- For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
- Details of contractor's compound and car parking arrangements;
- Details of interim car parking management arrangements for the duration of construction;
- Details of a community liaison contact for the duration of all works associated with the development.
- A competent Banksman should be employed to monitor and manage vehicle traffic accessing and exiting the site to ensure pedestrian and highway safety

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2011).

- 28 Provisions shall be made within the site or adjacent private land 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.

- 29 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 6.00 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).

- 30 a) Prior to the occupation or use of the building hereby approved, a detailed assessment of the kitchen extraction unit, which assesses the likely impacts of odour and smoke on the neighbouring properties shall be 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).

- 31 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.

- 32 a. 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.

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

33 a) Prior to installation, details and the location of security alarms and CCTV Cameras for the building hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority.

b) The details approved as part of this condition shall be retained as such thereafter.

Reason: To safeguard the amenities of occupiers of the hotel and neighbouring residential properties in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012) and Policy DM01 of the Development Management Policies DPD (adopted September 2012).

34 Prior to the hotel being brought into first use, details and specifications of all external lighting to be installed as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development and thereafter be maintained as such.

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

35 a) Prior to their installation, details of the Photovoltaic Panels, including their design, height and visual impact on the building hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority.

b) The approved details shall be fully implemented and retained as such thereafter.

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

36 a) Prior to the first occupation of the building hereby approved, details of a plaque or floor slab commemorating the historical significance of the Barnet Market site shall have been submitted to and approved in writing by the Local Planning Authority, and fully implemented and retained as such thereafter.

Reason: To safeguard the character 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), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 37 No live, amplified, or audible music shall be played at the restaurant and bar of the building hereby approved after 10.30pm Sunday to Thursday and after 11pm Friday and Saturday.

Reason: To safeguard the amenities of occupiers of adjoining residential properties as per Policy DM01 of the Development Management Policies (2012).

- 38 Prior to the first occupation of the development hereby approved, a 'Secured by Design' accreditation shall be obtained and submitted to and approved, in writing, by the Local Planning Authority.

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

RECOMMENDATION III:

- 1 That if the above agreement has not been completed or a unilateral undertaking has not been signed by 01 March 2019, unless otherwise agreed in writing, the Service Director - Planning and Building Control REFUSE the application under delegated powers for the following reasons:

The proposed development has not provided a Travel Plan. The proposal would therefore not address the impacts of the development on the adjacent public highway network, the free flow of traffic and the provision of car and cycle parking. This would be contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

The applicant has failed to pay the CPZ monitoring fees to enable the Council to assess whether the public should be consulted on a local CPZ review, and to pay for the implementation of an extension to CPZ hours if required. The proposal would therefore not address the impacts of the development on the adjacent public highway network, the free flow of traffic. This would be contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

The proposed development has not provided a Local Employment Agreement. The proposal would therefore not address the impacts of the development for local employment and skills and training opportunities. This would be contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Insufficient assurances have been provided to ensure the relocation of the Barnet Market will be fully implemented before site works commence at the application site.

The proposal would therefore not address the impacts of the development on the Barnet Market and would result in the loss of a valuable public amenity. This would be contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

The applicant has failed to pay a monitoring fee to ensure the s.106 agreements are fully implemented. This would be contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

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

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

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

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

- 4 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 5 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 6 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 7 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.
- 8 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

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

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

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;

- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

- 9 Any highway approval as part of the planning process for the alteration or removal of the existing crossovers or provision of new crossovers will be subject to detailed survey by the Crossover Team in Environment, Planning and Regeneration as part of the application for 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 Regulatory Service, Traffic and Development, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP
- 10 Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.
- 11 Refuse collection points should be located within 10 metres of the Public Highway; otherwise, unobstructed access needs to be provided to the refuse vehicle on the day of the collection. The development access would need to be designed and constructed to allow refuse vehicles to access the site. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 12 The applicant is advised that Great North Road is Traffic Sensitive Road; deliveries during the construction period should not take place between 7.00am-9.30am and 4.30pm-7.00pm Monday to Friday and from 9.00am to 4pm on Saturday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development Regulatory Service should be consulted in this respect.
- 13 The applicant is also advised that the development is located in the vicinity of a Strategic Road Network (SRN) and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.

- 14 The footway and the carriageway of St Alban's Road must not be blocked during the development of the proposal. Temporary obstructions during the construction of the development must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the High Road.
- 15 All vehicles associated with the development must only park/stop at permitted locations and within the time periods permitted by existing on-street restrictions.
- 16 The costs of any associated works to public highway, including reinstatement works, will be borne by the applicants and may require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
- 17 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

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

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

- 18 Surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

Officer's Assessment

1. Site Description

The application site is located on the corner of St Albans Road and Chipping Close and contains a surface level car park used to accommodate the Barnet Market on Wednesdays and Saturdays. Planning permission has recently been granted to relocate the Barnet Market to the front of the nearby Spires Shopping Centre on Staplyton Road. The original cattle market sheds and boundary walls of the market have been demolished.

The site is surrounded by a mix of uses and building forms, with more lower density residential uses to the north and higher density mixed use buildings to the south. Indeed, to the north is a terrace of two-storey residential dwellings, with a three-storey residential unit located on the northern side of Chipping Close at the junction with St Albans Road. To the south of the site is the service yard of the Spires Shopping Centre, to the west is The Spires Shopping Centre and passageway linking Staplyton Road and Chipping Close and to the east is St Albans road which has a mix of single to three-storey buildings containing a mix of retail, office, restaurant and residential uses. 50m to the south along St Albans Road is the junction with the High Street which runs on a north-south axis and forms the main access route through the Chipping Barnet Town Centre containing a mix of uses, building forms and scales.

The application site is located on the southern edge of the Monken Hadley Conservation Area but contains no statutory or locally listed buildings. The application site's eastern boundary is classified as a Primary Shopping Frontage within the Chipping Barnet Town Centre. The site is identified within the Chipping Barnet Town Centre Strategy as being located within the 'retail triangle', given its location adjacent to the Spires Shopping Centre, St Albans Road and the High Street and its role in accommodating the Barnet Market.

The application is located within a Flood Zone 1 Area and does not contain within its curtilage any trees subject to Tree Preservation Orders (TPO).

2. Site History

Reference: 18/2591/FUL

Description: Erection of a part three, part four storey building to create a hotel (Class C1) and ancillary restaurant with associated parking, access, servicing, boundary treatments and other associated works

Decision: Refused

Decision Date: 01/08/2018

Reasons for Refusal:

1. The proposed development by reason of its three-storey scale and close relationship to residential dwellings along Chipping Close, would result in a harmful level of enclosure and overlooking from the third-floor clear glazed hotel bedroom windows detrimental to the amenities of neighbouring occupiers on Chipping Close. As such this would be contrary to Policy DM01 of the Development Management Policies (2012) and CS5 of Barnet's Core Strategy (2012).

2. The proposed pedestrian entrance/access on Chipping Close would result in an increased level of pedestrian activity and lead to unacceptable levels of noise and disturbance from comings and goings to the detriment of the Chipping Close residents. As

such this would be contrary to Policy DM01 of the Development Management Policies (2012) and CS5 of Barnet's Core Strategy (2012).

3. The proposed development would provide inadequate access to the hotel via Bruce Road which would encourage users of the hotel to drive onto and access the hotel via the Chipping Close entrance and as a result this would have a harmful impact on the neighbouring occupiers of Chipping Close by way of increased noise and traffic congestion. As such this would be contrary to Policy DM01 of the Development Management Policies (2012) and CS5 and CS9 of Barnet's Core Strategy (2012).

Reference: 18/2483/FUL

Description: Change of use from public realm (sui generis) to retail (Class A1) and food and drink (Class A3) to facilitate the relocation of Barnet Market

Decision: Approved subject to conditions

Decision Date: 06/07/2018

Reference: B/02642/12

Description: The provision of new facilities and infrastructure in association with the continued use of the site as a market comprising:-Resurfacing of the site and the installation of new drainage infrastructure; the provision of three container buildings to provide secured storage, office, mess room and W.C. facilities in connection with the continued use of the site as a market; removal of the existing hoardings and gates and the construction of new and relocated means of enclosing the site including post and rail fencing, vehicle height restriction barriers and bollards; reopening of the pedestrian and vehicular access onto Chipping Close; the provision of refuse and recycling storage facilities; the installation of security lighting and infrastructure to supply market stallholders and operators with electricity; and new soft landscaping including the planting of 10 trees.

Decision: Approved subject to conditions

Decision Date: 12/06/2013

Reference: B/02643/12

Description: The provision of new facilities and infrastructure in association with the permanent retention of the use of the site as a market on the Wednesday and Saturday of each week and the temporary change of use (for a period of not more than five years) of the site to a pay and display car park on the Monday, Tuesday, Thursday, Friday and Sunday of each week comprising: Resurfacing of the site and the installation of new drainage infrastructure; the provision of three container buildings to provide secured storage, office, messroom and W.C. facilities in connection with the continued use of the site as a market; removal of the existing hoardings and gates and the construction of new and relocated means of enclosing the site including post and rail fencing, vehicle height restriction barriers and bollards; reopening of the pedestrian and vehicular access onto Chipping Close; the provision of refuse and recycling storage facilities; the installation of security lighting and infrastructure to supply market stallholders and operators with electricity; and new soft landscaping including the planting of 10 trees; marking out the new surface to provide 47 pay and display car parking spaces (to be used as such only on the Monday, Tuesday, Thursday, Friday and Sunday of each week); the provision of 2 pay and display parking ticket machines

Decision: Approved subject to conditions

Decision Date: 12/06/2013

Reference: B/03642/10

Description: Extension to the time limit for implementing planning application N12197C/05 granted 03/11/05 for 'Redevelopment of site comprising part two, part three-storey building

for continued use as a market on the ground floor, with a total of 14 residential units on the upper floors with associated amenity space, and basement parking (accessed from Chipping Close) for 27 cars.'

Decision: Approved following legal agreement

Decision Date: 30/08/2011

Reference: N12197C/05

Description: Redevelopment of site comprising part two, part three-storey building for continued use as a market on the ground floor, with a total of 14 residential units on the upper floors with associated amenity space, and basement parking (accessed from Chipping Close) for 27 cars.

Decision: Approved following legal agreement

Decision Date: 04/11/2005

Reference: N12197A/01

Description: Redevelopment of site, comprising a part 2, part 3 storey building for continued use as a Market on the ground floor with 9 residential units on the upper floors with open amenity area at 1st floor level.

Decision: Approved following legal agreement

Decision Date: 23/10/2002

3. Proposal

- Erection of a part three and part four-storey building to create a hotel (Class C1) and ancillary restaurant on ground floor.
- Associated parking, site access, servicing, boundary treatments and other works.

4. Public Consultation

Consultation letters were sent to 477 neighbouring properties. 118 responses were received comprising 42 letters of support, 0 representations and 80 objections. The public comments received can be summarised as follows:

Support:

Design:

- The changes in the resubmitted plans address the issues for refusal.
- The design is sympathetic to the area and will smarten up what is currently an empty unusable car park.
- The developers have listened to the legitimate concerns raised by local residents and responded appropriately and gone to lengths to design a building which is sympathetic to the architecture of our area.

Economic Benefits:

- The hotel will bring more custom, trade and jobs to the local area.
- Profits from the sale of the land is promised towards even further improvements in and around The Spires which will give a bigger boost to the area and attract more retailers to take up some of the empty units.
- The development will bring greatly needed foot traffic to the area and additional revenue for our local shops.

- The High Street is desperately in need of economic boosts such as will be provided by the proposal.
- The hotel will have a direct benefit in attracting new tenants to the empty shops in the Spires Shopping Centre.
- High Barnet needs an economic stimulant like this development.
- The money from the sale of the land is needed for investment in the Spires and could help attract big name retailers to consider opening in Barnet.
- The proposals will create local employment opportunities for the hotel of varying skills and levels. It will also create additional employment during construction and support local businesses through various servicing contracts required for the operation of the hotel.
- As part of the application, significant s.106 and CIL payments will be made to support local employment opportunities for Barnet residents and local infrastructure.
- The hotel will bring value in the long term.

Use:

- Friends and family of local residents will use the proposed hotel.
- The site has previously been granted planning permission for a much larger structure and the likelihood is that if this project is rejected a much more objectionable building with worse traffic and parking implications will take its place.
- With the success of the Medieval Festival and historic Barnet, our town will become a destination for tourists and with the opening of a local Premier Inn they will have somewhere to stay.
- The development will regenerate a derelict site.

Parking:

- The marginal increase in traffic will be well worth the value brought to the area.
- The Spires parking garage is never full, especially at night when hotel guests will use it and the subsidised rate will mean that very few will want to park far enough away to avoid the CPZ areas.
- The worries about extra traffic are exaggerated - this is not a 500-room hotel.
- The "Market" is a carpark now most days of the week. Making the NCP 24/7 will take hotel guest's cars away from the High Street and into the NCP where they will most likely stay put for the duration of their visit.

The Barnet Society:

Supports this application in principle, but only subject to the following conditions being imposed as part of its approval. Premier Inn must be required to:

1. Provide guest access between The Spires car park and the hotel via a safe pedestrian route to the south-east (Spires yard) side of the building.
2. Provide a financial contribution towards the relocation of Barnet Market to The Spires bandstand site.
3. Provide a financial contribution towards upgrading the Stapylton Road park (the 'grassy knoll' site adjoining the bandstand site) including better facilities there for bus travellers, bus drivers and shopper set-down and pick-up, and other landscape improvements with a view to possible future expansion of the market and discouraging anti-social behaviour.
4. Offer training and/or apprenticeships, with (other things being equal) priority given to local people.

Object:

Design:

- The development will dwarf the properties opposite on Chipping Close and is too close.
- The changes to the proposal have done nothing to address the height of the building, proximity to the cottages and lack of privacy and light.
- The site is too small for a development of this size.
- A greater setback of 21m should be provided between the proposed development and the houses opposite on Chipping Close.
- The use of opaque glazing should be kept to a minimum.
- The scale and mass of the build will be out of character with the wide green streets that make Chipping Barnet.
- The design is out of context and character with the surrounding area.
- The proposed development is built up to the edge, with no border, no room for trees or plants to soften the bleakness of the scale of development and would result in the loss of trees.

Use:

- There is no need for a hotel in the vicinity. There are already budget hotels at South Mimms, Totteridge and Boreham Wood, less than a mile in each direction.
- The application site is a residential area and not suitable for a hotel.
- Business hotels such as these do not encourage spending in local shops and businesses.
- There are many empty buildings in and around the High Street which need to be addressed and re used.
- The site would be put to better use as flats or social housing, where occupants will make more use of public transport and the local shops and services.
- Other than business rates and some low paid jobs, there is no concrete evidence of long term benefits to the economy of Barnet. It is unclear how many apprenticeships etc will benefit local residents.
- The inclusion of a restaurant will be to the detriment of other restaurants in Barnet.
- The development will result in the loss of a market.
- There will be no tangible benefit to the community of Chipping Barnet.
- The proposed market site will not be able to accommodate a successful market.
- Premier Inn is going to be sold to an international investor with completely unknown intentions. We have no idea what the building will actually be even before it is opened.

Amenity:

- The development will generate noise, light and environmental pollution which will affect the quality of life for neighbouring residential occupiers.
- The residents of Chipping Close will still lose a considerable amount of light.
- The adjacent residential properties will face devaluation.
- A significant concern is the application for a late license every single day of the week until 12.30am.
- Litter and anti-social behaviour in-between Chipping Close and Staplyton Road needs to be addressed as part of this development.
- Guests will gather outside the entrance to smoke, again causing a nuisance. Particularly so if the hotel is granted a licence to serve alcohol everyday from 10am to 12:30am (extended on holidays) and with a provision to play live music.

- The development will have a detrimental impact on the local sewer and water infrastructure.
- The main entrance has been moved from Chipping Close to Bruce Road, but with no pedestrian access down that side of the building. Almost all pedestrian access will still be down Chipping Close.

Highways:

- The hotel will generate further traffic onto already congested roads.
- Hotel residents are likely to come with cars, and with parking at a premium in Barnet and people unlikely to pay for the Spires car park, this will create significant parking issues.
- Parking permits are already almost worthless as anyone can park in Chipping Close after 6pm and before 8am.
- The site does not benefit from a high standard of cycle infrastructure so it is unlikely that staff and guests will access the hotel by cycle.
- The local roads are congested and over capacity. The hotel development will exacerbate this problem.
- The new entrance is not visible from the street so this will lead to car's missing the left turn on to Bruce Rd and instead will go down Chipping Close.
- There is no evidence of a deal between the Spires' NCP and the hotel and what guarantees are there of its permanence.
- To avoid potential parking impacts, the Council should either implement 24/7 controlled parking in local streets, or specify that Premier Inn must enhance their legal arrangement with The Spires to provide free customer parking in the Spires carpark.
- The proposed use of Bruce Grove for access to the hotel raises concerns given its location close to a main junction creates a potential danger.

Consultation conducted by Applicant:

The applicant has conducted their own public consultation meetings where attendees were encouraged to fill in a comment card to express their opinions and views on the proposed development. The comment cards received provided the following results:

Supportive: 24
 Don't Know: 1
 Object: 5

Further details of the applicant's engagement with the local community is outlined in the Record of Engagement document submitted as part of this application.

Statutory Consultees:

Heritage & Conservation: Acceptable subject to conditions
 Environmental Health: Acceptable subject to conditions
 Highways: Acceptable subject to S.106 agreements and conditions
 Sustainable Urban Drainage: Conditions required
 Historic England: No objection
 The Greater London Archaeological Advisory Service (GLAAS): No objection
 Thames Water: No objection
 Fire Brigade: No objection
 Employment and Skills: Acceptable subject to S.106 agreement

We see the Premier Inn development as a vote of confidence in the town centre. It has the potential to contribute to and enhance Chipping Barnet by attracting new visitors and improving the built environment. There is the potential for increased footfall and spend in the area, in pubs, restaurants and shops. The scheme will generate Section 106 funding that will be ringfenced to support economic development projects in the town centre. The hotel will require approximately 50 staff members and we plan to work with Whitbread and other partners to ensure that as many of these jobs as possible go to Barnet residents. Should this development go ahead, we plan to work with the hotel, the Town Team and others to maximise the benefits locally. The Council proposes to ringfence this commuted sum payment exclusively for expenditure on skills, employment, enterprise and training activities related to Chipping Barnet Town Centre.

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.

Draft Mayor's London Plan

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS6, CS10, CS14, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM11, DM13, DM17.

Supplementary Planning Documents

- Sustainable Design and Construction SPD (2016)
- Chipping Barnet Town Centre Strategy (2013)
- The Spires Shopping Centre, Market Site and Territorial Army Centre - Chipping Barnet (July 2012)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of site redevelopment
- Whether harm would be caused to the character and appearance of the application site, the wider street scene and the Monken Hadley Conservation Area;
- Whether harm would be caused to the amenity of neighbouring residents;
- Whether harm would be caused to parking and traffic in the surrounding area;
- Whether the proposed development meets sustainability standards;
- Whether sufficient refuse storage has been provided.

5.3 Assessment of proposals

Principle of Site Redevelopment

This application seeks permission for a part three, part four-storey hotel (Class C1) on the site of the Barnet Market. The proposed development would create 100 hotel rooms, a 260m² ancillary restaurant at ground floor level and provide associated car and cycle parking via Bruce Road and the NCP car park on Staplyton Road. As outlined in the planning history section above, a similar scheme for a hotel and ancillary ground floor restaurant at the application site was previously refused by Committee (ref: 18/2591/FUL dated 01/08/2018). This application seeks to address the previous reasons for refusal as listed in the site history section above, through a series of design and highway-related amendments and solutions:

As highlighted, the previous scheme was primarily refused on amenity grounds resulting from vehicular and pedestrian movements and the building's design relating to siting, window design and building entrances. The principle of a hotel and ancillary restaurant at the application site and the building's form were accepted as part of the previous application. Therefore, the revised scheme has not sought to significantly alter the building form and size of the development in terms of overall bedroom count or restaurant size, but has instead proposed design and highways solutions which directly address the stated reasons for refusal. Following the refusal of the previous planning application (ref: 18/2591/FUL), the applicant has proactively engaged with all council and public stakeholders to understand outstanding concerns and address these within this application. This process has been documented in the Record of Engagement submitted as part of this application. The outstanding issues raised by members of the public broadly aligned with the previous reasons for refusal which comprise of a general increase in noise and disturbance resulting from pedestrian and vehicular comings and goings, loss of residential amenity to dwellings opposite on Chipping Close and traffic and parking concerns. Other points were raised by members of the public and these have been broadly

captured in the public consultation response listed above. Based on the two public consultation sessions ran by the applicant, it was documented that 54% of those who attended supported the revised scheme and the proposed solutions.

For clarity, the changes proposed in response to the previously refused application (ref: 18/2591/FUL) comprise of the following:

To address Reason for Refusal 1:

- Part obscure glazing to all windows facing Chipping Close (bottom half of the window).

Part obscure glazing was a design approach used and accepted for a previous permission on site for a mixed market / residential scheme of a similar scale (ref: B/03642/10 - 'Redevelopment of site comprising part two, part three-storey building for continued use as a market on the ground floor, with a total of 14 residential units on the upper floors with associated amenity space, and basement parking (accessed from Chipping Close) for 27 cars').

- Further building set-back of 0.25m along the Chipping Close Elevation. This results in a 10.55m set-back from the residential dwellings opposite on Chipping Close and 11.33m where the building is recessed.

The distance is now a minimum of 1.55m further away from the existing dwellings on Chipping Close than the previous consented scheme on the site (ref: B/03642/10) and includes a pavement width of 2.7m. This is the maximum set-back that can be provided before the development is no longer viable in terms of bedroom size and internal functionality.

To address Reasons for Refusal 2 and 3:

- The main hotel entrance has been relocated from Chipping Close to Bruce Road. There is now no hotel access points along Chipping Close.
- Relocation of the restaurant entrance from the corner of St Albans Road and Chipping Close so it is sited solely on St Albans Road, a Primary Shopping Frontage as stated within the Development Management Policies (2012).
- The applicant has agreed to enter into a Section 106 agreement to provide financial contributions to enable a CPZ (Controlled Parking Zone) review of the surrounding streets.
- The applicant has agreed to provide noise reducing paving along Chipping Close via a S.278 agreement.

Given the majority of the proposed development remains largely the same as the previously refused scheme, this report will focus more on assessing whether the proposed changes have adequately addressed the previous reasons for refusal. Where elements of the previously refused scheme were accepted, such as the overall building form, design detailing and visual impact on the streetscene, Chipping Barnet Town Centre and wider Monken Hadley Conservation Area, no detailed comments or justification will be made.

While the previous application accepted the principle of a hotel and ancillary restaurant at the application site, it is worth for the purposes of clarity and given the number of public comments received, to again summarise why the proposed use is considered acceptable

in view of local planning policy and the wider Chipping Barnet Town Centre Strategy. Firstly, for the avoidance of doubt, planning permission has recently been granted to relocate the Barnet Market to the front of The Spires Shopping Centre on Staplyton Road (ref: 18/2483/FUL). It is envisaged that the relocation of the market will provide a greater level of visibility and generate increased footfall with the aim of securing the long-term viability and future of an important community amenity. Should this application be recommended for approval, it would be subject to a s.106 agreement which requires the relocation of the market to be implemented before development on the hotel can commence. Council Planning Officers are currently in discussion with the stakeholders responsible for the relocation of the market to ensure all relevant conditions are promptly discharged to expedite the relocation process.

The relocation of the market would result in a vacant brownfield site located within the Chipping Barnet Town Centre and along the Primary Shopping Frontage on St Albans Road becoming available for redevelopment. This site and its development potential lies at the heart of the Chipping Barnet Town Centre Strategy (2013) and 'retail triangle' outlined in the Spires Shopping Centre, Market Site and Territorial Army Centre (2012).

Map 5 of Chipping Barnet Town Centre Strategy (2013) shows that the market site is located within Character Area 3 'High Street - Principle Retail Area'. This is due to its proximity to The Spires Shopping Centre, the High Street and the service offering the market itself delivered. The Spires Shopping Centre, Market Site and Territorial Army Centre (2012) refers to this area as the 'retail triangle' and along with the Chipping Barnet Town Centre Strategy (2013) provides a range of objectives and strategies to promote its long-term viability and vibrancy from a design, economic and social perspective.

Within this area the Chipping Barnet Town Centre Strategy (2013) identifies the following objectives:

- *Improve the quality and range of the retail and leisure offer within the town centre with re-provision of the historic Barnet Market at its heart.*
- *Encourage reasonable expansion and improvement of the retail offer.*
- *Secure the future of Barnet Market so it is able to effectively contribute to the town centre economy.*
- *Identify development sites and encourage development on these to bring investment and new uses to the town centre.*

The Spires Shopping Centre, Market Site and Territorial Army Centre (2012) expands on the above by stating an important aim of the 'retail triangle' is 'Enhancing the vitality and viability of the town centre'. It states a desire for:

An appropriate mix of land uses that generate and attract activity at different times and days of the week in an area is key to achieving vitality. One of the problems in this part of Chipping Barnet is that it is a largely retail dominated area which becomes very quiet in the evening.

In order to achieve this stated aim, The Spires Shopping Centre, Market Site and Territorial Army Centre (2012) proposes three strategies:

- *Enhancing and expanding the offer provided by the Spires through opening up its current frontage and improving pedestrian linkages through the centre.*

- *Exploring opportunities to incorporate Barnet Market into the Spires thereby creating a retail triangle between the High Street / the Spires and Barnet Market and enhancing access and viability of all three retail offers.*
- *Improving the layout of units to encourage take up by established retailers thereby providing further anchor attractions to encourage footfall to this part of the centre.*

The stated local policy documents place significant importance on the long-term viability and vibrancy of the retail triangle and wider Chipping Barnet Town Centre. This is to be delivered through the development of an expanded retail and service offering that seeks to increase footfall throughout the day, deliver new investment into the town centre and attract anchor attractions that bring new end users into the town centre. These strategies place the long-term future of the Barnet Market at its core, with its relocation a stated strategy. The proposed development would align with these stated aims and objectives.

Policy DM11 outlines the development principles for Barnet's Town Centre. It states that:

The council will consider hotels and hostels as tourism related development and expect them to locate in a town centre with good public transport links with central London. There are fourteen districts and one major town centre in Barnet, of which twelve have tube or rail links with central London. Due to the potential impact on residential amenity the development of hotels or hostels just outside the town centre boundary will not be acceptable.

This states very clearly that hotels are not only an appropriate use within a town centre location, but that the Council expects new hotels to be located there. Therefore, it is considered that the provision of a hotel at the application site is not only policy compliant and a wholly appropriate use within a town centre location, but it also provides a use which aligns with the stated aims and objectives of the Chipping Barnet Town Centre Strategy by contributing to the delivery of a vibrant, viable and mixed service offering within the retail triangle. Furthermore, it is considered the proposed ancillary restaurant to be located at ground floor level fronting onto St Albans would also represent a use appropriate within a town centre location, with the additional benefit of providing an active frontage within an area designated by the Development Management Policies (2012) as a Primary Shopping Frontage (Map 2 - Chipping Barnet Town Centre).

Some of the public objections received express concern about the impact of the proposed development on the wider vitality and vibrancy of the Chipping Barnet Town Centre. These include reservations as to the need of a hotel development, its lack of benefit towards the wider regeneration of the town centre, and concerns that the provision of a new restaurant would be to the detriment of the existing restaurant offering within the Town Centre. However, it is considered that the proposed development would have a direct economic benefit to the wider Chipping Barnet Town Centre through the creation of new jobs, CIL payments contributing to local infrastructure and services, and £91,688 in ringfenced contributions to local apprenticeship, employment and training schemes. Indeed, 50 new jobs would be created to be split across a range of roles both full and part-time and with varying 'entry levels' so that they are accessible to a range of people in the local community. These economic benefits and financial contributions will be secured via s.106 agreements. The Council's Employment and Skills Department have noted the following:

We see the Premier Inn development as a vote of confidence in the town centre. It has the potential to contribute to and enhance Chipping Barnet by attracting new visitors and improving the built environment. There is the potential for increased footfall and spend in the area, in pubs, restaurants and shops. The scheme will generate Section 106 funding

that will be ringfenced to support economic development projects in the town centre. The hotel will require approximately 50 staff members and we plan to work with Whitbread and other partners to ensure that as many of these jobs as possible go to Barnet residents. Should this development go ahead, we plan to work with the hotel, the Town Team and others to maximise the benefits locally. The Council proposes to ringfence this commuted sum payment exclusively for expenditure on skills, employment, enterprise and training activities related to Chipping Barnet Town Centre.

Improving local retail infrastructure, attracting new town centre investment and end-users, and creating better funded employment pathways for local residents are a significant and very tangible benefit of this scheme. Indeed, it is expected that the proposed scheme will unlock wider investment into the Spires Shopping Centre and Barnet Market which it is hoped will rejuvenate and improve the quality of the local retail infrastructure and service offering within the Chipping Barnet Town Centre. Based on the above, it is deemed that the proposed creation of a hotel and ancillary restaurant at the application site is acceptable in-principle and complies and fully aligns with local town centre policy and the stated aims and objectives of the Chipping Barnet Town Centre Strategy (2013).

Character and Appearance

As outlined above, the form of the proposed development, including its part three, part four storey scale and consequential impact on the character and appearance of the application site, streetscene, Chipping Barnet Town Centre and Monken Hadley Conservation Area was considered acceptable as part of the previous application (ref:18/2591/FUL). The design based reasons for refusal concerned the siting of the Chipping Close elevation in relation to the dwellings located opposite, the clear glazed design of the windows on Chipping Close and the location of the hotel and restaurant entrances. As highlighted in the section above, the applicant has extensively engaged with both Council and public stakeholders and has made a number of design alterations to address outstanding public concerns and the Planning Committee's stated reasons for refusal. The overall architectural form, part three / part four storey scale and conservation-style design detailing has not changed from the previous scheme and therefore given these were considered acceptable by the Planning Committee, the following assessment will focus primarily on the design changes proposed.

The following section addresses how the design alterations proposed successfully overcome and address the previous reasons for refusal.

Reason for Refusal 1:

The proposed development by reason of its three-storey scale and close relationship to residential dwellings along Chipping Close, would result in a harmful level of enclosure and overlooking from the third-floor clear glazed hotel bedroom windows detrimental to the amenities of neighbouring occupiers on Chipping Close. As such this would be contrary to Policy DM01 of the Development Management Policies (2012) and CS5 of Barnet's Core Strategy (2012).

The applicant has proposed part obscure glazing to the bottom half of all windows facing onto Chipping Close. The part obscure glazing strikes a balance between protecting the privacy of neighbouring residential occupants, whilst providing a reasonable level of outlook for future hotel users. The principle of part obscure glazing as a design solution to overcome overlooking to neighbouring dwellings on Chipping Close was accepted by Committee for a previously approved mixed market / residential scheme (ref: B/03642/10).

Coupled with the part obscure glazing, the Chipping Close elevation has also been set-back by a further 0.25m from the dwelling houses located opposite the application site on Chipping Close. This results in a set-back from these dwellings of 10.55m (11.33m where recessed). The proposed set-back is now 1.55m further from the dwellings opposite the application site than the set-back provided on the previously approved scheme on site, which was also proposed to a part three / part four storey scale and included five ground floor entrance points along Chipping Close, including access to a basement level car park. It is considered that these amendments adequately address the overlooking and sense of enclosure concerns outlined in the stated reason for refusal.

Some public comments refer to the need to provide a 21m separation between the proposed hotel and dwellings opposite on Chipping Close. Section 7.3 of the Residential Design Guidance SPD (2016) 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.

As indicated by the wording of the policy, the recommended 21m distance is not binary. Indeed, it states that the distance between facing windows to habitable rooms should be considered alongside other material considerations. There are two significant material considerations to consider in this instance; relevant site planning history and the fact that enforcing a strict 21m distance would render the application site unviable to redevelop. Regarding site history, it is considered that the proposed development by reason of its increased set-back and part obscure glazing would have a more appropriate and less invasive impact on the residential amenity of neighbouring occupiers (i.e. overlooking, sense of enclosure, loss of light) than the development previously considered acceptable by Committee (ref: B/03642/10).

Given the strategic importance of the application site within the Chipping Barnet Town Centre and Monken Hadley Conservation Area, the site will be redeveloped at some point in the future irrespective of the outcome of this application. Indeed, should another development proposal be forthcoming, a viable scheme which makes most efficient use of the site will be required in line paragraph 123 of the National Planning Policy Framework (2018) which states that, 'local planning authorities should refuse applications which they consider fail to make efficient use of land'. With this in mind, and given the previously approved scheme (ref: B/03642/10) had a larger building footprint than the proposed, including less of a set-back from the existing dwellings on Chipping Close, it is considered that it would not be unreasonable for any future scheme to propose a similar building footprint. Nevertheless, despite this, the applicant in an attempt to reduce the visual and amenity impact on neighbouring occupiers has increased the set-back of the proposed Chipping Close elevation by 1.55m over and above the previously approved scheme. However, no further reductions to the building line are possible otherwise the development would be spatially and economically unviable. Therefore, in this instance, with national policy and previous site history in mind, the enforcement of a 21m distance between the front building line of the existing dwellings on Chipping Close and the application site is likely to render any future scheme, whether for residential units or a hotel, spatially and commercially unviable and in breach of national policy concerning the efficient use of land. Based on this, it is considered that the proposed set-backs and inclusion of part obscure

glazing along the Chipping Close elevation, would appropriately address and overcome the previous reason for refusal.

Reason for Refusal 2:

The proposed pedestrian entrance/access on Chipping Close would result in an increased level of pedestrian activity and lead to unacceptable levels of noise and disturbance from comings and goings to the detriment of the Chipping Close residents. As such this would be contrary to Policy DM01 of the Development Management Policies (2012) and CS5 of Barnet's Core Strategy (2012).

The pedestrian entrance and access points to both the hotel and restaurant have been entirely removed from Chipping Close. Indeed, the hotel entrance has been relocated from Chipping Close to Bruce Road and the restaurant entrance has been moved from the corner of St Albans Road and Chipping Close to be entirely sited on St Albans Road which forms part of the Primary Shopping Frontage in the Chipping Barnet Town Centre. The applicant has also committed to a S.278 agreement to provide noise reducing paving along Chipping Close to reduce any noise and disturbance associated with hotel guests pulling wheeled suitcases along Chipping Close when accessing the site from the NCP car park on Staplyton Road. While the provision of noise reducing paving along Chipping Close is considered unnecessary and is not required by Officers to achieve a recommendation of approval, it serves to evidence the applicant's attempt to address the concerns of local residents and their commitment to protecting the residential amenity of neighbouring occupiers.

The relocation of the main hotel and restaurant entrances addresses the Council's reason for refusal and should ensure that the bulk of pedestrian activity and site access is concentrated on Bruce Road and St Albans Road. Any pedestrian activity along Chipping Close is expected to be limited to hotel guests accessing the site from the NCP car park located on Staplyton Road. It should be noted that the application site is accessible from the NCP car park via The Spires Shopping Centre and therefore not all pedestrian movement from the NCP car park will be via Chipping Close. Lastly, it should be made clear that the application site is located within the Chipping Barnet Town Centre, along a Primary Shopping Frontage and could be used as a car park, with its associated vehicular and pedestrian noise and disturbance. Pedestrian activity within a town centre site and along a Primary Shopping Frontage is not unreasonable. The previously approved mixed market / residential scheme (ref: B/03642/10) should also be considered, as this allowed for 5 entrance points along Chipping Close, including access to a basement level car park which could accommodate 27 vehicles. It is considered that the proposed design alterations and the commitment to provide noise reducing paving along Chipping Close appropriately addresses the Council's reason for refusal.

Reason for Refusal 3:

The proposed development would provide inadequate access to the hotel via Bruce Road which would encourage users of the hotel to drive onto and access the hotel via the Chipping Close entrance and as a result this would have a harmful impact on the neighbouring occupiers of Chipping Close by way of increased noise and traffic congestion. As such this would be contrary to Policy DM01 of the Development Management Policies (2012) and CS5 and CS9 of Barnet's Core Strategy (2012).

As outlined above, the main hotel entrance has been relocated onto Bruce Road. Consequently, the address of the site, including the postcode that would be entered into a

satnav by hotel guests would be Bruce Road. Furthermore, as outlined in the applicant's Travel Plan, any hotel bookings received would be notified that secure and discounted parking is available at the NCP car park on Staplyton Road and drop-off parking is located on Bruce Road. To further limit the impact of any vehicular activity along Chipping Close, the applicant has committed to pay for a CPZ review to explore whether a 24-hour CPZ should be implemented. This would be secured via a S.106 agreement. Council Planning Officers do not think a CPZ review is necessary. However, as above, the applicant has demonstrated a desire to listen to local resident concerns and provide a solution which they consider further reduces the impact of the development on neighbouring occupiers.

It should be noted that the application site is currently a surface level car park which accommodates 44 parking spaces that are accessible via Chipping Close, and as outlined above, the previously approved scheme (ref: B/03642/10) also had the entrance to a basement level car park on Chipping Close. Furthermore, should a residential scheme come forward for the application site in the future, it would have a greater onsite parking requirement than the proposed hotel use. Therefore, while the majority of hotel and restaurant access is expected to be via Bruce Road or St Albans Road, any occasional vehicular movement along Chipping Close as a result of the proposed development would be significantly less than the other stated scenarios. Consequently, it is considered that the design amendments made, in addition to the commitment to provide financial contributions to implement a CPZ review, both address the previous reason for refusal and represent a solution which goes beyond what would be reasonably expected given a CPZ review is not deemed necessary by the Council's Highways Officers. Therefore, given the sites location within the Chipping Barnet Town Centre, its existing use as a surface level car park and the fact the previously approved scheme allowed vehicular access via Chipping Close, it is not considered that the proposed design would result in vehicular movement along Chipping Close that would be out of character, detrimental to neighbouring amenity, or result in harm to the free flow of traffic on the adjacent public highways.

Regarding access and drop-off arrangements on Bruce Road, Council Highways Officers are satisfied they would not detrimentally impact the free flow of traffic along St Albans Road or the High Street. The highways impacts will be discussed in further detail in the highways section below.

While all other areas of the design were explained in detail within the previous committee report (ref: 18/2591/FUL) and were accepted by committee given their absence within the wording of the stated reasons for refusal, it is worth clarifying a couple of wider design points. As per the previous scheme, the applicant recognises the historical significance of the site to both the residents and the economic development of Barnet. Consequently, a condition will be attached to any permission to ensure a plaque is installed on the site to commemorate the historical significance of the site's former use as a market. Further discussion will be had with the applicant regarding what information can be located within the hotel to commemorate the sites historical significance. Finally, it should be noted that this application does not give permission for any signage on the building. This would be the subject of a separate advertisement consent application. Any subsequent application would require signage to be appropriate for its setting within the Monken Hadley Conservation Area.

In summary, it is considered that the proposed design revisions and solutions address the highlighted reasons for refusal and continue to ensure the proposal results in a high-quality form of development which protects and enhances the appearance of the Monken Hadley Conservation Area and appropriately responds to the character nuances of St Albans Road and Chipping Close. Indeed, it is deemed that the design is compliant with Policies

DM01 and DM06 and the stated design objectives outlined in the The Spires Shopping Centre, Market Site and Territorial Army Centre (July 2012). It is considered that the increased set-back of the Chipping Close elevation from the dwelling houses opposite, the part obscure glazing applied to all windows along the Chipping Close elevation and the relocation of the hotel and restaurant entrances onto Bruce Road and St Albans Road directly address the stated reasons for refusal. The addition of noise reducing paving along Chipping Close and a financial contribution to implement a CPZ review further reinforce the schemes acceptability on character and amenity grounds. Furthermore, the design appropriately addresses the demands of maximising the potential of a brownfield site, providing a commercially viable scheme that will support the long-term aims and objectives of the Chipping Barnet Town Centre Strategy, whilst ensuring its architectural form and design detailing enhances the visual appearance of the Monken Hadley Conservation Area and wider Chipping Barnet Town Centre. It creates both a residential scale along Chipping Close and a vibrant retail offering and active street frontage along St Albans Road which forms part of the Primary Shopping Frontage of the Chipping Barnet Town Centre. Furthermore, it replaces a vacant surface level car park which since the relocation of the Barnet Market, provides neither public or visual amenity to an important gateway site which announces the arrival into both the Chipping Barnet Town Centre and Monken Hadley Conservation Area. Based on the above, it is deemed that the proposed development would have a positive impact on the character and appearance of the application site, Chipping Barnet Town Centre and Monken Hadley Conservation Area and addresses and overcomes the previous reasons for refusal. It is consequently recommended for approval on character grounds.

Neighbouring Amenity

Paragraph 2.7.1 of Policy DM01 states that:

Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the well-being of the boroughs residents. It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook.

Privacy:

As outlined above, the proposed development provides a set-back of 10.55m from the residential dwellings located on Chipping Close and 11.33m where the building is recessed. It should be noted that the previously approved development on the site (ref: B/03642/10) provided a 9m set-back and therefore placed windows serving habitable rooms 1.55m closer to the existing dwellings on Chipping Close than the proposed development. The principle of part obscure glazing was accepted within the previously approved scheme. It is considered that the set-back proposed, in addition to the part obscure glazed windows, are acceptable and will not result in a significant loss of privacy for neighbouring occupiers.

Any future development on the site whether residential, a hotel, or an office would result in new windows facing onto the existing dwellings on Chipping Close. The site is an undeveloped brownfield site in an important town centre location which will attract development in the future irrespective of the outcome of this application. Any future development will naturally have a greater impact than a vacant surface level car park. However, in this instance, it is deemed that the impact on the privacy provision of neighbouring occupiers is acceptable, particularly given the increased set-back proposed

is a material improvement to the set-back previously approved (ref: B/03642/10) and considered acceptable on amenity grounds. As outlined above, enforcing a strict 21m distance between the existing dwellings on Chipping Close and the building line of any future scheme at the application site would make the proposed development unviable and contrary to national policy regarding the efficient use of land in town centres.

Daylight / Sunlight:

The applicant has submitted an extensive Daylight and Sunlight Report which assesses the impact of the proposed development on neighbouring properties, particularly those located opposite on Chipping Close. The report provides the results of both the Vertical Sky Component (VSC) and Average Daylight Factor (ADF) tests conducted. Regarding daylight the report concludes that of all 62 windows tested all would continue to enjoy high levels of natural daylight in excess of BRE guidelines (maintaining VSC levels of between 24% and 28%), and regarding sunlight full compliance is achieved with all (100%) of the windows tested continuing to meet the target values as set out in the BRE guidelines. As outlined in the privacy section above, any development that comes forward will have a greater impact on daylight / sunlight than a surface level car park. Furthermore, as there are no gardens or amenity spaces located in close enough proximity to the proposed development to be adversely affected by it, the proposals would accord with the BRE guidance in relation to overshadowing. However, it is considered that the proposed development has demonstrated that it both maintains and protects neighbouring amenity in regard to daylight / sunlight to levels in excess of BRE guidelines, whilst also maximising the development potential of a vacant brownfield site within the Chipping Barnet Town Centre.

Air / Noise pollution:

The applicant has submitted Air and Noise Impact Assessments which conclude that the proposed development would have a limited and therefore acceptable impact on neighbouring occupiers and conditions within the area. The assessments conclude that:

- The baseline assessment found that the location is likely to receive a NO₂ concentration of less than 56µg/m³. Following LAQM.TG(16)10 guidance, exceedances of the NO₂ hourly mean objective are unlikely to occur where the annual mean is below 60µg/m³.
- The construction dust assessment found a medium risk associated with demolition and construction activities and a low risk of impact associated with all other activities. The implementation of the mitigation measures outlined in the Assessment is considered to render any impact during construction to be negligible and not significant.
- The level of NO_x emissions from the water heaters is below the EPUK/IAQM screening criteria of 5mg/s and below the GLA's Sustainable Design and Construction SPG limit of 40mg/kWh. Therefore, the water heater emissions are considered not significant.
- The trip generation of the current use and future use of the Site indicated that a detailed assessment for road traffic emissions was not required, following EPUK/IAQM screening criteria, and therefore any effect is predicted to be negligible and not significant.
- The odour risk assessment of the proposed kitchen and associated extract found that a "high" level of odour abatement is required to mitigate the risk.

It should be noted that the conclusions and mitigation measures proposed have been accepted by the Council's Environmental Health Officers and appropriate conditions will be attached to any permission to ensure neighbouring residential amenity is suitably protected.

Furthermore, it is considered that the use of the application site as a surface level car park would result in more air and noise pollution than its use as a hotel and ancillary restaurant. The car park use would at peak times during the day result in potentially 40+ cars accessing the site with associated exhaust fumes and noise from engines etc. Conversely, the hotel use would result in less motorised trip generation throughout the day than if the site was in use as a car park. Additionally, the predominant internal use of the site is for the purposes of sleep, rest and recuperation with the hotel provider offering a 'Good Night's Sleep' guarantee, which relies upon noise around the site kept to a minimum. Noise mitigation is central to the applicant's commercial interests and brand credibility.

Concern has been raised by neighbouring residents about the impact of the restaurant and bar offering at ground floor level and the potential for overspill into the street at anti-social hours of the day. There is always a balance between enabling the proposed use to function within reasonable constraints whilst protecting neighbouring amenity. Based on a review of restaurant opening times within Chipping Barnet Town Centre it was concluded that an 11pm closing time was appropriate. Residents of the hotel will have some limited access to facilities after 11pm, but the application site will be closed to members of the public after 11pm. This is representative of opening times for restaurants within the Chipping Barnet Town Centre and therefore is considered a reasonable compromise between use and amenity given the location of the application site within the town centre. This is expected to limit trip generation to and from the site at times during the day / night when neighbouring residential amenity is more acute. This will be secured via condition. It is also expected that as a result of relocating the hotel and restaurant entrances to Bruce Road and St Albans Road respectively, most external activity will now be concentrated away from residential units on Chipping Close. It is worth noting that if the site was redeveloped with a higher density residential use, no such time restrictions could be enforced and therefore pedestrian and vehicular access to the application site would be unrestricted.

Pedestrian / Highways:

This section does not assess the merits of the application from a highways perspective, which will be discussed below, but instead assesses the impact of the proposed access arrangements to the application site on neighbouring residential amenity.

As discussed in the applicant's submission, all vehicular access to the site will be directed to Bruce Road and the NCP car park on Staplyton Road. A Travel Plan will be secured via a S.106 agreement to ensure the operator of the hotel and restaurant implement appropriate measures to limit any noise and disturbance resulting from its use. There will be a monitoring mechanism associated with the Travel Plan which gives the Council the opportunity to review how effective the hotel operator's mitigation measures are in ensuring vehicular activity has the least possible impact on the free flow of vehicular traffic around the application site and on the residential amenity of neighbouring occupiers. As outlined above, the applicant has also committed to a financial payment to implement a CPZ review to understand whether a 24-hour CPZ is required. This will also be secured via a s.106 agreement.

The operator of the hotel has an agreement in place with the NCP car park to provide discounted parking for residents of the hotel and will ensure that when bookings are made customers are referred to Bruce Road and the NCP car park. As the main hotel entrance has been relocated to Bruce Road, the postcode for the site and consequently the details entered into any hotel guest's satnav will direct site access to Bruce Road.

It should be noted that the proposed use will generate less vehicular trips per day than if the site was used as a car park. Secondly, if the site was developed for a residential use the onsite parking requirements would be higher and thirdly, it is unrealistic to expect that all residents of the hotel would arrive by car, taxi or coach. As per DM17, hotels are required to be located within town centres because they have a higher level of accessibility via all modes of transport. The site has a PTAL rating of 3. Policy 6.13 of the London Plan (2016) states that 'although no maximum [parking] standards are set for hotels...in locations with a PTAL of 1-3, provision should be consistent with objectives to reduce congestion and traffic levels and to avoid undermining walking, cycling or public transport.' It is considered that discounted secure parking within a large multi-storey car park proximally located to the hotel, in addition to 5 parking and drop-off spaces on Bruce Road, provides an acceptable parking provision and a reasonable solution to reduce congestion and traffic levels. It channels potential trip generations away from one concentrated destination, with two different locations and associated routes proposed. The site's existing use as a car park would result in more trip generation than the hotel use, with all vehicular movement concentrated on St Albans Road and Chipping Close. Furthermore, the provision of cycle parking on site and the hotel's proximity to bus stops and the High Barnet Tube Station enables other viable modes of transport to the site. Based on the above, it is considered that the proposed development is in compliance with the London Plan (2016) and adequately accommodates all forms of transport to the application site.

As a result of the design changes to relocate the hotel and restaurant entrances, pedestrian access to the site is expected to be mainly located along Bruce Road and St Albans Road. Some pedestrian movement along Chipping Close is expected from customers parking in the adjacent NCP car park on Staplyton Road. However, it should be noted that the site is accessible from the NCP car park via The Spires Shopping Centre and therefore not all pedestrian trip generation from the NCP car park to the application site will be via Chipping Close. As a way of addressing potential noise and disturbance concerns resulting from wheeled suitcases, the applicant has agreed to introduce noise reducing paving along Chipping Close. This will be secured via a S.278 agreement. It is expected that the proposed hours of use coupled with the nature of the hotel's use, will result in the majority of trip generation being in the morning and evening hours, with limited activity expected throughout the night. Based on the design changes and noise reducing paving, it is not considered that pedestrian movement to and from the site will result in an unacceptable level of noise for adjacent residents.

Some public comments received have raised a concern that the increase of pedestrian activity will increase the likelihood of crime and vandalism. However, it is considered that the increased pedestrian activity, the active frontage at ground floor level and the resulting 'eyes on the street' will have the opposite effect. A surface level car park provides limited surveillance and creates hidden or enclosed spaces which can lead to increased levels of anti-social behavior and disturbance. The applicant has designed the proposed development to achieve Secure by Design standards, including the provision of a security system with the aim of reducing opportunities for crime in the site's immediate locality. It should also be noted that the scheme would benefit from substantial CIL contributions which would be used to improve local social infrastructure.

Based on the design alterations made, the mitigation measures proposed and the conditions to be attached to any permission, it is considered that the proposal will have an acceptable impact on the residential amenity of neighbouring occupiers. The proposal protects the daylight and sunlight provision to neighbouring occupiers to levels in excess of BRE standards, has introduced a 10.55m set-back from neighbouring dwellings on Chipping Close to further reduce any perceived sense of enclosure, a set-back increase of 1.55m from the previously approved scheme at the application site (Ref: B/03642/10), and has evidenced that air and noise pollution would not have a harmful impact on the site's immediate surroundings. Furthermore, part obscure glazing is proposed for all windows along the Chipping Close elevation to protect neighbouring occupier privacy, noise reducing paving will be introduced along Chipping Close to limit any noise and disturbance associated with pedestrian comings and goings to the site and the Chipping Close hotel entrance has been relocated to Bruce Road to redirect pedestrian movement and any external activity away from Chipping Close. The proposal has also provided measures to mitigate the impact of vehicular access to the site on neighbouring residential amenity by way of entrance relocations for both the hotel and restaurant to Bruce Road and St Albans Road respectively and financial contributions to implement a CPZ review to assess parking capacity / stress on surrounding streets. As outlined above, hours of use for the restaurant will also be secured via condition. Consequently, this application is recommended for approval on amenity grounds.

Highways

As stated within the applicant's submission, the proposal provides 5 parking spaces including one blue badge space on Bruce Road, and 24-hour discounted secure parking at the proximally located NCP car park on Staplyton Road. The proposal also provides 9 cycle parking spaces. The Council's Highways Department have reviewed the Transport Statement and Travel Plan submitted by the applicant and consider it acceptable subject to conditions, a S.106 agreement regarding a Travel Plan and CPZ review and a S.278 agreement regarding repairs to the public highway and the installation of noise reducing paving along Chipping Close.

As there are no specific parking standards for a hotel development within the London Plan (2016), each application is assessed on its individual merits. The following have been considered as part of this application:

- The site is located within a town centre location and close to local amenities;
- The site is located within a walking distance of the A1000 Great North Road which is served well by public transport;
- The site is within an All-Day Control Parking Zone which operates from 8am and 6.30pm from Monday to Saturday;
- There are public car parks and the Spires car park within walking distance of the site.

Parking Arrangements:

As outlined above, the applicant has an agreement with the NCP car park on Staplyton Road to provide discounted 24-hour parking to hotel customers. This is expected to be desirable for those guests who are staying at the hotel with the intention to spend extended periods of time in Central London through day time hours, as opposed to parking a car in an area with CPZ constraints. The arrangement with the NCP car park is common for developments of this nature given it does not conflict directly with retail parking demand, provides secure off-street parking off-site in built-up areas and optimises land

uses within more dense areas. Parking accumulation surveys have been submitted to demonstrate an acceptable impact on capacity levels at the NCP car park.

In addition to the NCP car park, 5 parking spaces, including 1 blue badge space have been provided on Bruce Road. These parking spaces are primarily meant to function as a drop-off facility for the hotel in order to reduce traffic congestion on St Albans Road and trip generation along Chipping Close. As stated above, parking provision at two separate locations is expected to disperse vehicular journeys across the surrounding public highway network instead of an over concentration of journeys along the same route. Use of the site as a car park would generate more vehicular traffic and concentrate those journeys along St Albans Road and Chipping Close.

Trip Generation:

The Transport Assessment (TA) submitted with the planning application was prepared by RGP. The trip rates were derived using TRICS Database which is an industry standard database.

The existing site comprises a surface level car park comprising 44 spaces which has been closed since December 2017. The applicant's Transport Assessment predicts that the proposed hotel would generate a total of 232 two-way movements (by all modes) over the course of a typical weekday. This would comprise 23 two-way movements during the AM peak hour and 18 two-way movements during the PM peak hour, assuming full occupancy. Approximately 141 two-way journeys would be made by vehicles, comprising 14 during the AM peak hour (one extra every 4.5 mins) and 12 during the PM peak hour (one extra every 5 mins).

It should be noted that the proposed development represents a reduction in trip generation figures when compared with the extant car park and market use.

Typically, the proposed type of hotel has no peak time periods of use. The majority of trips are evenly spread out throughout the cores hours of the developments operation.

The applicant's Transport Assessment also states that not all vehicular trips would be new to the network, with hotel guests likely to be travelling into the area for business or leisure regardless of the Premier Inn. Rather, the Premier Inn would provide conveniently located accommodation for visitors on a pre-determined journey.

Public Transport:

The development is served by bus routes 234, 326, 383, 384, and 389, with the associated bus stops located within walking distance of the site. The development is also within walking distance of High Barnet London Underground Station which is served by the Northern Line. The hotel operator will provide journey planning information to all customers wishing to travel to the site via public transport. The likely level of public transport trip generation associated with the development will not impact negatively on the existing capacity of the surrounding public transport network.

Servicing / Delivery Arrangements:

The Transport Statement provided proposes that all delivery and servicing activity associated with the development would be accommodated from the Spire Shopping Centre service yard immediately to the south of the site. This arrangement has been

legally agreed with the operator of the Shopping Centre. It is considered that service vehicles entering at this location will have no detrimental impact on the existing operation of this yard.

Controlled Parking Zone (CPZ):

It has been noted that a number of the public comments received expressed concern about the potential overspill of parking along Chipping Close, given that the street is not subject to a 24-hour CPZ. The concern is customers of the hotel would rather park on the street for free instead of paying to park at the NCP car park on Staplyton Road. The applicants have proposed monitoring of parking in the area and if required contributions to cover CPZ consultation and implementation. While highways officers do not believe this is necessary due to the associated parking proposals and large number of available off-street parking in the surrounding area, this is a form of mitigation which the applicant considers will put suitable safeguards in place to address the concerns of local residents. The applicants via a S.278 agreement will provide a financial contribution to ensure Council Highways Officers can effectively monitor this process.

Highway Works:

Any works on the public highway to facilitate the proposal would need to be technically approved by the Highway Authority and carried out at the applicant's expense under S.278 of the Highways Act. It is expected that footway upgrades will be required around the development, including the installation of noise reducing paving along Chipping Close. The noise reducing paving will aim to reduce the noise of rolled suitcases by a considerable decibel level. However, there is a balance to be struck between performance of the paving material and its maintenance and consequential financial burden to the council once implemented. Therefore, the exact paving materials to be used will be confirmed following a more detailed technical review and installed post construction. The appropriate noise reducing paving will be secured via the highlighted S.278 agreement and a commuted sum will be received from the applicant to cover installation and maintenance costs.

Coach Parking:

As stated in the applicant's submission the hotel operator rarely accepts coach bookings. It states that:

The Premier Inn website does not allow group bookings to be made, instead directing guests to phone a dedicated number if they require more than 4 bedrooms. Details of any groups are therefore obtained at an early stage and communicated with the hotel management. Premier Inn locations that do generate coach trade are typically located close to sporting venues (e.g. Wembley) and major tourist destinations. In the unusual event of a coach arriving, this would be managed by Premier Inn and any drop-off / pick-up would be directed to take place within The Spires service yard area.

Coach travel will be referenced within the Travel Plan to be secured via a S.106 agreement and the impacts of this will be monitored by the Council to ensure any impact on the free flow of the surrounding highways network and residential amenity of neighbouring occupiers is appropriately managed.

Cycle Parking:

The proposal provides 9 cycle spaces. Policy 6.9 of the London Plan (2016) requires 1 space per 20 bedrooms for long-stay and 1 space per 50 bedrooms for short-stay. The proposed provision would comply with the stated policy requirements and will be secured via condition.

Based on the above and the positive recommendation received by the Council's Highways Department following review, it is considered that this application is acceptable on highways grounds.

Sustainability

Policy 5.2 of the London Plan (2016) outlines the sustainability requirements expected from non-domestic buildings. It states that:

A) Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- 1. Be lean: use less energy*
- 2. Be clean: supply energy efficiently*
- 3. Be green: use renewable energy*

C) Major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction are met within the framework of the energy hierarchy.

The applicant has provided a Sustainability Statement which sets out the proposed strategy including the provision of PV panels on the roof of the fourth storey. The statement provides amongst others the following commitments:

A CO2 emissions reduction of 35% beyond the requirements of the Building Regulations Part L 2013 will be achieved through a combination of passive design, energy efficiency measures and provision of ASHP and PV.

BREEAM sets the standard for best practice in sustainable design and has become the de facto measure used to describe a building's environmental performance. The project will be assessed using BREEAM and rating of 'Very Good' is being targeted.

The stated recommendations above will be secured via condition.

Suitable drainage, plant and water conditions will be attached to any permission. Both the Council's Environmental Health Department and Thames Water have reviewed the application and consider it acceptable subject to conditions.

Based on the information provided, it is considered that this application is acceptable on sustainability grounds and sufficiently demonstrates how the measures proposed would meet the aims and objectives of the London Plan (2016) regarding energy efficiency, renewable energy and carbon reduction.

Refuse

The applicant has provided a Delivery and Servicing Management Plan which outlines the servicing arrangements for the hotel and ancillary restaurant. The proposed plan states that safe and secure refuse stores will be provided within the Spires Shopping Centre

service yard to the south of the site. Refuse and recycling waste collections will be carried out from the service yard by Veolia, the utilities company which provides most of the refuse and recycling services for Whitbread developments. This arrangement is considered acceptable and will be secured via condition.

5.4 Response to Public Consultation

All public comments have been received and acknowledged. Where they address material considerations, they have been discussed in the report above. For clarity please see below:

- The changes in the resubmitted plans address the issues for refusal:

Noted.

- The design is sympathetic to the area and will smarten up what is currently an empty unusable car park:

Noted.

- The developers have listened to the legitimate concerns raised by local residents and responded appropriately and gone to lengths to design a building which is sympathetic to the architecture of our area:

Noted.

- The hotel will bring more custom, trade and jobs to the local area:

Noted.

- Profits from the sale of the land is promised towards even further improvements in and around The Spires which will give a bigger boost to the area and attract more retailers to take up some of the empty units:

Noted.

- The development will bring greatly needed foot traffic to the area and additional revenue for our local shops:

Noted.

- The High Street is desperately in need of economic boosts such as will be provided by the proposal:

Noted.

- The hotel will have a direct benefit in attracting new tenants to the empty shops in the Spires Shopping Centre:

Noted.

- High Barnet needs an economic stimulant like this development:

Noted.

- The money from the sale of the land is needed for investment in the Spires and could help attract big name retailers to consider opening in Barnet:

Noted.

- The proposals will create local employment opportunities for the hotel of varying skills and levels. It will also create additional employment during construction and support local businesses through various servicing contracts required for the operation of the hotel:

Noted.

- As part of the application, significant s.106 and CIL payments will be made to support local employment opportunities for Barnet residents and local infrastructure:

Noted - see Employment and Skills statement.

- The hotel will bring value in the long term:

Noted.

- Friends and family of local residents will use the proposed hotel:

Noted.

- The site has previously been granted planning permission for a much larger structure and the likelihood is that if this project is rejected a much more objectionable building with worse traffic and parking implications will take its place:

Noted.

- With the success of the Medieval Festival and historic Barnet, our town will become a destination for tourists and with the opening of a local Premier Inn they will have somewhere to stay.

- The development will regenerate a derelict site:

Noted.

- The marginal increase in traffic will be well worth the value brought to the area:

Noted.

- The Spires parking garage is never full, especially at night when hotel guests will use it and the subsidised rate will mean that very few will want to park far enough away to avoid the CPZ areas.

- The worries about extra traffic are exaggerated - this is not a 500-room hotel:

Noted.

- The "Market" is a carpark now most days of the week. Making the NCP 24/7 will take hotel guest's cars away from the High Street and into the NCP where they will most likely stay put for the duration of their visit:

Noted.

Premier Inn must be required to:

1. Provide guest access between The Spires car park and the hotel via a safe pedestrian route to the south-east (Spires yard) side of the building:

It is not considered this is needed as there is adequate site access through the town centre, Spires Shopping Centre and Chipping Close where noise reducing paving is proposed.

2. Provide a financial contribution towards the relocation of Barnet Market to The Spires bandstand site:

The relocation of Barnet Market to The Spires bandstand area is already approved. A legal agreement will be signed preventing development of the application site until all outstanding conditions relating to the relocation are fully discharged.

3. Provide a financial contribution towards upgrading the Stapylton Road park (the 'grassy knoll' site adjoining the bandstand site) including better facilities there for bus travellers, bus drivers and shopper set-down and pick-up, and other landscape improvements with a view to possible future expansion of the market and discouraging anti-social behaviour:

The proposal will generate significant CIL contributions which will be used towards funding local infrastructure and service improvements.

4. Offer training and/or apprenticeships, with (other things being equal) priority given to local people:

A financial contribution of £91,688 will be made to contribute to local apprenticeships, work experience and training schemes. The Council proposes to ringfence this commuted sum payment exclusively for expenditure on skills, employment, enterprise and training activities related to Chipping Barnet Town Centre.

- The development will dwarf the properties opposite on Chipping Close and is too close:

The proposed development is set-back further from these properties than the previously approved part three / part four storey mixed market and residential scheme (ref: B/03642/10). See character section above.

- The changes to the proposal have done nothing to address the height of the building, proximity to the cottages and lack of privacy and light:

The previous application was not refused on its height. The applicant has demonstrated light to neighbouring properties is in excess of BRE standards. The proximity of the building from neighbouring properties is greater than the previously approved development (ref: B/03642/10). Part obscure glazed windows have been added to all windows along Chipping Close.

- The site is too small for a development of this size.

See character section.

- A greater setback of 21m should be provided between the proposed development and the houses opposite on Chipping Close:

A set-back of 21m would render the site unviable for development whether for a hotel use or residential. It is not unusual for building lines to have less than a 21m distance, particularly in town centre locations. See Character section.

- The use of opaque glazing should be kept to a minimum:

Part obscure glazing has only been proposed along the Chipping Close elevation. This principle was accepted on the previously approved scheme on site (ref: B/03642/10).

- The scale and mass of the build will be out of character with the wide green streets that make Chipping Barnet:

The site is in a town centre and is currently used as a tarmacked surface level car park. The site is not characterised by trees and soft landscaping. Nevertheless, the proposed scheme will introduce soft landscaping to the site which will be secured via a landscaping condition. The scale and mass of the building was broadly accepted during the previous submission.

- The design is out of context and character with the surrounding area:

See character section above.

- The proposed development is built up to the edge, with no border, no room for trees or plants to soften the bleakness of the scale of development and would result in the loss of trees:

The proposed development provides a greater set-back along both St Albans Road and Chipping Close than the previously approved scheme (ref: B/03642/10) which enables wider pavement widths and soft landscaping to be introduced.

- There is no need for a hotel in the vicinity. There are already budget hotels at South Mimms, Totteridge and Boreham Wood, less than a mile in each direction:

The provision of a hotel is central to the aims and objectives of the Chipping Barnet Town Centre Strategy that calls for a broader range of retail and service offerings.

- The application site is a residential area and not suitable for a hotel:

The application site is not defined as a residential area. It was previously used as a market and then a car park. It is located within a town centre and along a Primary Shopping Frontage.

- Business hotels such as these do not encourage spending in local shops and businesses:

A range of different people will make use of the hotel with differing levels of investment in local shops. The claim that business hotels do not encourage spending in local shops is

unsubstantiated. The wider benefits include new jobs for local people giving them the ability to spend in local shops, business rates and CIL and Skills and Training financial contributions supporting local economic initiatives and an incentive for people to travel to Chipping Barnet Town Centre who otherwise might not.

- There are many empty buildings in and around the High Street which need to be addressed and re used.

The proposed development is expected to release investment in The Spires Shopping Centre and attract new end users to the Town Centre. Financial contributions towards economic initiatives will also provide support to the local town centre infrastructure.

- The site would be put to better use as flats or social housing, where occupants will make more use of public transport and the local shops and services:

A hotel is a policy compliant use for the application site and fully aligns with the aims and objectives of the Chipping Barnet Town Centre Strategy (2013).

- Other than business rates and some low paid jobs, there is no concrete evidence of long term benefits to the economy of Barnet. It is unclear how many apprenticeships etc will benefit local residents:

£91,688 of financial contributions will be ringfenced for economic initiatives within Chipping Barnet Town Centre, including apprenticeships, skills training etc. There should be no objection to the creation of new jobs irrespective of level and salary. There is a broad spectrum of employment needs within the local area and the proposed development would provide a range of different roles. The application site if brought into use is a car park. This provides no new jobs, no new business rates, no apprenticeships, skills training etc.

- The inclusion of a restaurant will be to the detriment of other restaurants in Barnet:

It is expected that many guests will use local shops and services, and walk through the town if using public transport. However, should guests of the hotel choose on occasion to use the hotel restaurant this does not detract from other restaurants because some of those guests would not necessarily be in Chipping Barnet Town Centre if they were not staying at the hotel and therefore would not be using local restaurants anyways. The hotel is a net contributor to footfall within the town centre.

- The development will result in the loss of a market:

Planning permission has already been granted for the relocation of the market to the area of the bandstand to the front of The Spires on Staplyton Road.

- There will be no tangible benefit to the community of Chipping Barnet:

See principle section above.

- The proposed market site will not be able to accommodate a successful market:

Planning permission has already been granted for the relocation of the market to the area of the bandstand to the front of The Spires on Staplyton Road.

- Premier Inn is going to be sold to an international investor with completely unknown intentions. We have no idea what the building will actually be even before it is opened:

This is unsubstantiated and not a material planning consideration.

- The development will generate noise, light and environmental pollution which will affect the quality of life for neighbouring residential occupiers:

See amenity section above.

- The residents of Chipping Close will still lose a considerable amount of light:

See amenity section above.

- The adjacent residential properties will face devaluation:

This is not a material planning consideration.

- A significant concern is the application for a late license every single day of the week until 12.30am:

No revised licensing application has yet been made. The use of the hotel and restaurant will be subject to planning conditions governing hours of use. Public use of the site after 11pm will not be permitted.

- Litter and anti-social behaviour in-between Chipping Close and Staplyton Road needs to be addressed as part of this development:

The proposed development will provide a substantial CIL contribution to invest in local services.

- Guests will gather outside the entrance to smoke, again causing a nuisance. Particularly so if the hotel is granted a licence to serve alcohol everyday from 10am to 12:30am (extended on holidays) and with a provision to play live music:

The entrances are located on Bruce Road and St Albans Road away from the residential units on Chipping Close. The use of the hotel and restaurant will be subject to planning conditions governing hours of use. Public use of the site after 11pm will not be permitted.

- The development will have a detrimental impact on the local sewer and water infrastructure:

Appropriate conditions will be attached to any permission ensuring no development proceeds until the Council is satisfied the impact on the local sewer and water infrastructure is acceptable. Thames Water have been consulted and were satisfied with the proposals.

- The main entrance has been moved from Chipping Close to Bruce Road, but with no pedestrian access down that side of the building. Almost all pedestrian access will still be down Chipping Close:

There is adequate site access through the town centre, Spires Shopping Centre and Chipping Close where noise reducing paving is proposed.

- The hotel will generate further traffic onto already congested roads:

The hotel would generate less vehicular trip generation than the sites existing use as a car park, or should the site be used for residential purposes.

- Hotel residents are likely to come with cars, and with parking at a premium in Barnet and people unlikely to pay for the Spires car park, this will create significant parking issues:

See highways section above.

- Parking permits are already almost worthless as anyone can park in Chipping Close after 6pm and before 8am:

The applicant has committed to providing financial contributions to implement a CPZ review of the local area. Council Highways Officers will monitor this process.

- The site does not benefit from a high standard of cycle infrastructure so it is unlikely that staff and guests will access the hotel by cycle:

Cycle infrastructure has been provided in line with London Plan (2016) policies and to encourage alternative modes of transport.

- The local roads are congested and over capacity. The hotel development will exacerbate this problem:

The hotel would generate less vehicular trip generation than the sites existing use as a car park, or should the site be used for residential uses.

- The new entrance is not visible from the street so this will lead to car's missing the left turn on to Bruce Rd and instead will go down Chipping Close:

The relocation of the hotel's entrances was made as a result of the previous reasons for refusal. All guests when making their bookings will be given a Bruce Road address and postcode to enter into their satnav devices. The sites existing use as a car park would generate more vehicular trip generation along Chipping Close.

- There is no evidence of a deal between the Spires' NCP and the hotel and what guarantees are there of its permanence:

This will be secured via a S.106 agreement and will be the subject of monitoring by the Council.

- To avoid potential parking impacts, the Council should either implement 24/7 controlled parking in local streets, or specify that Premier Inn must enhance their legal arrangement with The Spires to provide free customer parking in the Spires car park:

The applicants will pay for a CPZ review of the local area to understand whether a change to the current CPZ is required. This will be secured via a S.106 agreement.

- The proposed use of Bruce Grove for access to the hotel raises concerns given its location close to a main junction creates a potential danger:

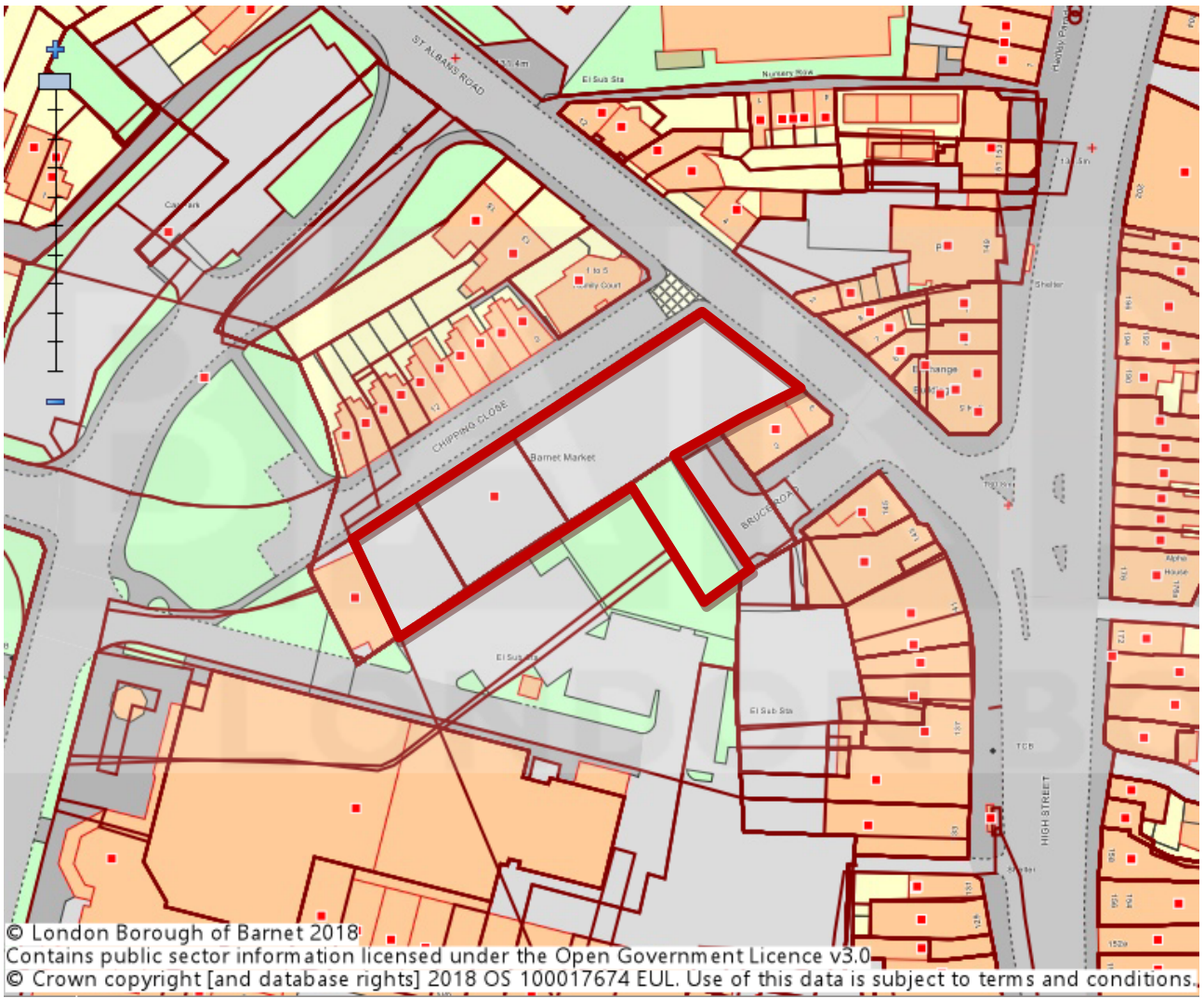
The Council's Highways Department has reviewed the application and consider it acceptable on highways grounds.

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 reviewed the documentation and plans submitted, it is considered that the proposed development would have an acceptable impact on and enhance the character and appearance of the application site, the Chipping Barnet Town Centre and Monken Hadley Conservation Area. It is considered that the proposed design appropriately addresses the previous reasons for refusal, whilst ensuring the delivery of a commercially viable scheme that will support the long-term aims and objectives of the Chipping Barnet Town Centre Strategy (2013). The proposed architectural form, design detailing and soft landscaping is considered to respect the adjacent streetscape while also enhancing the visual appearance of the Monken Hadley Conservation Area and wider Chipping Barnet Town Centre. Furthermore, the proposed development is considered to have an acceptable impact on the residential amenity of neighbouring occupiers by way of daylight / sunlight, privacy, air and noise pollution and vehicular and pedestrian movements. Acceptable mitigation measures have been evidenced including further elevational setbacks, part obscure glazed windows, noise reduction paving and a CPZ review. The proposed development has also provided an appropriate Travel Plan, including the adequate provision of car and cycle parking. It is therefore considered acceptable on highways grounds. Consequently, the application is recommended for approval.



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Chipping Barnet Area Planning Committee
15 October 2018
Addendum to Officers Report

18/5395/FUL Site of Barnet Market

An email was received from P. Griffin who had been registered to speak against the application, to clarify that there was no request to speak at committee and that the only objection to the application was in connection with the restaurant and not with the hotel which is considered to be of a pleasing design. The concern relating to the restaurant is regarding its size which should be kept to a minimal so it does not take away trade from the high street.

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	AGENDA ITEM 7 Planning Committee 5 November 2018
	<p>Title Referral from the Finchley and Golders Green Area Planning Committee: 1-5 Princes Parade and 1-3 Heather Gardens.</p> <p>Report of Head of Governance</p> <p>Wards Golders Green</p> <p>Status Public</p> <p>Enclosures Appendix A – Report considered by Finchley and Golders Green Area Planning Committee – 1-5 Princes Parade and 1-3 Heather Gardens. Appendix B – Addendum to FGG Committee 15 October 2018 Appendix C – Updated Parking Beat Survey</p> <p>Officer Contact Details Tracy Scollin, Governance Officer Tracy.scollin@barnet.gov.uk 020 8359 2315</p>

Summary

Agenda Item 12 (1-5 Princes Parade) of the Finchley and Golders Green Barnet Area Planning Committee on 15 October 2018 was referred up to Planning Committee, by the Chairman in accordance with the Council’s constitution. The Planning Committee is therefore requested to consider the recommendations and take a decision on them.

Since the Finchley and Golders Green Area Planning Committee, the applicant has undertaken an updated parking beat survey to address the concerns of the Chairman. This is attached as Appendix C. The Council’s Traffic and Development service has reviewed the updated survey and is in agreement that sufficient parking spaces exist with the surrounding road network to accommodate the overspill parking from the proposed development.

Recommendations

1. That the Planning Committee consider and determine the application as set out in the report previously considered by the Finchley and Golders Green Area

1. WHY THIS REPORT IS NEEDED

- 1.1 The Constitution allows the Chairman of an Area Planning Committee to refer, prior to a vote being taken, any item that that he/she feels should be determined by the main Planning Committee. The Chairman must also give reasons for referring the item.
- 1.2 The attached report was considered by the Finchley and Golders Green Area Planning Committee on 15 October 2018.

2. REASON FOR REFFERAL

- 2.1 The Chairman referred the matter to main Planning Committee on the following grounds:

The Chairman informed the Committee, that she had decided to refer the 1-5 Princes Parade, Golders Green Road and 1-3 Heather Gardens NW11 9HS planning application to the main Planning Committee by virtue of paragraph 2.3 (e) of the Council's constitution. The reason for referral is that concerns have been raised about the parking survey relating to the application.

It was also noted that the speakers' rights would be automatically transferred to the main Planning Committee.

3. REASONS FOR RECOMMENDATIONS

- 3.1 As set out in the substantive report.
- 3.2 The Chairman of the Finchley and Golders Green Area Planning Committee had raised concerns regarding the submitted parking survey. As part of the referral to Planning Committee, the applicant was requested to carry out an updated parking survey.
- 3.3 The applicant has undertaken and submitted an addendum to the Transport Statement which provides an update to the parking impact assessment originally undertaken. The original Transport Statement considered a scheme comprised of thirty-one (31) residential apartments and 1,069sqm. Gross floor area (GFA) of retail space. Through discussions with the Planning Authority, the scheme was reduced to twenty- none (2) – with these comprising thirteen (13) one-bed units, thirteen (13) two-bed units and three (3) three-bed units.
- 3.4 The updated parking stress surveys were carried out overnight in the early hours of Thursday 18th October and Friday 19th October 2018. Within 200m of

the site 158 spaces were recorded which matches that identified in the original November 2017 surveys.

- 3.5 The results of the updated parking stress survey reported identified an existing parking stress of 65% on the local highway network within 200m or so of the site, with the number of spare spaces during the peak overnight period being on average fifty-six (56).
- 3.6 The primary conclusion from the updated survey is that there continues to be considerable spare on-street parking capacity. There would continue to be the scope to accommodate thirty-six (36) vehicles on-street associated with the proposed development without exceeding the 90% threshold.
- 3.7 The Council's Traffic and Development service has reviewed the updated survey and is satisfied with the method undertaken. The survey demonstrates that there are sufficient spaces for possible overspill parking from the future development and should protect existing residents parking amenity.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 4.1 As set out in the substantive report.

5. POST DECISION IMPLEMENTATION

- 5.1 As set out in the substantive report.

6. IMPLICATIONS OF DECISION

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

- 6.2 As set out in the substantive report.

6.3 Legal and Constitutional References

- 6.3.1 The Council's constitution, permits a Chairman of an Area Planning Committee, to refer an application to the main Planning Committee, provided that it is referred before the vote is taken. The Chairman must give reasons for referring the application.

6.4 Risk Management

- 6.5 As set out in the substantive report.

6.6 Equalities and Diversity

- 6.7 As set out in the substantive report.

6.8 Consultation and Engagement

- 6.9 As set out in the substantive report.

7. BACKGROUND PAPERS

7.1 None.

Location **1-5 Princes Parade, Golders Green Road And 1 - 3 Heather Gardens London NW11 9HS**

Reference: **18/2492/FUL** Received: 24th April 2018
Accepted: 1st May 2018

Ward: Golders Green Expiry 31st July 2018

Applicant: Mr A LANGBERG

Proposal: Demolition of remaining fire-damaged buildings at 1-3 Heather Gardens; erection of a part-3 to part-5 storey building over a basement and comprising 29 flats with private and communal amenity space; 1058m² A1 retail floor space and ancillary storage at ground and basement levels; provision of 4 parking spaces and 49 cycle parking spaces; and provision of refuse storage facilities

Recommendation: Approve subject to s106

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

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Affordable housing contribution of £35,000.
4. Submission of Residential Travel Plan
5. Monitoring of legal agreement (£1,575)

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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

11186 - 01 D (1 to 5 Princes Parade: Existing Floor Plans (Demolished))
11186 - 02 A (1 to 5 Princes Parade: Existing Elevations (Demolished))
11186 - 03 A (1A Heather Gardens: Existing Floor Plans & Elevations (Demolished))

11186 - 05 (1 & 3 Heather Gardens: Existing Floor Plans & Elevations)
11186 - 04 (Existing Site Location Plan)
11186 - 06 A (1 to 5 Princes Parade & 1A to 3 Heather Gardens: Extg Block Plan & Elevations)
11186/ 07 D (Proposed Block Plan & Basement Level Plan)
11186/ 08 C (Proposed Ground Floor Plan)
11186/ 09 D (Proposed First Floor Plan)
11186/ 10 B (Proposed Second & Third Floor Plan)
11186/ 11 B (Proposed Fourth Floor & Roof Plans)
11186/ 12 C (Proposed Front (Golders Green Road & Heather Gardens) Elevations)

11186/ 13 D (Proposed Section AA & BB)
11186/ 14 C (Proposed Elevations & B Materials Palette)

Air Quality Assessment
Daylight and Sunlight Assessment
Design and Access Statement
Financial Viability Assessment
Flood Risk Assessment
Noise Impact Assessment
Planning Impact Assessment
Retail Impact Assessment
Site Waste Management Plan
Sustainable Drainage System Assessment Form
Sustainability & Energy Statement
Transport Assessment
Utilities Statement

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

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

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

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

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

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

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

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

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

- 5 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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

- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

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

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

6 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 October 2016) and 5.21 of the London Plan 2016.

- 7 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

The scheme shall be based upon the principles within the agreed [1868_FRA_SWMS_Princes Parade_London_[Jul18]_Rev3] prepared by Herrington Consulting Limited dated July 2018.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

- 8 a) No development shall take place until details of mitigation measures to show how the development will be constructed so as to provide sufficient air borne and structure borne sound insulation against internally 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 A1 use; as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.15 of the London Plan 2016.

- 9 a) Before development commences, an air quality assessment report written in accordance with the relevant current guidance shall be submitted to and approved by the Local Planning Authority. The report shall include an assessment of the air quality impacts of the demolition, construction and operational phases of the development.

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.

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

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

- 10 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 from the A1 use, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 7.15 of the London Plan 2016.

- 11 a) No development other than demolition works shall commence on site in connection with the residential use of 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 from the residential use, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 7.15 of the London Plan 2016.

- 12 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

- 13 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be 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 the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and 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.

- 14 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 prior to the occupation of the hereby approved development.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

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

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

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

- 16 Glazing and ventilation materials for residential uses are to be submitted and approved by the LPA prior to commencement of the residential use to which they relate in order that the LPA can ensure the glazing and ventilation specification meets relevant internal and external noise levels as set out in Acoustic Report by WSP, No: . AC01 dated March 2018."

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

- 17 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 London Borough of Barnet's Local Plan Policy CS9 of the Core Strategy (Adopted September 2012) and Policy DM17 of Development Management Policies (Adopted September 2012).

- 18 The level of noise emitted from the ventilation/ extraction plant for the residential use 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 2016.

19 a) Prior to the first occupation of the hereby approved development, details of the proposed green roofs have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

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

20 Before the building hereby permitted is first occupied, in addition to the windows identified for obscure glazing on drawing nos. 11186/ 09 D, 11186/10 B and 11186/ 11 B, all the windows on the first and second floors along the south-western elevation facing No.5 Heather gardens shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

21 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. 11186/ 08 C shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

22 The retail use hereby permitted shall not be open to members of the public before 07:00 or after 11:00 on weekdays and Saturdays or before 09:00 or after 22:00 on Sundays and Bank and Public Holidays.

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

23 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 07:00 am or after 22:00pm 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.

24 Other than the green roof garden on the fourth floor, no other flat roofed element of the development hereby permitted shall at any time be converted to or used as a

balcony roof garden or similar amenity or sitting out area and shall only be used in connection with the repair and maintenance of the building.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 25 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).

- 26 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.

- 27 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.

- 28 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 the three units (flats 8, 16 and 22) identified shall be 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.

- 29 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 35.48% 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.

- 30 The level of noise emitted from the ventilation/ extraction plant from the A1 use 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.

- 31 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

- 32 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.

- 33 The development hereby approved shall be implemented and carried out in full accordance with the information in the approved Waste Management Plan, WYG (dated March 2018) and be managed in accordance with this document 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 2016).

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

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

RECOMMENDATION III:

- 1 That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 31 January 2019, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://www.legislation.gov.uk)

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

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

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

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

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

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

5 The Air Quality 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, Jan 2017); 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) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014); 6) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions' 7) The control of dust and emissions from construction and demolition, Best Practice Guidance London Councils, 2006; 8) The Control of Dust and Emissions during construction and demolition supplementary planning guidance July 2014; 9) Air Quality Neutral Planning Support Update April

2014 and 10) Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 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.

6 The submitted Construction Method Statement shall include as a minimum details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
- For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

7 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.

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

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

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

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

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

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

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

- 9 As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk

Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-largesite/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

- 10 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.

Officer's Assessment

1. Site Description

The site is located on the corner of Golders Green Road and Heather Gardens, within the ward of Golders Green. The site includes Nos. 1-5 Princes Parade, 1A Heather Garden/ Heather House and 1 & 3 Heather Gardens.

The site suffered extensive fire damage in June 2017 which resulted in the demolition of Nos. 1-5 Princes Parade and 1A Heather Gardens.

Previously Nos. 1-5 Princes Parade was a two-storey building fronting on to Golders Green Road. The parade consisted of a mix of retail units (supermarket and post office) on the ground floor, with twelve residential studios and small office suites on the upper levels. The residential units were accessed from an external staircase at the rear of the site.

1A Heather Gardens/ Heather House was a three-storey former commercial building which had been converted into 11 residential units under Prior Approval application ref: F/00443/14. The ground floor contained ancillary retail storage for Kay's supermarket.

The only currently remaining part of the site is 1 & 3 Heather Gardens, comprising of a pair of semi-detached properties. No.1 is currently vacant but comprised of 2 self-contained flats, while No.3 is a single-family dwelling.

This part of Golders Green Road consists of a mixture of commercial and residential buildings of varying styles, heights and footprints. Princes Parade continues to the north on the opposite side of Heather Gardens, although has a different built form and design to the previous existing building. There are large residential blocks in close proximity to the south and further north along Golders Green Road. Immediately adjacent to the south is a four-storey residential building (Windsor Court), a three-storey purpose built residential block (Phildor Court) lies opposite, as well as a large vacant site (Nos. 290-294) which has planning permission for the erection of a part two to part six-storey building providing 60 flats (ref: 16/3806/FUL). Heather Gardens is a residential street comprising of two-storey, semi-detached dwellings. There is a three-storey purpose built flatted building on the corner with Golders Manor Drive.

2. Site History

Reference: 17/6915/PND

Address: 1 - 5 Princes Parade Golders Green Road NW11 9PS

Decision: Prior Approval Required and Approved

Decision Date: 28.11.2017

Description: Demolition of all existing buildings

Reference: F/00443/14

Address: Heather House, 1A Heather Gardens, London NW11 9HS

Decision: Prior Approval Required and Approved

Decision Date: 21.03.2014

Description: Change of use from B1 office (first & second floor) to C3 residential (11 units)

Reference: C12863D/01

Address: 1 Heather Gardens London NW11 9HS

Decision: Refused
Decision Date: 27.03.2002
Description: Loft conversion involving addition of small roof gable and side and rear dormers.

Reference: C10541B/02
Address: 3 Heather Gardens London NW11 9HS
Decision: Lawful
Decision Date: 12.02.2003
Description: Alterations to roof including hip to gable and rear roof extension

Reference: C10541A/01
Address: 3 Heather Gardens London NW11 9HS
Decision: Refused
Decision Date: 22.03.2001
Description: Loft conversion involving dormer window extensions to side and rear of roof.

Reference: C10541
Address: 3 Heather Gardens London NW11 9HS
Decision: Lawful
Decision Date: 18.09.1990
Description: Roof extensions to side and rear

3. Proposal

The application seeks permission for the demolition of the remaining buildings at 1 & 3 Heather Gardens and the erection of a part-three to part-five storey building with basement level. The proposal comprises of new retail floor space and ancillary storage at basement and ground floor levels and 29 self-contained flats.

The proposed retail element will consist of three individual shop units; two on the ground floor and the third split over the basement/ ground floor levels. In total, 875sqm of retail space is proposed, with a further 149sqm of associated storage space.

There are 29 flats proposed, comprising of 13 x 1-bed, 13 x 2-bed and 3 x 3-bed units. There is a rear communal garden (210sqm) proposed on the ground floor, roof garden (110sqm) on the fourth floor and a number of individual balconies and terraces.

In addition, the proposal provides 3no. off-street parking spaces, 1no. service/ delivery space, 49 cycle parking spaces and provision of refuse storage areas.

The proposal has been amended during the course of the application to include the following amendments:

- Removal of proposed sixth floor;
- Reduction in the number of residential units from 31 to 29 flats;
- Proposed fourth floor has been stepped in slightly from Golders Green Road and Heather Gardens elevations.

4. Public Consultation

Consultation letters were sent to 643 neighbouring properties.
38 responses have been received, comprising 11 letters of objection and 26 letters of support.

The objections received can be summarised as follows:

- Overdevelopment;
- Design not in keeping;
- Increased density;
- Overcrowding;
- Overshadowing;
- Impact on light and privacy;
- Provision of small sized flats;
- Increase in traffic;
- Excessive number of cycle parking spaces;
- Insufficient parking spaces;
- Drainage problems.

The letters of support received can be summarised as follows:

- Positive replacement to the old buildings;
- Huge communal asset and will add greatly to the area as well as the various local businesses;
- Provision of larger purpose-built shop;
- Provision of addition residential units;
- Proposed design is in keeping with the area and brings modern facelift to Golders Green.

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 24th July 2018. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS6, CS9, CS10, CS13, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM07, DM08, DM10, DM12, DM17

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Provision of adequate accommodation for future occupiers;
- Highways, access and parking; and
- Other material considerations.

5.3 Assessment of proposals

Principle of development

Demolition

Prior to the demolition of the existing fire damaged buildings, Officers considered that the building at Nos. 1-5 Princes Parade benefitted from some architectural and historical merit. Its demolition was accepted due to the safety concerns arising from the fire. However, the LPA advised that it expected any replacement building to be of a high-quality design which positively contributes to the character of the streetscene and wider area. This will be assessed further within the report. The proposed demolition of 1 & 3 Heather Gardens raises no objections.

Mixed-use development

The application site was previously occupied by buildings in mixed commercial and residential uses prior to their demolition. The LPA has no objection to the re-development of the site for a mixed retail / residential use. It is acknowledged that the previous residential units were substandard in terms of meeting the recent minimum floorspace standards and the proposal represents an opportunity to improve the standard of accommodation across the site.

Retail

The site previously consisted of a total of 767sqm of retail floorspace. The application proposes 1058sqm of retail floor space, representing a net increase of 291sqm over and above what was previously on site. Barnet policy DM11 requires that all new out of town retail development and any extensions which exceed 200sqm gross will be required to undertake a sequential test. The proposal would fall under these criteria and as such the applicant has carried out a sequential test.

Paragraph 86 of the NPPF states main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. Paragraph 87 continues that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

In undertaking the sequential test, the report considers that as the proposed retail uses are aimed at serving the needs of the local residential area, an area of nearest town centres has only been considered. The town centres considered have been Brent Street, Golders Green and Temple Fortune. Sites circa 1,000sqm GIA floorspace will be considered within these town centres. Officers do not dispute the justification relating to the scope of the sequential test.

A survey of available sites was conducted in February 2018 and identified 29 vacant premises. The premises identified consisted of a number of small scale units, with the largest measuring 288sqm. Consideration was also given to any adjacent vacant premises which could be combined and again none would be of a sufficient size to accommodate the application proposal. As such, the report concludes that there are no suitable sites within or to the edge of three identified town centres.

Having reviewed the submitted information and sequential test analysis, Officers consider that an appropriate assessment taking into account the scale and nature of the proposed development has been undertaken which identifies that there are no other suitable sites within the designated town centre. All of the identified vacant premises were smaller than what previously existed on site. While the proposal provides a net increase, it is not considered to result in a significant change in character to the immediate area. The proposed units will serve a local need. Taking all of the factors into account, the proposal is considered to pass the sequential test and comply with the requirements of policy DM11.

Impact on the character and appearance of the site, streetscene and wider locality

Policy DM01 expects that development should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The site is notably prominent being visible from all elevations, but especially from either side along Golders Green Road, therefore care needs to be taken in order to ensure that the new building fits acceptably in the street and achieves a suitably high standard of design.

Layout

In terms of footprint, the development comprises a single building which is stepped and staggered across the site. The building facing Golders Green Road sits on a similar building line to the building that stood there previously. While this front building line sits further forward of Windsor Court, this replicates the previous position and so, no objection is raised to this element. Along Heather Gardens, the proposal is set back from the footpath by varying distances from 5 - 10m. The building line of the rear of the site is similar to that of No.5 and 7 Heather Gardens and would respect the streetscene.

Within the Design and Access Statement, there is a diagram provided which illustrates the existing and proposed footprints. From this, it can be viewed that the proposal has a similar built footprint. In terms of footprint, the proposal does not raise any significant concerns.

Scale and Massing

The proposal consists of a five-storey building at the front of the site facing Golders Green Road and steps down to four-storeys within the middle section of the site, to three-storeys adjacent to No.5 Heather Gardens.

This element of the proposal has been subject to thorough discussions with the applicant and has resulted in a reduction of storeys and the setting back of the proposed fourth floor from Golders Green Road and Heather Gardens. Following these amendments, the Local Planning Authority is satisfied that the proposal is of an appropriate scale and massing.

External appearance

Within the Design and Access Statement, it states that the proposal will match the architectural palette of materials in sympathy with the building and the local area whilst retaining its own individual appearance. A red stock brick is proposed to the main block, red brick to the rear, through-coloured render and anthracite powdered coated aluminium casement windows and doors. A green sedum is also proposed to the main roofs of this building.

In terms of the external design, the larger front building has been arranged in a stepped rhythm using 5.6m sections across the frontage width with uniform window sizes and external balconies. The stepped fourth floor would be constructed with a different coloured brick to help visually break up the massing.

Overall, the external appearance of the proposed development is considered to be acceptable and will not have a harmful impact on the character and appearance of the streetscene and wider locality.

Impact in the amenity of neighbouring occupiers

Barnet policy DM01 requires new development to have due regard to the amenity of existing occupiers in neighbouring buildings.

There are a number of neighbouring properties surrounding which have the potential to be impacted by the proposed development.

In terms of overlooking, it is noted that there are a number of windows on the north-western elevation of Windsor Court facing the application. These windows are confirmed to be non-habitable rooms. The proposal does consist of a number of windows facing these existing windows. At ground floor level, the separation distance would be 5.4m, with the above floors being stepped back at a distance of 12.7m. However, taking into account the existing Windsor Court windows are non-habitable, there would be no harmful overlooking.

The applicant has undertaken a Daylight and Sunlight report which investigated potential impacts on properties along Heather Gardens, Phildor Court, Princes Parade and Windsor Court. The report concludes that there will be a small reduction in the amount of daylight reaching the windows of the buildings that surround the proposal. However, when the tests were run, the vast majority of the windows and rooms were well within the acceptable limits set out within the BRE guidance.

Only one of the 106 windows tested falls short of the BRE recommended values for the Vertical Sky Component (VSC) at No. 5 Heather Gardens. However, it has been identified that the window affected is a secondary window, where the room also benefits from a large window in the unobstructed rear elevation of the property. Furthermore, the NSL test concluded that there would be a negligible impact on the distribution of daylight within the room. Taking these tests into account, the report concludes that the overall reduction is unlikely to be noticeable by the occupants of No.5.

In summary, the report concludes that the proposed development will not result in a notable reduction in the amount of either daylight or sunlight enjoyed by the neighbouring buildings. All of the proposed residential units will receive acceptable levels of daylight and sunlight for future occupiers.

Provision of adequate accommodation for future occupiers

In terms of the amenity for future occupiers, the LPA would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. The London Plan, policy DM02 and Barnet's Sustainable Design and Construction SPD set out the minimum space requirements for residential units.

There are 29 flats proposed, comprising of 13 x 1-bed, 13 x 2-bed and 3 x 3-bed units. After reviewing each of the units, 28 out of 29 units were meet or exceed the minimum floorspace standards. Unit 27 on the fourth floor falls short of the required 3B5P by 4sqm. Whist one of the rooms is marked as a study, it is large enough to accommodate a single bedroom. The unit has been reduced in order to accommodate Officer's comments in stepping back the whole fourth floor. While the unit represents a shortfall, it is a large unit which benefits from dual aspect outlook and overall is not considered to provide substandard accommodation.

Policy DM02 and the Sustainable Design and Construction SPD require the provision of 5sqm of private amenity space per habitable room. The proposal consists of rear communal garden, roof top garden and individual balconies/ terraces on the majority of units. These

provide a total of 555.5sqm of outdoor amenity space. The proposal consists of 100 habitable room, including those that can be counted as two (20sqm), providing a requirement of 500sqm. Therefore, the proposal provides the necessary outdoor amenity space required to service this development.

Highways, access and parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

The site is located within an area of PTAL 3 (average) and a controlled parking zone which operates 11:00-12:00 Monday-Friday.

The proposal proposes three car parking spaces and one service delivery space. The Council's Traffic and Development service comment the proposed level of parking is significantly less than the quantum expected. Typically, a development of this nature should provide between 26-40 spaces to be compliant with the standards set out within Policy DM17.

In the absence of sufficient parking spaces, the applicant has conducted a parking survey which was undertaken over the 29th and 30th November 2017. The parking survey has been undertaken in line with the Lambeth Methodology, which shows that the current on-street parking stress is 56% and 58% retrospectively. This level of parking stress allows for approximately 50 on-street vehicles before the 90% existing residential parking amenity threshold is reached. The applicants have also looked into the level of car ownership likely to be associated with the proposed development. Census car ownership levels for this ward and this tenure dictate that there will be 21 vehicles associated with the development. Over-spill parking by the development will account for 18 vehicles (21 vehicles associated with the development, minus the 3 proposed off-street car parking spaces). The Highway's Officer considers that the level of over-spill parking by the development will not impact on existing residents parking amenity.

London Plan stated minimum cycle parking levels suggest that a development of this nature should provide 49 cycle parking spaces. This development proposes 49 cycle spaces which is in line with London Plan minimum cycle parking standards. Cycle stores are located in a convenient place which are within a reasonable proximity to the development's accesses. No details of the specification of the cycle storage have been submitted and will be required to be submitted via a condition. Internal cycle stores should be designed to promote usage and allow for easy storage/ retrieval for persons of all strengths and allow for good accessibility to lock the bikes.

Residential refuse stores have been provided within a suitable proximity of the entrances to the development for the use by future residents. The bin stores are also located within a reasonable proximity from the public highway and can be easily accessed by refuse operatives. Refuse vehicles will not be required to enter the development, therefore no relevant swept paths are submitted. It is considered that a refuse vehicle stationary parked on the surrounding kerb side will not impact on the operation of the surrounding highway network. Retail refuse collection is to be undertaken via a commercial agent, with each of

the operators of the units managing the placement and management of the bins around collection times.

Service and refuse trip generation by the proposed residential aspect of the development is unlikely to be of a significant level. A service vehicle space has been provided for the retail aspect of the development. The space doesn't look like it will be of a size to accommodate large service vehicles associated with the larger retail store so a service management plan will be required via a condition. This is required to fully mitigate the impact of service vehicles on the surrounding highway network. The transport assessment suggests that there will be 2 larger vehicles (7.5t ridged) and 16 vans (transit size) service movements associated with the residential aspects, this level of vehicle movement can be suitably mitigated with a service management plan.

In summary, the proposed development is considered to comply with Barnet policy DM17 as the proposal will not compromise road safety or road hierarchy and will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users.

Any other material considerations

Affordable Housing

In accordance with Barnet policy DM10, new housing developments are required to provide 40% of affordable housing on site. Only in exceptional circumstances will a reduction in affordable housing be accepted. Where a reduction is sought, the Planning Authority will seek that a viability report is submitted to justify the reduction and that the report is independently assessed.

The applicant has provided a financial viability statement by BNP in support of the scheme which states that it is not viable for any affordable housing to be provided. This has been reviewed independently by Colliers. The conclusion of the Colliers Report is that they are in agreement with BNP that it would not be reasonable to require a full policy compliant scheme as it is not viable. However, Colliers are recommending that a payment in lieu of £35,000 towards affordable housing be sought. The applicant has agreed to this payment.

Sustainability

The Sustainability Report submitted concludes that the proposal can achieve a 35.48% reduction in carbon emissions.

The proposal would meet Part M4(2) of the Building Regulations for 90% of the development and Part M4(3) for 10% of the development, in accordance with the London Plan requirements.

Drainage

A Flood Risk Assessment was submitted with the application. Following a review of the documents and further details provided, the Lead Local Flood Authority raises no objection in principle to the proposed development. They recommend that a condition be attached requiring a surface water drainage scheme to be submitted.

5.4 Response to Public Consultation

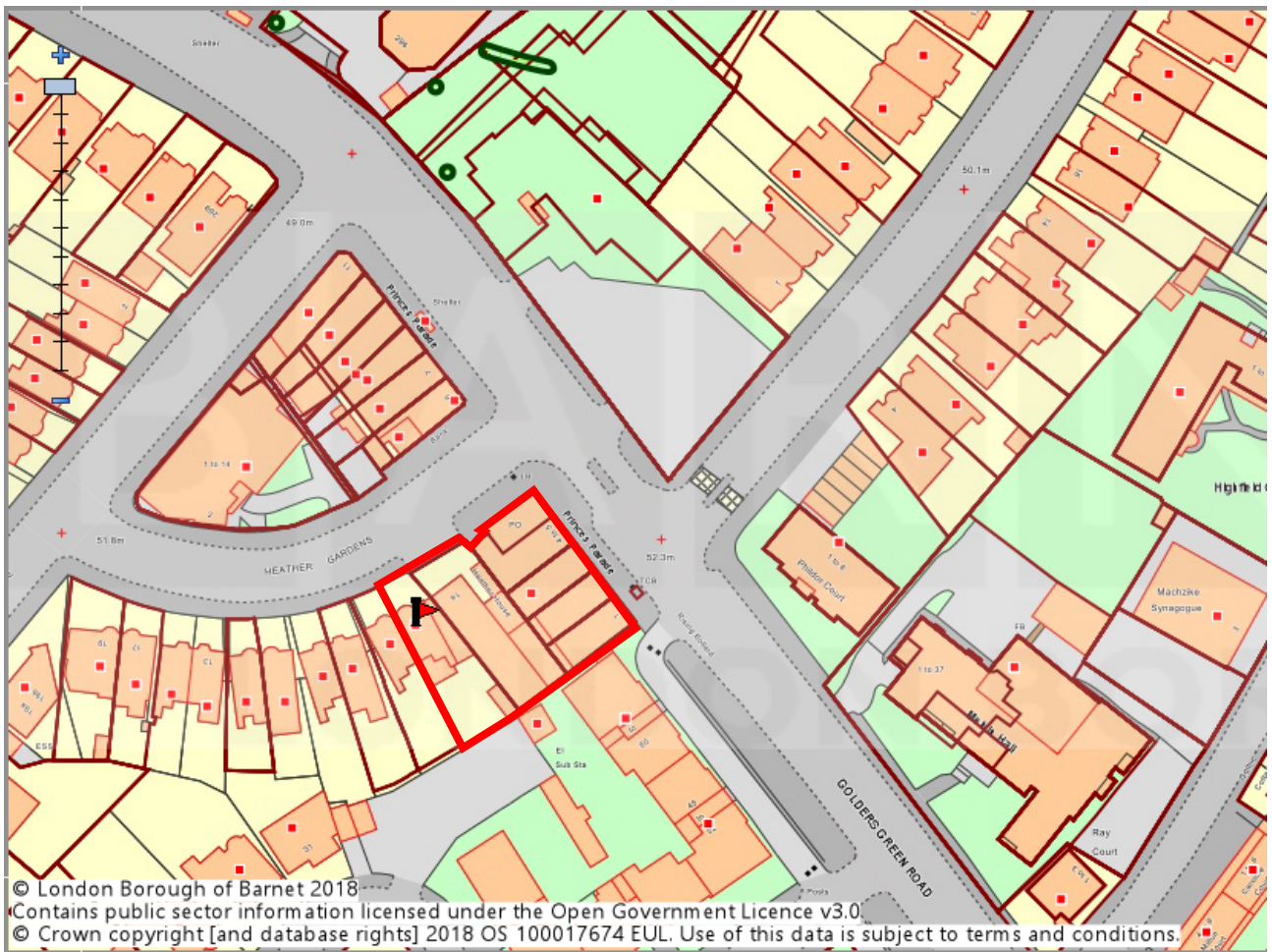
The majority of concerns raised within the letters of objection have been addressed within the assessment section of the report. The concern regarding drainage of the site will be dealt under the building regulations process.

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 the completion of a legal agreement and compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring or future occupiers and would not have a harmful impact on the road network. This application is therefore recommended for approval.



Finchley and Golders Green Area Planning Committee
15th October
Addendum to Officers report

Pages: 109 - 136

Ref: 18/2492/FUL

1-5 Princes Parade, Golders Green Road and 1 -3 Heather Gardens, London, NW11 9HS

Since the publication of the committee report, a further two letters of objection have been received. They can be summarised as follows:

- Insufficient parking spaces;
- Increase in parking pressure;
- Unnecessary to demolish buildings at 1-3 Heather Gardens;
- No Provision for the delivery of the shop goods;
- Proposed apartments are too small and congested;
- 5 storey building will be out of line with the current buildings and look completely out of place.

The following condition are amended:

Condition 20:

Before the building hereby permitted is first occupied, in addition to the windows identified for obscure glazing on drawing nos. 11186/ 09 D, 11186/10 B and 11186/ 11 B, all the windows on the first and second floors along the south-western elevation facing No.5 Heather gardens shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be fitted with restrictors to limit the opening to 100mm (for ventilation purposes)

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

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Princes Parade, NW11

Parking Impacts Assessment - Addendum to Transport Statement

Background

This note has been prepared as an addendum to the Transport Statement (dated March 2018) prepared by Transport Planning & Highway Solutions Limited, submitted as part of the application material to London Borough of Barnet (LBB) in support of the redevelopment of the site comprising 1-5 Princes Parade and 1A, 1-3 Heather Gardens in Golders Green, NW11.

The scheme considered within the submitted Transport Statement report comprised thirty-one (31) residential apartments and 1,069sqm. gross floor area (GFA) of retail space (including basement and storage space), coming forward primarily as a car-free scheme other than three on-site parking spaces allocated to residents with registered disabilities and a single off-street servicing space.

Through discussions with LBB during the lifetime of the application determination period the total number of residential units within the proposed redevelopment scheme has reduced from the thirty-one (31) considered within the submitted Transport Statement to twenty-nine (29) – with these comprising thirteen (13) one-bed units, thirteen (13) two-bed units and three (3) three-bed units.

The redevelopment scheme would be replacing the previous retail floorspace and ancillary storage, which totalled 767sqm. GFA, and the residential units previously provided across the full extent of the site, which totalled twenty-six and primarily being provided as studio units.

The purpose of this addendum is to provide an update to the parking impacts assessment presented in the submitted Transport Statement report, which had been underpinned by survey work undertaken during November 2017, by means of a further survey series undertaken in October 2018 and also to reflect the reduction in the number of proposed residential units within the scheme.

Existing Parking Environment

A series of updated parking beat surveys has been undertaken, primarily in accordance with the standard Lambeth residential parking survey methodology which is widely used across London boroughs. These surveys act as a tool to support an objective demonstration of the scope for reductions in providing car parking below maximum levels on development sites, notwithstanding the overall level of provision and how this relates to local car ownership and travel trends.

The methodology uses peak stress times of residential parking (overnight) to calculate the availability of spare spaces on-street, which provides the appropriate benchmark given the scheme proposals coming forward with residential units with accessible parking only. As a general requirement, levels of on-street parking that are at or exceed 90% of the total available parking spaces would it is argued cause or lead to undue pressures on the local area.

The following provides a summary of the approach adopted for the updated surveys undertaken in relation to the site, which replicates the methodology for the original November 2017 surveys:

- the area surveyed generally covers a 200m walking distance around the site, but with minor omissions and extensions to reflect logical cut-off points in the study area;
- the surveys have been undertaken during school term-time and not within either public or school holidays, with two weekday surveys undertaken between the hours of 00:30 and 05:30 (Monday / Tuesday to Thursday / Friday);
- an inventory sheet has been prepared to confirm the lengths of stretches available for parking and also the kerbside characteristics (such as yellow lining and dropped kerbs);
- any cars parked within the first 7.5m of a junction have been referenced as inappropriate, irrespective of the restrictions, to reflect the standard survey approach;
- available spaces on-street have been based typically on no less than 5m-length, but with shorter spaces considered where these are formally demarcated as individual spaces.

The updated parking stress surveys were carried out overnight in the early hours of Thursday 18th October 2018 and Friday 19th October 2018, between 01:40 and 02:20 and between 02:20 and 03:00 respectively, so within the days and hours set out within the Lambeth Methodology.

The study area adopted for the survey is shown in **Appendix 1**, which illustrates that the network comprises stretches of Golders Green Road, Heather Gardens, Sinclair Grove, Highfield Road, Highfield Gardens, Princes Park Avenue and Golders Manor Drive. The full results of the updated parking beat surveys in the form of the tabulated inventory records are attached at **Appendix 2**. Table A1 below presents a summary of the results from the October 2018 surveys.

	SURVEY 1 18 th Oct. 2018	SURVEY 2 19 th Oct. 2018	SURVEY AVERAGE
Vehicles Parked ⁽¹⁾	105	98	102
Spare Spaces ⁽¹⁾	52	60	56
<i>Study Area Capacity</i>	<i>157</i>	<i>158</i>	<i>158</i>
RESULTANT STRESS	66.9%	62.0%	64.6%
<i>1. Vehicles parked include small number of vehicles parked 'inappropriately' on each night; accordingly, number of spare spaces referenced reduced to offset these.</i>			

Table A1: Summary of Updated Overnight Parking Stress Surveys

The results of the updated series of parking stress surveys identify firstly an average observed on-street capacity of 158 spaces, which matches that identified through the November 2017 surveys.

Analysis of the results of the updated surveys indicates between around 100 and 105 vehicles parked overnight on-street within the study area, with a resultant parking stress level averaged across the two survey days of 65%. This compares with around 90 vehicles parked and a resultant stress level of around 58% identified from the original November 2017 surveys.

Notwithstanding the observed changes in the existing on-street parking environment, the primary conclusion from the updated survey of parking stress is that there continues to be considerable spare capacity of on-street parking spaces during the overnight period within the vicinity of the site, based not only on the average of the two survey days but on each of the two survey days.

Against the background of the busiest of the two survey days within the updated series, there would continue to be the scope to accommodate thirty-six (36) additional vehicles on-street without exceeding the 90% threshold corresponding with material parking stress, with this increasing to forty (40) vehicles when considering the average on-street demand over the two survey days.

Further review of the updated survey data identifies the majority of vehicles (92 vehicles on each day) parked amongst the permit holder (including shared) spaces, with an average stress level over the two survey days amongst these spaces being 72% and with scope to accommodate twenty-three (23) additional vehicles on-street within these spaces without exceeding the 90% material stress threshold.

From the results of the updated surveys it continues to be evident that as a residential area the level of on-street parking stress within the vicinity of the site can cope with additional parking on-street from similar residential developments without causing undue or significant additional harm to the area or impacting negatively upon existing residents in terms of parking.

Car Parking Strategy

The development would come forward primarily as a car-free scheme, with the parking strategy being to provide three on-site car parking spaces only to be allocated to those residents with registered disabilities. This level of on-site provision is commensurate with the number of wheelchair-accessible units (three) which would be forthcoming within the proposed redevelopment scheme.

As referenced within the submitted Transport Statement, the starting point for the considerations of general car parking for the residential units within the scheme could be argued to be the difference between the theoretical car parking requirements of the extant residential units and the theoretical car parking requirements of the proposed residential units, since the demand associated with the former could continue to come forward without any further planning considerations.

Based on the current LBB standards, the extant residential units could have a theoretical car parking requirement of up to 28 spaces, whilst the proposed residential units could have a theoretical car parking requirement of up to 37 spaces – a net increase of 9 spaces.

In contrast, based on the current London Plan standards, the extant residential units could have a theoretical car parking requirement of up to 27 spaces, whilst the proposed residential units could have a theoretical car parking requirement of up to 31 spaces – a net increase of 4 spaces.

Indeed, it should be noted also against the background of the draft London Plan, published in December 2017 by the Mayor of London but not yet adopted policy, that with the guiding standards put forward based on PTAL only a theoretical car parking requirement of up to 20 spaces could be associated with the extant residential units, compared with a theoretical car parking requirement of up to 22 spaces associated with the proposed residential units – a lesser net increase of 2 spaces only.

The worst-case scenario, however, would continue to be to appraise the residential part of the scheme as a stand-alone development against each of LBB's and the London Plan's current policy and guidance, which as identified would represent a maximum provision requirement of up to 37 car parking spaces based on the local standards and a lesser maximum provision requirement of up to 31 car parking spaces based on the London-wide standards.

Car ownership amongst households within the local area, as identified through the 2011 census data, sits at around two-thirds (68%), with this being lower specifically amongst flatted households where car ownership sits at around a half (53%).

Taking into consideration local car ownership level amongst flatted households, this would suggest fifteen units with a potential parking requirement. For robustness, assuming that those units without a car would come from the one-bed units initially and one of the two-bed units, applying LBB standards this would suggest a reduced maximum provision requirement of up to 23 car parking spaces, whilst applying London Plan standards would suggest up to 17 car parking spaces.

As with the assessment presented in the submitted Transport Statement, again it will be these theoretical potential residential car parking requirements which will be appraised subsequently in terms of their corresponding impacts upon the updated existing parking environment, to demonstrate the appropriateness of retaining a car-free strategy for the residential units at the site but not necessarily to preclude residents from accessing permits to park within the controlled zone.

Parking Impacts Assessment

As referenced, the proposed development would bring forward a total of twenty-nine residential units, supported by three accessible car parking spaces for use by those with registered disabilities.

Given that use of these spaces would be assigned to this specific user group, for the purpose of appraising the potential impacts of the proposed scheme upon parking within the local area the scheme is considered as car-free with no car parking, as undertaken with the original assessment.

Whilst not providing on-site car parking to support the scheme represents a measure to discourage car-based travel, it is acknowledged that some residents may choose to seek to own a car and it is the potential impact of this which can be appraised against the background of the results of the updated parking stress surveys presented earlier in this addendum note.

The results of the updated parking stress survey reported earlier within this addendum identifies an existing parking stress of 65% on the local highway network within 200m or so of the site, with the number of spare spaces during the peak overnight period being forty (40) of the fifty-six (56), when considering the full range of on-street parking opportunities available to residents and whilst maintaining a level of on-street parking below the 90% threshold.

These updated survey results also identified specifically amongst the demarcated permit holder (including shared) spaces an existing parking stress of 72% and scope to accommodate an additional twenty-three (23) vehicles on-street within these spaces without reaching the 90% threshold.

The parking strategy commentary identified that without consideration of local car ownership characteristics the LBB car parking standards suggested a theoretical car parking requirement for the residential scheme of thirty-seven spaces and the London Plan standards a lesser thirty-one spaces.

Adding these theoretical parking demands to the observed existing stress would increase this to 88% based on the LBB car parking standards and to 84% based on the London Plan standards, an average of the two being 86% and again without any due consideration of local car ownership characteristics. Both of these resultant stress levels would continue to sit below the acceptable 90% threshold.

Considering the local car ownership recorded amongst flatted households and applying this to the proposed residential apartments, which is considered to represent an objective approach, this would suggest a lesser theoretical requirement of twenty-three spaces based on the LBB standards and a lesser theoretical requirement of seventeen spaces based on the current London Plan standards.

Adding these alternative theoretical parking demands, which would be more so reflective of local car ownership trends, to the updated observed existing stress would increase this to 79% based on the LBB car parking standards and to 75% based on the London Plan standards, an average of the two being 77%, and so also continuing to sit objectively below the 90% threshold of manageable impact.

Indeed, adding these alternative theoretical parking demands to the updated observed existing stress amongst spaces available to permit holders during the periods of restriction, for a robust assessment, would increase this to around 90% (89.8%) based on the LBB car parking standards and to 85% based on the London Plan standards, so with both of these resultant stress levels and the corresponding average of the two (87.5%) similarly sitting below the 90% threshold of manageable impact.

Summary

Notwithstanding that the scheme would be coming forward primarily as car-free, should some residents choose to have a car it has been identified that the corresponding additional demand on the existing on-street parking demand would continue to be manageable and the stress level would not reach or exceed the 90% threshold of manageable stress, when considering firstly solely guiding standards and secondly with the current level of car ownership amongst flats within the local area.

Against this background, it is considered additionally that there should be no preclusion to LBB to agree to allow parking permits to be provided, at no more than one per unit, firstly given that there had been no preclusion for residents of the extant residential units to seek access of a permit to park on-street, and against which the net changes in potential parking demand could be no more than nine spaces, and secondly by demonstration of the available spare on-street parking capacity.

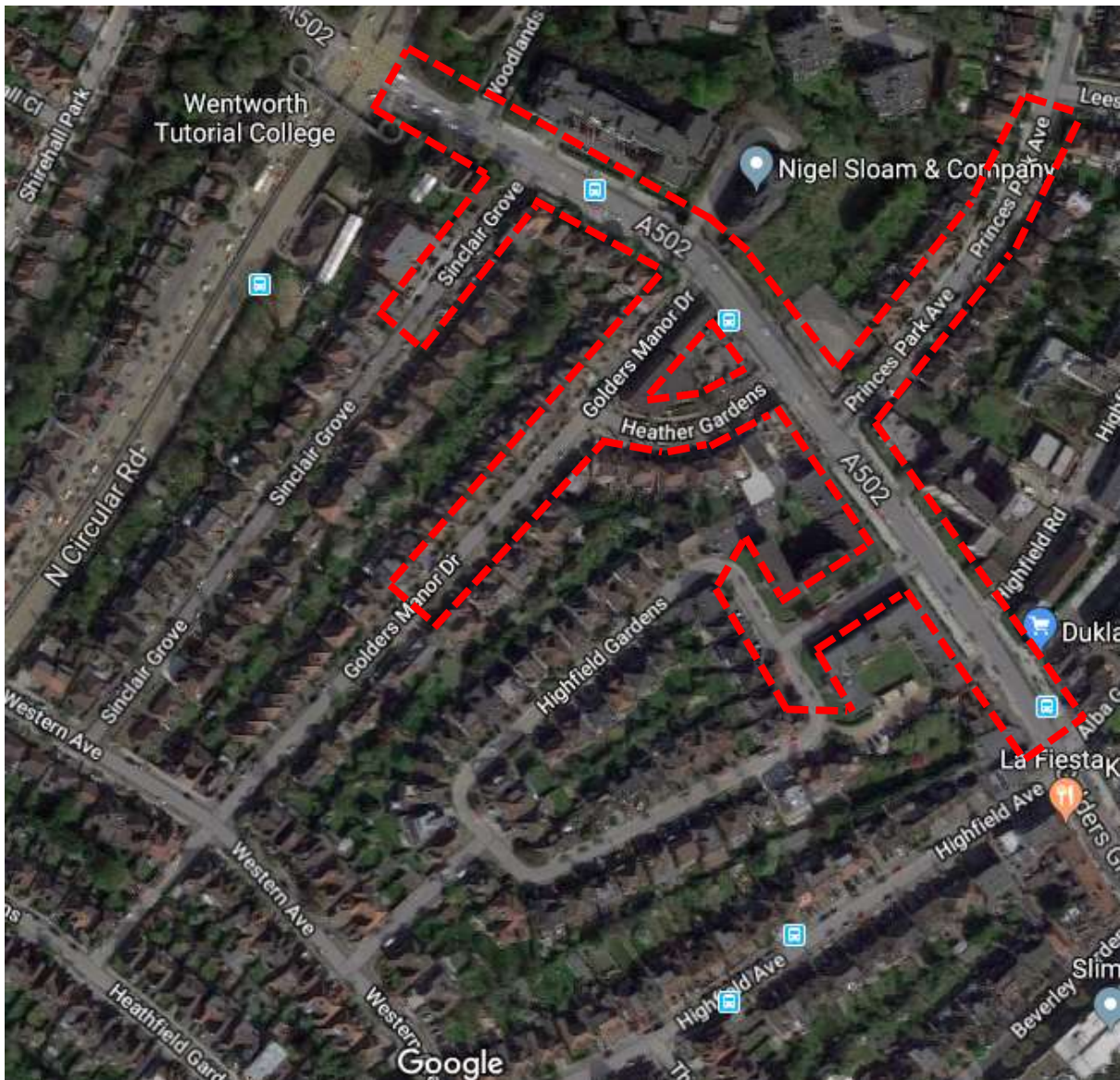


APPENDICES



APPENDIX 1

APPENDIX 1 – PARKING BEAT SURVEY STUDY AREA



STUDY AREA



APPENDIX 2

PARKING BEAT SURVEY

DATE : October 17th / 18th and October 18th / 19th 2018

DAY : Wednesday / Thursday and Thursday / Friday

LOCATION : Golders Green Road

ROAD NAME	AREA	RESTRICTION	METRES	NOTES REF.	Thursday 18/10/2018		Friday 19/10/2018	
					PARKED	SPACES	PARKED	SPACES
Golders Green Road	From Highfield Avenue - West Side	Highfield Avenue						
		Double Yellow Line	9.2					
		Disabled Bay	5.7	1	0	1	0	1
		Double Yellow Line / Access	10.9					
		Pay by phone bay 09:00 - 17:30	5.6	2				
		Double Yellow Line / Access	13.4					
		Pay by phone bay 09:00 - 17:30	4.8	3	0	1	0	1
		Double Yellow Line / Access	8.9					
		Resident permit / Pay by phone 09:00 - 17:30	36.2		4	2	5	1
		Double Yellow Line	6.2					
		Highfield Gardens	10.4					
		Double Yellow Line	4.7					
		Resident Permit Mon-Fri 11:00 - 12:00	39.6		6	0	6	0
		Double Yellow Line / Access	11.0					
		Pay by phone bay 09:00 - 17:30	16.8		1	2	0	3
		Double Yellow Line	11.3					
		Heather Gardens	15.5					
		Double Yellow Line / No loading at any time	11.1					
		Bus stop / No stopping at any time	22.9					
		Double Yellow Line	5.7					
		Golders Manor Drive	14.2					
		Double Yellow Line	8.0					
		Resident Permit Mon-Fri 11:00 - 12:00	12.3		0	2	1	1
		Single Yellow / Dropped Kerb	6.5					
		Single Yellow Line	5.4	5	0	1	0	1
		Single Yellow / Dropped Kerb	6.0					
		Resident Permit Mon-Fri 11:00 - 12:00	20.0		3	1	2	2
		Double Yellow Line	17.8					
		Sinclair Grove	14.6					
		Double Yellow Line	27.2					
	Red Route	40.0						
	North Circular Road							
	Woodlands							
	Double Yellow Line	106.0						
	Pay by phone bay 09:00 - 17:30 Max 1hr 30min	42.7		0	7	0	7	
	Double Yellow Line / Access	10.5						
	Pay by phone bay 09:00 - 17:30 Max 1hr 30min	16.7		0	3	0	3	
	Double Yellow Line / Access	17.7						
	Princes Park Avenue	13.8						
	Double Yellow Line	4.0						
	Resident permit / Pay by phone 09:00 - 17:30	26.1		2	2	1	3	
	Double Yellow Line / Access	10.2						
	Resident Permit Mon-Fri 11:00 - 12:00	44.8		7	1	7	1	
	Single Yellow Line Mon - Sat 08:00 - 18:30	8.4						
	Highfield Road	9.4						
Single Yellow Line Mon - Sat 08:00 - 18:30	8.4							
Bus stop / No stopping at any time	32.5	4						
Loading bay Mon-Sat 08:00-10:00,16:00-18:30	8.9		1	0	0	1		
Parking Mon -Sat 10:00 - 16:00 Max 15min NRW 1 hr								
Alba Gardens								
SUB-TOTAL					24	22	22	24
Heather Gardens	From Golders Green Road - South Side	Golders Green Road						
		Double Yellow Line	11.8					
		Resident Permit Mon-Fri 11:00 - 12:00	5.5		1	0	1	0
		Single Yellow / Dropped Kerb	40.1		1	-1	1	-1
		Resident Permit Mon-Fri 11:00 - 12:00	16.0		3	0	3	0
		Single Yellow / Dropped Kerb	4.7					
	From Golders Manor Drive - North Side	Resident Permit Mon-Fri 11:00 - 12:00	4.8	3	0	1	1	0
		Single Yellow / Dropped Kerb	8.2					
		Golders Manor Drive						
		Golders Manor Drive						
		Single Yellow Line	15.0	5	1	-1	0	0
		Resident Permit Mon-Fri 11:00 - 12:00	27.2		3	2	3	2
		Single Yellow / Dropped Kerb	15.1		1	-1		
		Loading Bay Mon-Sat 08:00-18:30 Max 1hr NRW 2hrs	11.2		0	2	0	2
		Double Yellow Line	10.8					
Golders Green Road								
SUB-TOTAL					10	2	9	3

Sinclair Grove	From Golders Green Road - South Side	<i>Golders Green Road</i>								
		Double Yellow Line	10.3							
		Resident Permit Mon-Fri 11:00 - 12:00	17.2			1	2		2	1
		Single Yellow / Dropped Kerb	13.4							
		Resident Permit Mon-Fri 11:00 - 12:00	5.0			1	0		0	1
		Single Yellow / Dropped Kerb	7.2							
		Resident Permit Mon-Fri 11:00 - 12:00	9.9	6		2	0		2	0
	<i>Outside house no 8</i>									
	<i>Golders Green Road</i>									
	Double Yellow Line	9.2								
	Resident Permit Mon-Fri 11:00 - 12:00	18.2			1	2		1	2	
	Single Yellow / Dropped Kerb	15.0								
	Resident Permit Mon-Fri 11:00 - 12:00	5.3			1	0		1	0	
	Single Yellow / Dropped Kerb	7.0								
Resident Permit Mon-Fri 11:00 - 12:00	9.7	6		2	0		2	0		
<i>Outside Tivoli Court</i>										
		SUB-TOTAL			8	4		8	4	

Highfield Gardens	From Golders Green Road - South Side	<i>Golders Green Road</i>								
		Double Yellow Line	12.2							
		2 Disabled bays	11.8	1		0	2		0	2
		Resident permit / Pay by phone 09:00 - 17:30	28.9			3	2		3	2
		Single Yellow Line (round corner)	21.2	5		1	1		0	2
		Resident Permit Mon-Fri 11:00 - 12:00	18.6	6		3	1		3	1
		Single Yellow / Dropped Kerb	20.1							
	<i>Golders Green Road</i>									
	Double Yellow Line	19.6								
	Resident permit / Pay by phone 09:00 - 17:30	34.0			5	1		5	1	
	Single Yellow Line (round corner)	21.2	5		1	1		1	1	
	Resident Permit Mon-Fri 11:00 - 12:00	7.9			0	1		0	1	
	Disabled bay	5.2	1		0	1		0	1	
	Resident Permit Mon-Fri 11:00 - 12:00	10.9			2	0		2	0	
Single Yellow / Dropped Kerb	21.2									
		SUB-TOTAL			15	7		14	8	

Highfield Road	From Golders Green Road - South Side	<i>Golders Green Road</i>							
		Single Yellow Line (Road too narrow to park)	20.0						
		Single Yellow / Dropped Kerb	28.9						
	Single Yellow Line (Road too narrow to park)	14.5							
	<i>Golders Green Road</i>								
	Single Yellow Line	14.7	5		0	1		0	1
	Disabled bay	6.4	1		0	1		0	1
	Resident Permit Mon-Fri 11:00 - 12:00	24.9	6		5	0		5	0
	Single Yellow / Dropped Kerb	14.7							
			SUB-TOTAL			5	1		5

Princes Park Avenue	From Golders Green Road - South side	<i>Golders Green Road</i>								
		Double Yellow Line	19.2							
		Single Yellow / Dropped Kerb	22.3							
		Resident Permit Mon-Fri 11:00 - 12:00	8.9	6		2	0		2	0
		Single Yellow / Dropped Kerb	7.3							
		Resident Permit Mon-Fri 11:00 - 12:00	9.7			1	0		1	0
		Single Yellow / Dropped Kerb	11.9							
		Resident Permit Mon-Fri 11:00 - 12:00	5.1			1	0		1	0
		Single Yellow / Dropped Kerb	12.2							
		Resident Permit Mon-Fri 11:00 - 12:00	5.9			1	0		1	0
		Single Yellow / Dropped Kerb	7.0							
		Resident Permit Mon-Fri 11:00 - 12:00	10.4			2	0		2	0
		Single Yellow / Dropped Kerb	19.4							
		Resident Permit Mon-Fri 11:00 - 12:00	26.0			5	0		4	1
	Single Yellow Line	9.4								
	<i>Leeside Crescent</i>									
	<i>Golders Green Road</i>									
	Double Yellow Line	17.2								
	Resident Permit Mon-Fri 11:00 - 12:00	20.0			0	4		1	3	
	Single Yellow / Dropped Kerb	10.2								
	Resident Permit Mon-Fri 11:00 - 12:00	7.0			1	0		1	0	
	Single Yellow / Dropped Kerb	7.9								
	Single Yellow Line	6.1	5		1	0		1	0	
	Single Yellow / Dropped Kerb	11.0								
	Resident Permit Mon-Fri 11:00 - 12:00	10.0			2	0		2	0	
	Single Yellow / Dropped Kerb	13.2			1	-1		1	-1	
	Resident Permit Mon-Fri 11:00 - 12:00	9.8			0	1		1	0	
Single Yellow / Dropped Kerb	14.4			1	-1		1	-1		
Resident Permit Mon-Fri 11:00 - 12:00	15.3			1	2		1	2		
Single Yellow / Dropped Kerb	29.9			1	-1		1	-1		
<i>Opposite Leeside Crescent</i>										
		SUB-TOTAL			20	4		20	4	

		<i>Golders Green Road</i>						
Golders Manor Drive	From Golders Green Road - South Side	Double Yellow Line	9.4					
		Pay by phone bay 09:00 - 17:30 Max 1hr 30min	12.5		0	2	0	2
		Single Yellow / Dropped Kerb	15.6					
		Resident Permit Mon-Fri 11:00 - 12:00	17.3		1	2	1	2
		Single Yellow Line	10.6					
		Heather Gardens	12.8					
		Single Yellow Line	8.2		1	-1	0	0
		Single Yellow / Dropped Kerb	8.0					
		Resident Permit Mon-Fri 11:00 - 12:00	15.3		2	0	3	0
		Single Yellow / Dropped Kerb	7.7					
		Resident Permit Mon-Fri 11:00 - 12:00	11.0		1	1	0	2
		Single Yellow / Dropped Kerb	9.3					
		Resident Permit Mon-Fri 11:00 - 12:00	11.3		1	1	1	1
	Single Yellow / Dropped Kerb	8.2						
	Resident Permit Mon-Fri 11:00 - 12:00	11.6		2	0	1	1	
		<i>Outside house no 11</i>						
		<i>Golders Green Road</i>						
	From Golders Green Road - North Side	Double Yellow Line	19.8					
		Pay by phone bay 09:00 - 17:30 Max 1hr 30min	17.5		1	2	1	2
		Single Yellow / Dropped Kerb	24.6					
Resident Permit Mon-Fri 11:00 - 12:00		24.3		2	2	2	2	
Single Yellow / Dropped Kerb		8.5						
Resident Permit Mon-Fri 11:00 - 12:00		49.8		7	1	6	2	
Single Yellow / Dropped Kerb		5.1						
Resident Permit Mon-Fri 11:00 - 12:00		40.2		5	2	5	2	
	<i>Outside house no 48</i>							
				23	12	20	16	

1. Whilst vehicles parked and spare spaces within these dedicated user spaces have been recorded, these are not included within parking stress.
2. Parking space not available during time of survey, due to suspension, thus loss of one space from capacity.
3. Whilst bay length below typical 5m minimum, as demarcated on-street as legitimate parking space included in assessment.
4. Minor amendments to on-street bus cage has led to loss of two on-street spaces since November 2017 survey.
5. Capacity referenced for these particular stretches based on stretch-by stretch assessment of scope to accommodate parking in practical manner.
6. Overall capacity reflective of maximum number of vehicles observed parking within facility and recorded 5m spaces between parked vehicles.

Parked	Spaces
105	52
Cap.	157
Stress	66.9%

Parked	Spaces
98	60
Cap.	158
Stress	62.0%

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

REFERENCE: 18/4369/RMA

Received: 13 July 2018

AGENDA ITEM 8

Accepted: 17 July 2018

WARD(S): Colindale

Expiry: 16 October 2018

APPLICANT: Redrow Homes Limited

PROPOSAL: Application for the approval of Reserved Matters relating to Phases 2D, 2E, 2F and 2G of Development Stage 2 of the Colindale Gardens development (former Peel Centre); seeking approval for details relating to Layout, Scale, Appearance and Landscaping. Submission is pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 1208 units in the form of 87 x studio, 353 x 1 bedroom, 659 x 2 bedroom, 109 x 3 bedroom units together with the provision of 7,094 sqm of non-residential floorspace containing a mix of A1, A2, A3, A4, C3, D1 (including new Health Centre and Nursery) and D2 uses

RECOMMENDATION 1:

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

RECOMMENDATION 2: Approve Subject to Conditions

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

Reason:

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

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

Site Wide Drawings

ABCD-00-DR-L-3-90-000 Rev B BLOCKS ABCD SITE LOCATION PLAN (SITE WIDE)

2857-JW-500 PROPOSED ABCD BASEMENT LEVEL

Block A Drawings

2857-JW-100 PROPOSED BLOCK A LEVEL 00
2857-JW-101 PROPOSED BLOCK A LEVEL 01
2857-JW-102 PROPOSED BLOCK A LEVEL 02
2857-JW-103 PROPOSED BLOCK A LEVEL 03-05
2857-JW-104 PROPOSED BLOCK A LEVEL 06
2857-JW-105 PROPOSED BLOCK A LEVEL 07
2857-JW-106 PROPOSED BLOCK A LEVEL 08-09
2857-JW-107 PROPOSED BLOCK A LEVEL 10-11
2857-JW-108 PROPOSED BLOCK A ROOF LEVEL
2857-JW-130 PROPOSED BLOCK A ELEVATION A1
2857-JW-131 PROPOSED BLOCK A ELEVATION A2
2857-JW-132 PROPOSED BLOCK A ELEVATION A3
2857-JW-133 PROPOSED BLOCK A ELEVATION A4
2857-JW-134 PROPOSED BLOCK A SECTIONAL ELEVATION A5
2857-JW-135 PROPOSED BLOCK A SECTIONAL ELEVATION A6
2857-JW-136 PROPOSED BLOCK A SECTIONAL ELEVATION A7
2857-JW-140 PROPOSED BLOCK A TYPICAL STUDIO & 1B2P FLAT
2857-JW-141 PROPOSED BLOCK A TYPICAL 2B3P & 2B4P FLAT
2857-JW-142 PROPOSED BLOCK A TYPICAL 3B4P & 3B5P FLAT
2857-JW-143 PROPOSED BLOCK A TYPICAL WHEELCHAIR ADAPTABLE
FLATS
2857-JW-150 PROPOSED BLOCK A ACCOMMODATION SCHEDULE

Block B Drawings

2857-JW-200 PROPOSED BLOCK B LEVEL 00
2857-JW-201 PROPOSED BLOCK B LEVEL 01
2857-JW-202 PROPOSED BLOCK B LEVEL 02
2857-JW-203 PROPOSED BLOCK B LEVEL 03
2857-JW-204 PROPOSED BLOCK B LEVEL 04-07
2857-JW-205 PROPOSED BLOCK B LEVEL 08
2857-JW-206 PROPOSED BLOCK B LEVEL 09-14
2857-JW-207 PROPOSED BLOCK B ROOF LEVEL
2857-JW-230 PROPOSED BLOCK B ELEVATION B1
2857-JW-231 PROPOSED BLOCK B ELEVATION B2
2857-JW-232 PROPOSED BLOCK B ELEVATION B3
2857-JW-233 PROPOSED BLOCK B ELEVATION B4
2857-JW-234 PROPOSED BLOCK B SECTIONAL ELEVATION B5
2857-JW-241 PROPOSED BLOCK B TYPICAL 2B3P 2B4P 3B5P
2857-JW-242 PROPOSED BLOCK B TYPICAL ADAPTABLE FLATS
2857-JW-250 PROPOSED BLOCK B ACCOMMODATION SCHEDULE

Block C Drawings

2857-JW-300 PROPOSED BLOCK C LEVEL 00
2857-JW-301 PROPOSED BLOCK C LEVEL 01
2857-JW-302 PROPOSED BLOCK C LEVEL 02-09
2857-JW-303 PROPOSED BLOCK C LEVEL 10
2857-JW-304 PROPOSED BLOCK C LEVEL 11
2857-JW-305 PROPOSED BLOCK C LEVEL 12
2857-JW-306 PROPOSED BLOCK C LEVEL 13-14
2857-JW-307 PROPOSED BLOCK C ROOF LEVEL
2857-JW-308 PROPOSED BLOCK C OVERALL ROOF LEVEL
2857-JW-330 PROPOSED BLOCK C ELEVATION C1
2857-JW-331 PROPOSED BLOCK C ELEVATION C2
2857-JW-332 PROPOSED BLOCK C ELEVATION C3
2857-JW-333 PROPOSED BLOCK C ELEVATION C4
2857-JW-334 PROPOSED BLOCK C SECTIONAL ELEVATION C5

2857-JW-335 PROPOSED BLOCK C SECTIONAL ELEVATION C6
2857-JW-336 PROPOSED BLOCK C SECTIONAL ELEVATION C7
2857-JW-340 PROPOSED BLOCK C TYPICAL STUDIO & 1B2P FLAT
2857-JW-341 PROPOSED BLOCK C TYPICAL 2B3P & 2B4P FLAT
2857-JW-342 PROPOSED BLOCK C TYPICAL 3B4P & 3B5P FLAT
2857-JW-343 PROPOSED BLOCK C TYPICAL WHEELCHAIR ADAPTABLE
FLATS
2857-JW-350 PROPOSED BLOCK C ACCOMMODATION SCHEDULE

Block D Drawings

2857-JW-400 PROPOSED BLOCK D LEVEL 00
2857-JW-401 PROPOSED BLOCK D LEVEL 01
2857-JW-402 PROPOSED BLOCK D LEVEL 02
2857-JW-403 PROPOSED BLOCK D LEVEL 03
2857-JW-404 PROPOSED BLOCK D LEVEL 04
2857-JW-405 PROPOSED BLOCK D LEVEL 05
2857-JW-406 PROPOSED BLOCK D LEVEL 06
2857-JW-407 PROPOSED BLOCK D LEVEL 07
2857-JW-408 PROPOSED BLOCK D LEVEL 08
2857-JW-409 PROPOSED BLOCK D LEVEL 09
2857-JW-410 PROPOSED BLOCK D LEVEL 10
2857-JW-411 PROPOSED BLOCK D LEVEL 11
2857-JW-412 PROPOSED BLOCK D LEVEL 12
2857-JW-413 PROPOSED BLOCK D LEVEL 13
2857-JW-414 PROPOSED BLOCK D LEVEL 14
2857-JW-415 PROPOSED BLOCK D LEVEL 15
2857-JW-416 PROPOSED BLOCK D LEVEL 16
2857-JW-417 PROPOSED BLOCK D LEVEL 17
2857-JW-418 PROPOSED BLOCK D LEVEL 18
2857-JW-419 PROPOSED BLOCK D LEVEL 19
2857-JW-420 PROPOSED BLOCK D LEVEL 20
2857-JW-421 PROPOSED BLOCK D LEVEL 21
2857-JW-422 PROPOSED BLOCK D LEVEL 22
2857-JW-423 PROPOSED BLOCK D ROOF LEVEL
2857-JW-430 PROPOSED BLOCK D ELEVATION D1
2857-JW-431 PROPOSED BLOCK D ELEVATION D2
2857-JW-432 PROPOSED BLOCK D ELEVATION D3
2857-JW-433 PROPOSED BLOCK D ELEVATION D4
2847-JW-434 PROPOSED BLOCK D SECTIONAL ELEVATION D5
2857-JW-435 PROPOSED BLOCK D SECTIONAL ELEVATION D6
2857-JW-436 PROPOSED BLOCK D SECTIONAL ELEVATION D7
2857-JW-437 PROPOSED BLOCK D SECTIONAL ELEVATION D8
2857-JW-440 PROPOSED BLOCK D TYPICAL STUDIO & 1B2P FLATS
2857-JW-441 PROPOSED BLOCK D TYPICAL 2B3P & 2B4P FLATS
2857-JW-442 PROPOSED BLOCK D TYPICAL ADAPTABLE FLATS
2857-JW-450 PROPOSED BLOCK D ACCOMMODATION SCHEDULE

Supporting Documents

Planning Statement (including Parameter Audit and Statement of Community Involvement), prepared by GVA;
Illustrative Landscape Drawings, prepared by Broadway Malayan;
Design Statement, prepared by Jestico + Whiles;
Area Schedules, prepared by Jestico + Whiles;
Transport Statement Addendum, prepared by WSP;
Energy Compliance Statement, prepared by Redrow Homes Ltd; and

Environmental Statement Addendum, prepared by AECOM.
Response to London Fire Brigade Comments 28 September 2018
Nursery Noise Impact Assessment 18 October 2018
Television Signal Survey & Television Reception Impact 0.1 18.10.2018
Air Quality Neutral Addendum 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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

INFORMATIVE(S):

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

1. BACKGROUND TO THE APPLICATION

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

The redevelopment of the site will comprise the construction of 2,900 new homes and associated development, the creation of new public open space and the provision of a new primary school. It was granted subject to 60 conditions and a Section 106 agreement.

The development was designed as part of a masterplan and will be constructed in three development stages, each comprising a number of 'phases'.

The application was granted in hybrid form. Full planning permission was granted for part of the development comprising Development Stage 1, with outline planning permission (with all matters reserved except access) granted for Development Stages 2 and 3. Reserved Matters Approval has been previously granted for the remainder of development Stage 2.

All site-wide pre-commencement conditions have been approved and this application seeks reserved matters approval for Phases 2D (Development Zone A), 2E (Development Zone C), 2F (Development Zone B) and 2G (Development Zone D) within Development Stage 2 of the hybrid consent

2. MATERIAL CONSIDERATIONS

2.1 Hybrid Planning Permission Controls

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

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

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

The Approved Plans and Documents

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

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

- Landscape Treatment Plan (Dwg No. 1735-FCB-SITE 0104-P2)
 - Ground Floor Frontages Plan (Dwg No. 1735-FCB-SITE 0105-P2)
 - Development Zones – Horizontal Limits of Deviation (Dwg No. 1735-FCB-SITE 0106-P3)
 - Proposed Site Levels and Vertical Limits of Deviation (Dwg No. 1735-FCB-SITE 0107-P2)
 - Development Zones and Maximum Heights (Dwg No. 1735-FCB-SITE 0108-P5)
 - Proposed Site Basement Levels and Limit of Deviation (Dwg No. 1735-FCB-SITE 0109-P2)
- **Design Principles Document (June 2015) ('DPD')** – this provides overarching guidance for future design teams involved in the preparation of Reserved Matters Applications for the development of the outline components, including buildings, landscape/public realm and routes.

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

Informative Conditions

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

Details Approved Pursuant to Conditions

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

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

2.2 The Development Plan

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

National Planning Policy Framework (July 2018)

The 2018 NPPF was adopted in July 2018, replacing the 2012 NPPF. The NPPF sets out the Government's planning policies for England and how these should be applied¹. It provides a framework within which locally-prepared plans for housing and other development can be produced.

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

The London Plan (March 2016)

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

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

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

Draft Replacement London Plan 2017

The Draft London Plan (DLP) published November 2017 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

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

Barnet Local Plan

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

Colindale Area Action Plan (March 2010)

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

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

- The western part of the site falls within the 'Colindale Avenue Corridor of Change', where redevelopment for a mix of uses to include a new neighbourhood centre (including foodstore) together with high density housing is supported.
- The central and eastern parts of the Site lie within the 'Aerodrome Road Corridor of Change' and are identified as part of a wider area allocated for a mix of medium-high density housing, student housing, employment uses (including the retention of the Metropolitan Police), a primary school and a park.
- The application site traverses both corridors of change.

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

Core Strategy (September 2012)

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

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

Development Management Policies DPD (September 2012)

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

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

1.1 Public consultation and other views expressed

Public Consultation

Letters were sent out to 1248 addresses on the 1st August 2018. As a result of this consultation, three letters of representation were received all objecting to the proposals on the following grounds:

- My reasons for my opposition reason as followed:
- Capacity of Colindale Station to accommodate volume of development in area;
- Surrounding roads are at over capacity in the evening (outside parking controlled hours), due to low parking ratio of developments allowed and planned;
- Need for large supermarket in area as existing large supermarkets often run out of stock;
- Impact upon services such as schools, health, police and fire stations;
- Parking ratio of recently approved phase below stated site wide parking ratio of 0.71;
- No opportunity for persons living outside the site to purchase car parking permits only expensive pay as you go;
- Significant number of properties purchased by overseas buyers, who don’t have cars, and as such these spaces should be made available to local residents;

- Due to limited and high price of parking, increased pressure will be placed on surrounding roads;
- Impact upon TV reception due to height of proposed buildings, reception has been partly affected by other tall recent developments.

Officer's response:

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

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

In relation to the comments raised in connection with the impact of the development on tv reception, this matter was covered in part in the Environmental Impact Assessment submitted in support of the Outline application. A further statement has been submitted in connection with the current submission, which advises that any disturbance is likely to be limited and can be solved by minor adjustments of aerials or satellite dishes.

Internal/External and Other Consultations:

LB Barnet: Traffic and Development

No comments received at time of writing this report. Any comments received will be reported in the addendum report.

Scientific Services

No Objections in principle raised, clarification sought in relation to air quality and noise.

Officer Comment:

Further information has been sent by the applicant, the assessment of which will be reported in the Addendum to Planning Committee.

TfL Borough Planning

TfL has the following comments:

1. Following the implementation of Stage 2 the developer is expected to pay the Bus Service Contribution of £250,000, as secured in the S106 agreement. TfL expect this condition to be upheld prior to the development of Phases 2D, 2E, 2F and 2G.
2. TfL request more detailed information on the amendments to the landscape as there is the potential the changes may lead to disruptions in cycle infrastructure provision in the area.

Subject to the above conditions being met, the proposal as it stands would not result in an objection from TfL.

Officer's response:

The applicant is subject to the Bus Service Contribution Clause identified in Clause 3.1, which is payable prior to the occupation of any residential units in Development Stage 2.

Details of landscaping proposed will be submitted via Condition 11 details associated with the original planning permission (H/04753/14).

London Fire Brigade

The Commissioner is satisfied with the proposals following the receipt of additional information.

NHS Barnet Clinical Commissioning Group (CCG)

his letter is intended as a response to the Colindale Gardens Reserved Matters Application (RMA): 18/4369. The RMA: 18/4369 states that Redrow Homes Limited will deliver – ‘510 sqm to be provided for Health purpose, with 590 sqm to be provided as ‘additional health centre floorspace’.

NHS Barnet Clinical Commissioning Group (CCG) are exploring options for the Healthcare facility and work is underway developing the healthcare requirements for Colindale Gardens. Should there be a need for a healthcare facility larger than 1100 sqm, NHS Barnet CCG requests that an element of flexibility on the sizing of the facility is built into the RMA.

NHS Barnet CCG are developing a service plan for the area, which will provide clear guidance on the scale and location of the new healthcare facilities required across the Grahame Park and Colindale Gardens development areas. NHS Barnet CCG wishes to highlight correspondence with Redrow Homes Limited regarding the potential need for additional healthcare space (1500m²) – **Appendix A**.

NHS Barnet CCG would also like to confirm discussions between the CCG and Redrow Homes Limited have commenced, regarding the consideration of additional

healthcare floorspace, up to a possible total of 2000m², subject to the developing service plan.

NHS Barnet CCG remains committed to working with the Redrow Homes and Barnet Council to ensure the health needs of the new Colindale Gardens community are met.

Officer Comment:

The Council through its regeneration service has worked hard to ensure the provision of a new health centre in this location. The support expressed by the CCG regarding the scheme is noted.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

This application site submitted for assessment comprises the land within Phases 2D (Development Zone A), 2E (Development Zone C), 2F (Development Zone B) and 2G (Development Zone D) within Development Stage 2 of the outline consent, as defined on the site-wide Phasing Plan approved pursuant to Condition 4 of the hybrid planning permission, covering approximately 2.81 hectares located on the western side of the wider Colindale Gardens site.

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

The site is bounded by Aerodrome Road and the Metropolitan Police training facility to the north, Colindale Avenue to the West, Development Zones E, F & G for which reserved matters consent has been granted to the west, and the London Underground Northern Line to the south.

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

Library site (4-11 storeys).

2.2 Description of Proposal

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

The development of this phase involves a mix use development, including a new health centre, town centre A class uses and a day nursery as well as residential development.

Commercial - A1- A4, C3, D1, D2

At ground and part first and second floor levels of Blocks A, B and D, a mix of A1, A2, A3, A4, C3, D1 and D2 uses are proposed. Such flexibility enables the commercial units to come forward for a range of uses, dependent on market demand. The inclusion of C3 floorspace within the flexible commercial units will enable some units to come forward for ancillary residential space (for example a gym). In total up to 7,094 sqm non-residential floorspace is proposed.

D1 (Health care)

Following discussions with the Council and the NHS, space to incorporate a new dedicated Health Centre is likely to be located within Block A. The delivery of health centre floorspace on the site is required through the OPP S106 Agreement (510 sqm to be provided for this purpose, with 590 sqm to be provided as 'additional health centre floorspace').

Discussions with the NHS about their requirements and the delivery of this space are on-going, and the scheme has the capability of delivering the scale of Health Centre required, including a potential option of increasing the quantity of space up to potentially 2000 sq.m, which can be accommodated in the proposed building, although this would require a future planning application to accommodate this change.

D2 (Nursery)

A dedicated nursery is proposed within Block D of the proposed development. The minimum size requirement for the nursery as identified in the OPP S106 is 400 sqm. The proposals for ABCD include provision of a nursery comprising 452 sqm, likely to be located within Block D.

Healthcare and Nursery

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

The proposed layout shows Blocks A, B, C and D arranged around the central landscape feature of the Station Plaza.

Block A is a mixed use building lining the northern edge of the Station Plaza that also creates a corner at the junction of Colindale Avenue and Aerodrome Road. The ground floor provides active frontage with opportunities for non-residential use on Colindale Avenue, Station Plaza and Aerodrome Road. Residential entrances are located on the quieter residential street – Sanday Drive.

Block B is a mixed use building lining the southern edge of the Station Plaza. The ground floor level provides active frontage with opportunities for non-residential use on Colindale Avenue and Station Plaza. The first and second floor levels also contain non-residential use. Its southern elevation faces the London Underground Northern Line and the eastern elevation faces Sanday Drive, a tertiary routes between Blocks B and D.

Block C, in the north east corner of the site, is a solely residential use. The south elevation faces the approach to Station Plaza, the north elevation faces Aerodrome Road and the east elevation faces Lismore Boulevard. A tertiary route to the west, Sanday Drive, separates Block A and Block C.

Block D is a mixed use building in the south east corner of the site. The north elevation faces the approach to Station Plaza, the south elevation faces the London Underground Northern Line, the east and West elevations face Sanday Drive, a tertiary route that separates Block D from Block B (to the west) and from Block F (to the east).

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

Housing

Amount and Mix

The proposal comprises a mix of studios, and 1, 2, 3, and 4 bedroom units providing a total of 1,208 dwellings as follows:

- 87 x studios
- 353 x one bed dwellings
- 659 x two bed dwellings
- 109 x three bed dwellings

The above includes the following mix for each block:

Block A:

- 31 x studios
- 66 x one bed dwellings

- 181 x two bed dwellings
- 44 x three bed dwellings

Total: 322 units

Block B:

- 5 x studios
- 44 x one bed dwellings
- 82 x 2 bed dwellings
- 0 x three bed dwellings

Total: 131 units

Block C:

- 29 x studios
- 95 x one bed dwellings
- 229 x two bed dwellings
- 65 x three bed dwellings

Total: 418 units

Block D:

- 22 x studios
- 148 x one bed dwellings
- 167 x two bed dwellings
- 0 x three bed dwellings

Total: 337 units

Tenure

The proposals include a mix of affordable housing provided within Blocks A, B, C and D of the proposed development. The scheme will comply in full with the requirements of the S106 which requires a minimum of 454 affordable housing units to be provided in Stages 2 and 3.

An Affordable Housing Scheme that complies with paragraph 4, Schedule B of the S106 Agreement of the OPP, will be submitted in due course.

Car Parking

The proposal comprises the provision of 548 car parking spaces as follows:

Block A

- 33 spaces on-plot

Block C

- 56 spaces on-plot

Block D

- 10 spaces on-plot

These on-plot spaces are in addition to the 449 spaces are provided in the basement underneath Blocks A, B, C and D.

2.3 Planning Application Specification

Matters/Details for which Approval is sought

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

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

Supporting Documents/Plans Submitted

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

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

Supporting Documents/Plans Submitted

The following documents are submitted in support of this application:

- Planning Statement (including Parameter Audit and Statement of Community Involvement);
- Design Statement;
- Plans;
- Energy Compliance Statement;
- Transport Statement; and
- Environmental Statement Addendum.

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

- Design Statement;
- Daylight Sunlight Within Report; and

- Revised Development Schedule, Revision 8 (dated July 2018).

3. PLANNING CONSIDERATIONS

4.1 The Principle of Development

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

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

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

4.2 Land Uses

The hybrid planning permission approved a mix of uses within the Colindale Gardens development. Condition 1 controls the type and location of allowable uses by requiring development to be carried out in accordance with the Primary Control Documents (PCD). The only PCD that controls the type and location of allowable uses is the Development Schedule, Revision 7 (approved April 2018) (PCD 5).

The allowable uses within Development Zones 2D, 2E, 2F and 2G are a mix of residential and town centre uses comprising; Residential (Use Class C3), Retail (Class A1-A4), Nursery, Community and Leisure uses (Use Class D2) and Healthcare (D1).

Residential

Residential uses are proposed within Blocks ABCD, with the majority of units provided from first floor level upwards. The predominantly residential use of these Blocks is supported through the OPP.

Commercial - A1- A4, C3, D1, D2

At ground and part first and second floor levels of Blocks A, B and D, a mix of A1, A2, A3, A4, C3, D1 and D2 uses are proposed. Such flexibility enables the commercial units to come forward for a range of uses, dependent on market demand. The inclusion of C3 floorspace within the flexible commercial units will enable some units to come forward for ancillary residential space (for example a gym). In total up to 7,094 sqm non-residential floorspace is

proposed.

D1 (Health care)

Following discussions with the Council and the NHS, space to incorporate a new dedicated Health Centre is likely to be located within Block A. The delivery of health centre floorspace on the site is required through the OPP S106 Agreement (510 sqm to be provided for this purpose, with 590 sqm to be provided as 'additional health centre floorspace').

Discussions with the NHS about their requirements and the delivery of this space are on-going, and the scheme has the capability of delivering the scale of Health Centre required, including a potential option of increasing the quantity of space up to potentially 2000 sq.m, which can be accommodated in the proposed building, although this would require a future planning application to accommodate this change.

D2 (Nursery)

A dedicated nursery is proposed within Block D of the proposed development. The minimum size requirement for the nursery as identified in the OPP S106 is 400 sqm. The proposals for ABCD include provision of a nursery comprising 452 sqm, likely to be located within Block D.

This application comprises a combination of the above uses which reflect the approved outline uses and is therefore compliant with the OPP.

4.3 Amount and Mix of Development

Amount

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

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

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

The proposal involves an increase of 138 units above the maximum number of units across these three phases currently approved under PCD5. The Applicant's intention is to reconcile this with an equal decrease in the total number of units in Blocks A, B and C in Development Stage 2, and all blocks

(V, W, X, Y and Z) in Development Stage 3. This means the site-wide total of 2,900 residential units and maximum amount of residential floorspace will be unchanged under this planning application, and therefore compliant with the hybrid planning permission.

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

Mix

PCD 5 sets out the controls to the site-wide mix of housing and an indicative mix for Development Zones E, F and G. Although there are no specific controls over the residential mix in Blocks E, F and G, the proposed mix is in broad alignment with the site-wide requirements and the indicative mix for these plots set out in PC5.

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

Tenure

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

4.4 Matters Reserved

The reserved matters currently under consideration are as follows:

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

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

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

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

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

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

Layout

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

General Layout Parameters

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

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

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

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

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

account the design of Lismore Boulevard (West) approved under Reserved Matters application 16/5716/RMA and incorporated a new access into the rear of Plot E.

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

Accordance with the Design Principles Document

The DPD has been used as the starting point for the preparation of the detailed plans submitted for approval. The DPD imposes a series of requirements on to each phase which have been fully accounted for in the submitted plans. Full details are set out in the Design Statement; however key points/elements are highlighted below:

- **Primary Route (Lismore Boulevard (West))** – the design of the primary route in this proposal accords with all of the principles in section 3.2 of the DPD, except for two slight deviations to principles 3.2G and 3.2L. These deviations enable a wider footpath to be accommodated where Lismore Boulevard West crosses between the application site and the balance of Development Stage 2. A wider footpath shows pedestrian priority in this location, where pedestrian flows are anticipated to be greater.
- **Tertiary Route (Green Streets)** – the design of the tertiary routes in this proposal accord with all of the principles in section 3.3 and 3.4 of the DPD, except for minor deviations to principles relating to street furniture (3.4C, 3.4F and 3.4R) to ensure consistency with the details that have already been approved under Condition 11.
- **Garden Square West** – the design of Garden Square West accords with all of the principles in section 4.8 of the DPD;
- **Community Gardens** – the design of the Community Gardens accord with all of the principles in section 4.9 of the DPD;
- **Form and Massing** – the submitted plans are generally consistent with the principles for all buildings set out in 5.2.1 of the DPD and the specific principles for Development Zones E, F and G set out in 5.6-5.8 of the DPD. However, these were agreed during pre-application discussions with LB Barnet officers.
- **Frontages** – the proposal accords with all of the principles in section 5.2.2 of the DPD, except for two minor deviations to principles 5.2.2B and 5.2.2E. There is a blank façade on the eastern flank of the townhouses to the south of Plot G, which is very slightly longer than 15 metres. Following discussions with the LB Barnet Design Officers, it was agreed this is a condition that is typically found to define an 'end of terrace', and, accordingly, very much part of the architectural and visual language of London;
- **Parking Principles** – in accordance with DPD principle 5.2.7a of the DPD, the proposal will continue to achieve an average car parking ratio across the development of 0.7 spaces per dwelling. There are some slight deviations from DPD principles 5.2.7b-d and 5.2.7F, which have been

discussed with LB Barnet officers. A basement car park has been introduced below Plots F and G meaning podium car parking and garages for the townhouses in Plot G are not required. Pedestrian access points to the basement car park are provided directly from each of the residential cores rather than from street level. These deviations have been previously agreed with the Borough's officers via pre-application discussions.

- **Outdoor Amenity Space** – the proposal accords with all but one of the principles relating to amenity within Section 5.2.3 of the DPD. There is a minor deviation with respect to the amount of private amenity space provided and the requirements in LB Barnet's Residential Design Guidance SPD.

Proposed Amenity Space Provision:

Block E:

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

Block F:

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

Block G:

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

Totals:

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

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

Scale

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

Height

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

These are as follows:

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

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

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

Density

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

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

Daylight/Sunlight

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

Landscaping

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

Accordance with the Design Principles Document

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

Appearance

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

Accordance with the Design Principles Document

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

The key points/elements are as follows:

- Brick will continue to be the primary material. An indicative material palette has been presented and discussed with officers at the pre-application stage. The colour and tone of brick will be complementary to the bricks in Stage 1 and fit with the overall site concept;
- The architectural composition of the building elevations will consist of a defined base, middle and top as a simple tripartite composition. The proportion of the middle section is varied according to the overall height of the building;
- The scale at ground floor is varied with defensible zones provided;

- The top of the buildings are articulated, with flat continuous parapet tops. Larger footprints such as the western elevation of Plot G are broken down in size and scale where simple continuous parapets are provided;
- A variety of roof profiles are provided with strongly articulated rooftop profiles fronting Lismore Boulevard (West);
- The buildings emphasis vertical orientation and include features to ensure the elevations are not unrelenting; and
- The base of the buildings will generally have a two storey datum.

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

Car Parking

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

The proposals incorporate a total of 230 parking spaces across Plots E, F and G, including 109 spaces in Plots E, 67 spaces in Plot F and 54 spaces in Plot G. The overall site-wide and Stage 2-wide car parking ratios will remain unchanged. It is also noted that the development area the subject of the current application concerns the most accessible part of the wider Colindale Gardens site, being located directly opposite from Colindale Station, as such it is justified that the car parking provision within this sub phase will be lower than parts of the development located further from the station.

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

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

Environmental Matters

This application is accompanied by an Environmental Statement Addendum, which provides an update on the environmental effects of the proposal to account for the deviations to the development parameters assessed in the

original ES, as now proposed by this application. This ES Addendum has been prepared with reference to the Town and Country (Environmental Impact Assessment) Regulations 2011, as amended 2015.

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

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

5. EQUALITIES AND DIVERSITY ISSUES

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

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

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

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

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

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

Officers have in considering this application and preparing this report had

regard to the requirements of this section and have concluded that a decision to grant the approval of reserved matters for this proposed development will comply with the Council's statutory duty under this important legislation.

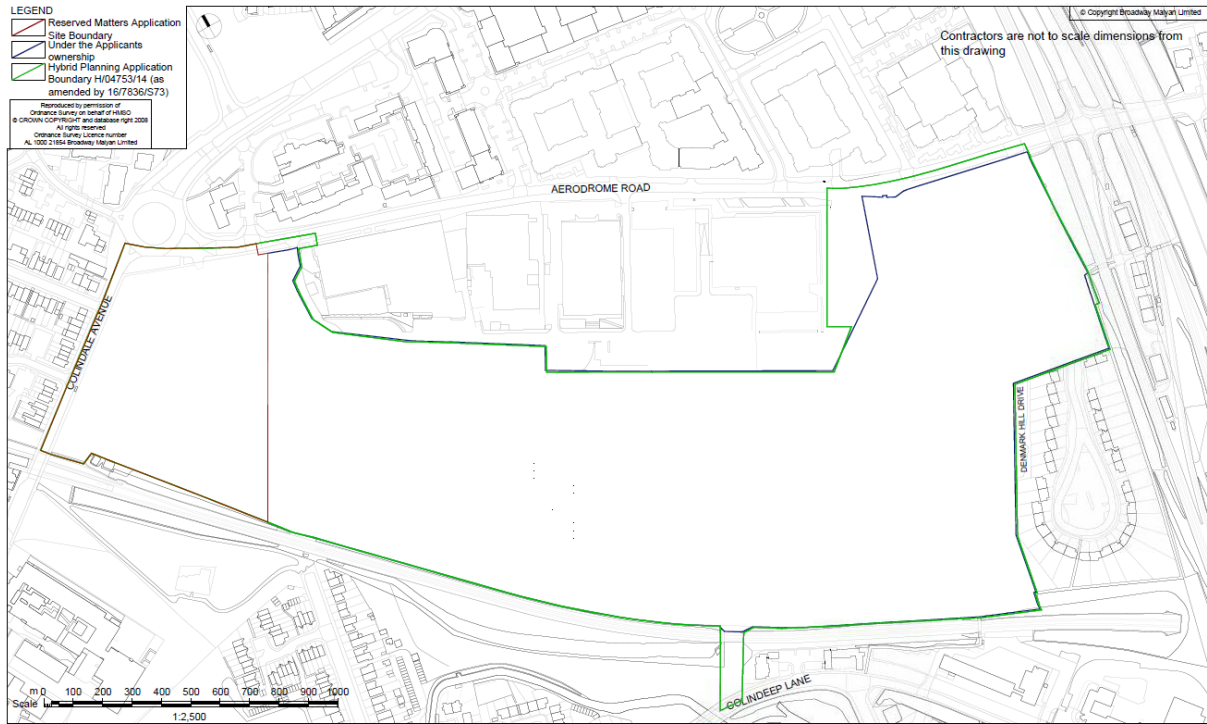
6. CONCLUSION

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

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

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

APPENDIX 1: Site Location Plan



Location Land At 236 -252 Summers Lane London N12 0JY

Reference: 18/4200/FUL

Received: 5th July 2018

Accepted: 12th July 2018

Ward: Woodhouse

Expiry 11th October 2018

Applicant: Mr Steven McIntosh

Proposal: Demolition of three existing buildings and redevelopment of the site to provide 2no. two-storey and 1no. three-storey blocks comprising of 14no. self-contained residential units. Associated amenity space, hard and soft landscaping, refuse store, cycle parking and provision of off-street parking

AGENDA ITEM 9

Recommendation: Approve subject to s106

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

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. The provision of 14no units for affordable housing for affordable rent.
4. Provision of additional seven street trees at a charge of £600 per tree plus VAT.
5. Monitoring of Legal Agreement £600.00

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the

conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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

1215/1709/56 (Topographical Survey)
0117-AGB-10127 (Topographical & Full Utility)

A_BA2-S21_DR_0001 (Existing Site Location Plan)
A_BA2-S21_DR_0002 (Existing Site Plan)

A_BA2-S21_DR_0100 K (Proposed Site Plan)
A_BA2-S21_DR_0110 (Existing / Proposed Street Elevations A-A)
A_BA2-S21_DR_0112 (Long Site Section C-C)
A_BA2-S21_DR_0113 (Long Site Section D-D)
A_BA2-S21_DR_0114 (Long Site Section E-E)
A_BA2-S21_DR_0115 (Long Site Section F-F)
A_BA2-S21_DR_0116 (Long Site Section G-G)

A_BA2-S21_DR_0200 (Proposed Blocks A and B - Ground Floor Block Plan)
A_BA2-S21_DR_0201 (Proposed Blocks A and B - First Floor Block Plan)
A_BA2-S21_DR_0203 (Proposed Blocks A and B - Roof Plan)
A_BA2-S21_DR_0206 (Proposed Blocks A and B - Elevations (2 of 4))
A_BA2-S21_DR_0207 (Proposed Blocks A and B - Elevations (3 of 4))
A_BA2-S21_DR_0208 (Proposed Blocks A and B - Elevations (4 of 4))
A_BA2-S21_DR_0210 (Proposed Blocks A and B - Elevations (1 of 4))

A_BA2-S21_DR_0220 A (Proposed Block C - Ground Floor Block Plan)
A_BA2-S21_DR_0221 A (Proposed Block C - Upper Floor Block Plans)
A_BA2-S21_DR_0225 A (Proposed Block C - Elevations (1 of 3))
A_BA2-S21_DR_0226 A (Proposed Block C - Elevations (2 of 3))
A_BA2-S21_DR_0227 (Proposed Block C - Elevations (3 of 3))

A_BA2-S21_DR_0300 (Unit Plans_1B2P_Type A)
A_BA2-S21_DR_0301 (Unit Plans_1B2P_Type B1)
A_BA2-S21_DR_0302 (Unit Plans_1B2P_Type B2)
A_BA2-S21_DR_0303 (Unit Plans_1B2P_WCH Type)
A_BA2-S21_DR_0304 (Unit Plans_2B3P_Type C1)
A_BA2-S21_DR_0305 (Unit Plans_2B3P_Type C2)

A_BA2-S21_DR_9000 (Existing Site Location Plan Overlay)

Arboricultural Impact Assessment (dated 28.08.2018)
Cover Letter, HTA Design LLP (dated 05.07.2018)
Daylight, Sunlight and Overshadowing (dated June 2018)
Design and Access Statement (dated July 2018)
Flood Risk Assessment (dated 07.09.2018)
Foul and Surface Water Drainage Statement (dated 01.10.2018)
Planning Statement (dated June 2018)
Statement of Community Involvement (dated July 2018)
Sustainability and Energy Statement (dated 2018)

Transport Statement (dated July 2018)

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) Prior to superstructure works, details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

4 a) Prior to superstructure works, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

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

5 a) Prior to demolition, including site works, a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;

- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

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

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

6 Part 1

Prior to demolition commencing, including site works:

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 October 2016) and 5.21 of the London Plan 2016.

7 a) Prior to superstructure works, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

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

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

8 a) Prior to superstructure works, a noise impact report shall be submitted to and approved in writing by the Local Planning Authority. This should be completed 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.

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 2016.

9 a) Prior to superstructure works, 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 2016).

10 a) Prior to occupation, 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.

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

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

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

11 a) Details of boundary treatment(s) shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion of the development. The details shall include all walls, fencing, gates, footings, their design, appearance and materials.

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

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

12 Prior to the occupation of the development, parking spaces and the access to the parking spaces shall be provided in accordance with drawing No. LBB-SMP-200 PSM submitted with the application. The parking spaces shall be used only as agreed and not

be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

13 Prior to occupation of the development, full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 20% of the approved residential parking spaces to be provided with active electric vehicle charging facilities and 20% passive electrical charging facility. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

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

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

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

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

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

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

16 Details of the boilers shall be submitted to and approved in writing by the Local Planning Authority prior to installation, details of the boilers shall be submitted 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(adopted October 2016) and Policy 7.14 of the London Plan (2016) in relation to air quality.

17 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.

18 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 36.54% 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.

19 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 1 unit 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.

20 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).

21 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection

as approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time.

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

22 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 2016.

23 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 2016).

24 The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 22 shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies

DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy
DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

25 With the exception to demolition works, development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

The scheme shall be based upon the principles within the agreed Summers Lane - Drainage Strategy Report Rev 01 on the implementation of SUDS report prepared by 7 Engineering Consultancy Limit (ref: 07096) dated 01.10.2018 and shall also include:

- a) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers
- b) Full details of the proposed attenuation and flow control measures
- c) Full details of the maintenance/adoption of the surface water drainage system;

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

26 With the exception to demolition works, prior to the commencement of the development, proof that Thames Water will accept surface water from the site at the agreed maximum discharge rate to the surface water sewers needs to be submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure a satisfactory method of surface water drainage, and to prevent the increased risk of flooding to third parties.

RECOMMENDATION III:

1 That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 31 January 2019, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing and tree loss mitigation. The proposal would therefore not address the impacts of the development, contrary to Policies CS5 and CS15 of the Local Plan Core Strategy (adopted September 2012), policies DM01 and DM17 of the Development Management Policies (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

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

- 3 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 4 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

5 The submitted Construction Method Statement shall include as a minimum details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- For major developments only: provide a copy of an asbestos survey; For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

6 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/>

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 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise,

WHO). This needs to be considered in the context of room ventilation requirements.

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

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

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

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

- 8 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.
- 9 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.
- 10 Provision of a new footway or modification of the existing footway shall be Disability Discrimination Act (DDA) compliant.
- 11 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact

the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

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

- 12 It is an offence under Section 151 of the Highways Act 1980 to allow mud, debris or other materials to be deposited on the highway so as to damage it, obstruct it or create a nuisance or danger. The applicant will ensure that highways in the vicinity of the works are kept free from mud, debris and dust falling from vehicles or the wheels of vehicles associated with the works or spreading from the works. Where the deposit of mud, debris or dust is unavoidable, warning signs must be exhibited whilst works are in progress. Carriageways and footways affected must be swept at least every two hours or otherwise to the satisfaction of the Authority. The applicant shall be responsible for keeping the highway clean in the vicinity of the site. Any mud or spoil deposited on the public highway shall be removed without delay.
- 13 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.
- 14 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.
- 15 The applicant is advised that Summers Lane is a bus route and a bus stop is in place fronting the site. Any demolition or construction activities undertaken as part of the proposed development should not obstruct the operation of the buses and any operation affecting the buses would need to be discussed and agreed with TfL Buses prior to commencement of any works affecting the operation of the bus service.
- 16 The applicant is advised that Summers Lane is a Traffic Sensitive Road; between 08:00 to 09:30 hrs and from 16:30 to 18:30 hrs Monday to Friday.

Deliveries during the construction period should be avoided during this time and 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.

Officer's Assessment

1. Site Description

The application site is located on the southern side of Summers Lane, within the ward of Woodhouse. The site consists of 3no two-storey blocks comprising of 6no three-bed self-contained units. The site slopes from Summers Lane at the northern boundary down to the southern boundary with an overall fall of around 3m. Pedestrian and vehicle access is from Summers Lane. The site includes a number of trees, including an Oak tree to the street frontage, and a group of three trees to the western boundary.

The surrounding area is characterised by predominately residential properties, with a number of commercial units in close proximity. To the east of the site, there are four cottages which face Summers Lane and a row of ten properties along Summers Row which the rear boundaries back onto and adjoin the application site. All the properties within this area are fairly small two-storey buildings. To the south, the site appears to be separated from the residential properties by a strip of land that may have comprised a rear access path when the existing properties were first laid out. There are differing building styles to the rear with Summerfield Avenue comprising of two-storey terrace dwellings and Thistley Close which is 'U' shaped group of terraced bungalows. To the west of the site, is a row of two-storey semi-detached properties.

Within the vicinity, Summers Lane forms a junction with Woodhouse Road to the north-east of the site, providing an arterial connection eastwards to the north Finchley town centre. There is a cluster of two-storey commercial properties around this junction, extending back towards the application site with a catering premises directly opposite this site. There are a number of three-storey flatted developments beyond the junction to the east.

There is also a TfL bus stop adjacent to the western side of the road frontage.

2. Site History

No relevant planning history.

3. Proposal

The application seeks permission for the demolition of the 3no. two-storey blocks on the site and the erection of 2no two-storey buildings and 1no three-storey building, comprising of 14no self-contained units (2 x 1B2P, 3 x 2B3P, 8 x 2B4P units and 1 x 1BP WHC unit).

Blocks A and B would face onto Summers Lane and would have similar footprints measuring approximately 16m in width and 10m in depth. Both blocks would be two-storeys in height with pitched roofs. Inset balconies or terraces are proposed to all units and would be positioned on the front elevation facing Summers Lane.

Block C would be located at the rear of the site, measuring 18m in width and a depth of 12m. This block would be three-storeys in height. Similarly, this block would benefit from individual terraces or balconies on the front elevation.

In terms of external appearance, the proposal would be constructed with a multi-stock buff brick, yellow grey windows and doors and slate coloured roof tiles.

All of the proposed new units will be for affordable rent, owned by Opendoor Homes and managed by Barnet Homes.

The proposal also includes the provision of 9no parking spaces (including 1 wheelchair space), 22 cycle storage spaces, 218sqm of communal amenity space and refuse and recycling storage. The existing site access is proposed to be stopped up, with a new access created off Summers Lane leading down through the middle of blocks A and B.

4. Public Consultation

The application is referred to the Planning Committee as the applicant is Open Door Homes.

Consultation letters were sent to 393 neighbouring properties.
1 response has been received, comprising 1 letter of objection.

The objections received can be summarised as follows:

- Location of proposed bin store will create rat/ mouse problem.

4.1 Internal / External Consultation

Affordable Housing - Development must provide 40% affordable housing.

Arboricultural Officer - The proposal involves the loss of a number of trees across the site, most significantly, the Oak tree at the front of the site. While the proposal provides new landscaping, it is considered that the proposal fails to provide sufficient mitigation for the trees removed that provided public amenity.

Environmental Health - No objections subject to recommended conditions.

Local Lead Flood Authority - No objection subject to recommended conditions.

Traffic and Development - No objections subject to recommended conditions.

London Fire Brigade - No objections.

Thames Water - No objections.

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 24th July 2018. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS13, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM10, DM17

Supplementary Planning Documents

Affordable Housing (adopted February 2008)

Planning Obligation (adopted April 2013)

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Provision of acceptable accommodation for future occupiers;
- Highways, access and parking;
- Impact on trees; and
- Any other material considerations.

5.3 Assessment of proposals

Principle of development

At present the site provides for 6no dwellings comprising of three blocks with fairly large areas of undeveloped land surrounding the buildings and across the site. The proposal seeks to redevelop the site, increasing the density of the site to provide more affordable homes.

Officers consider that the site does have capacity for change and intensification of residential use but would be dependent upon the scale, massing and bulk of any proposal and its appropriateness within the context and scale of the surrounding area.

Impact on the character and appearance of the existing site, streetscene and wider locality

The Barnet Characterisation Study locates the site at the northern end of the East Finchley character area, within the suburban terrace and semi-detached residential typologies. The scale of built form of the locality of the site is almost entirely two stories, although it is noted that further east beyond the Summers Lane/ Woodhouse Road junction, the character becomes more urban with flats and mixed used properties with ground floor retail, resulting in a more urban character towards and around Colney Hatch Lane.

The scheme consists of two buildings (blocks A and B) along Summers Lane and a third building (block C) to the rear of the site.

In terms of layout, blocks A and B would broadly follow the existing building line along Summers Lane, with new hedging planted along the boundary and landscaping between the spaces. From the proposed 3D visuals provided within the submitted Design and Access Statement, Officers consider that the proposal has an appropriate layout in terms of the built form and setting along Summers Lane. The principle of a building at the rear of the site is established by the current site layout. While the proposed layout of block C is considerably larger than the existing building, this is not necessarily an issue but needs to be considered with the proposed massing, height and design of block 3. This is assessed in the next paragraph. In addition, immediately adjacent to the east of the site, is a commercial unit which occupies a large footprint and extends out to all boundaries.

With regards to scale, blocks A and B would be two-storeys in height which is reflective of the surrounding scale and context of the adjacent properties. The submitted 3D visuals again illustrate that the proposal would fit successfully within the streetscene. As the site falls significantly towards the rear of the site, block C is designed to be three-storeys. Due to the fall in the site, the overall height of block C would be of a similar height of blocks A and B. While taller than the surrounding scale and context, the proposed scale of block C would not be readily visible from the streetscene and is considered acceptable in this instance.

All blocks would be constructed with pitched roofs, large window openings to the front and rear elevations and finished with a multi-stock buff brick and slate roof tiles. Small in-set balconies would be provided within the front elevations of all blocks. Overall, it is considered that the application provides a simple contemporary style proposal, which is well proportioned and in keeping with the character and appearance of the site, streetscene and wider locality.

Impact on amenities of neighbouring occupiers

Barnet's Residential Design Guidance SPD highlights that privacy is an important design issue. Privacy can be safeguarded through a number of ways, including careful positioning of buildings in relation to one another, internal layouts and through screening and landscaping. In terms of separation distances, it is recommended that 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. Shorted distances may be acceptable between new build properties where there are material justifications.

It is noted that the proposal has been designed to reduce the impact of new buildings on the existing dwellings on Summers Lane, Summers Row and Thistley Close. In addition, significant neighbour consultation has been carried out as part of the pre-planning application process. Two events were held in April and October 2017 following meetings with the Local Planning Authority. The applicant has submitted a Statement of Community Involvement which details the activities and events held.

In terms of Block A, the proposed layout has been re-orientated so that it directly faces Summers Lane. As such, the proposed side elevation would be sited approximately 9.7m from the rear elevation of No.4 Summers Lane and the rear corner would be sited 9.3m away from No.1 Summers Row. To help reduce the impact, the rear building line is also stepped away from the boundary with Summers Row. The proposed orientation of Block A is at an angle with the rear elevations and gardens of Summers Row. While the distances would not strictly meet the SPD requirements, the orientation of the building, along with the windows serving only bedrooms or bathrooms, the overlooking impact is considered to be detrimental.

Block B would have a similar footprint depth to the adjacent No.230 Summers Lane. There are only three proposed secondary windows along this side elevation. These windows are not considered to result in any significant overlooking opportunities on the amenity of No.230. Similar to block A, the rear building elevation of block B is stepped away from the neighbouring boundary.

The window to window distances across Summers Lane from blocks A and B is around 24m to the opposite properties.

The front of block C is orientated that it faces over the proposed parking court within the middle of the site. During the course of the application, Officers raised concerns over the potential overlooking of the upper level balconies of the eastern units towards the rear gardens of Summers Row. In response, the applicant has included the provision of horizontal balustrades to a height of 2.1m on the side and part front elevations. It is considered that this inclusion is acceptable and would mitigate the proposed overlooking concerns.

The applicant has undertaken and submitted a Daylight, Sunlight and Overshadowing Report. The report has undertaken an analysis on the potential impact from the proposal on Nos 3 & 4 Summers Lane, No.191 Summers Lane, No. 230 Summers Lane and Nos 1-9 Summers Row.

In terms of the impact on Summers Row properties, the report found that the proposal will result in a small level of reduction in daylight but all windows tested would still comply with BRE standards.

A sunlight assessment was carried out on No.3 & 4 Summers Lane as this is the only existing building which has windows facing 90 degrees of due south. This found that only half of the

tested windows would experience minimal reduction in sunlight levels. As such, the existing properties at Nos 3 & 4 Summers Lane will experience good sunlight levels and will not be adversely affected by the proposed development.

The sunlight assessment included the impact on the existing external back gardens surrounding the site. The analysis found that only the back garden of one of the properties along Summers Row would not meet the criteria recommended by the BRE for the 21st of March, however, it exceeds the criteria during the summertime (21st of June) when the space is more likely to be used. In three instances, the proposal would improve the current situation and offer better results.

Provision of acceptable accommodation for future occupiers

In terms of the amenity for future occupiers, the LPA would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. The London Plan, policy DM02 and Barnet's Sustainable Design and Construction SPD set out the minimum space requirements for residential units.

There are 14 flats proposed, comprising of 2 x 1B2P, 3 x "2B3P and 8 x 2B4P units and 1 x 1B2P wheelchair accessible unit. All of the proposed units would meet or exceed the minimum internal space requirements. Each of the proposed units would provide a minimal of dual aspect outlooks for all the flats and therefore are considered to receive good levels of daylight, sunlight and outlook.

Policy DM02 and the Sustainable Design and Construction SPD require the provision of 5sqm of private amenity space per habitable room. The proposal consists of 14 units and 35 habitable rooms therefore, for a development of this size, there is a requirement for 175sqm of outdoor amenity space. The proposal provides approximately 225sqm of communal outdoor space in the form of two garden areas to the rear of blocks A and B and a paved area to the block C. In addition, each of the units have access to individual terraces/balconies which equates to approximately 86sqm. As such, the proposal would provide excess amenity space over and above the policy requirement.

Highways, access and parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

The site is located within an area of PTAL 3 (average).

The scheme consists of 9 car parking spaces, including 1 disabled space. The Council's Traffic and Development service comment the proposed level of parking is lower than the level expected by DM17. The required level of parking would be approximately 13 spaces and therefore, the proposal would result in a shortfall of 4 spaces. The applicant has undertaken and submitted a parking survey which was carried out on 6/7th June 2018. The results of the parking beat survey demonstrated that although the parking demand in Ingleway and Summers Lane is relatively high, there is significant space parking capacity available in Woodhouse Road. The survey results indicated that in total 53 parking spaces

were available on roads within the vicinity of the site which can accommodate any potential overspill parking that may result from the proposed development.

A new site access and crossover from Summers Lane will provide access to the site. The proposed new crossover marginally overlaps the bus cage located on Summers Lane which is 18m in length. TfL Buses were consulted with regards to the location of the bus cage and confirmed that the overlap of the new crossover and existing bus cage is acceptable. The existing crossover to the north of the site will remain as existing.

The submitted Transport Assessment stated that the proposed development is likely to generate 6 two-way vehicular trips during the AM peak and 7 two-way trips during the evening PM peak. The Highways Officer does not consider that the proposed trips would result in any adverse impacts on the surrounding public highway network.

The proposed bin store is located within a suitably designed and enclosed store to the site to the rear of block A. The applicant has confirmed that the refuse bins will be wheeled by onsite management onto Summers Lane on collection day.

Overall, the Council's Traffic and Development service is satisfied that the proposed development does not raise any significant highways issues and raises no objections subject to the recommendation of a number of conditions.

Impact on trees

The applicant has undertaken and submitted an Arboricultural Impact Assessment. It states that the survey area contained seven individual trees, two groups and one hedge potentially affected by the development. Most trees are located to the western half of the site. T1 (Hawthorn) and T2 (English Oak) are located on the north-western boundary with Summers Lane and are noted as having high public prominence. Another group of trees G1 and T3 (Silver Birch) are located at the southern end. Three trees of small size T4 & T6 (Silver Birch) and T5 (Elder) are spaced along the northern half of the eastern boundary. Three off-site trees were located around the southern boundary.

It is proposed to remove four trees (T1, T2, T3 and one tree from G1) in order to accommodate the proposed development. The report acknowledges that the removal of two trees along Summers Lane will have the most significant visual impact due to their public prominence.

The survey has been assessed by the Council's Arboricultural Officer who agrees that the loss of the Oak tree T2 is the most significant as it is prominent in the street. The retention of the remaining trees within G1 and others on site is acceptable.

Officers acknowledge the visual importance of the trees along Summers Lane. However, other design and layout iterations were not feasible and were considered during the pre-application process. Officers acknowledge that the removal and loss of these trees is regrettable, however, their loss is considered to be outweighed by planning benefits such as the provision of affordable housing and a high-quality design.

In terms of landscaping, eleven new trees are provided throughout the site and will provide local visual amenity for future occupiers. There are two trees proposed to be planted at the front of the site in the north-eastern corner which will help improve the visual appearance of this section of the site. However, the Council's Arboricultural Officer considers that the proposal does not provide enough mitigation for the trees removed that provided public

amenity. It is recommended that the applicant provides a financial contribution for the provision of additional street trees along Summers Lane.

Other material considerations

Affordable Housing

Barnet Policy DM10 requires a 40% affordable provision from all new sites providing 10 or more units.

All of the proposed new units will be for affordable rent (65% of market rental value), owned by Opendoor Homes and managed by Barnet Homes.

The existing residents of the buildings will be rehoused when the buildings are due to be demolished.

Drainage

The applicant has undertaken and submitted a flood risk assessment (FRA) and foul and surface water drainage statement. The site lies wholly within Flood Zone 1 (low risk) but within a Critical Drainage Area. The FRA considered it unlikely that the proposed development would pose a flood risk on-site, or to land or property external to the site. The report proposes a number of mitigation measures such as incorporating appropriate finished floor levels to overcome any potential flood risks. The Local Lead Flooding Authority is satisfied with this report.

In terms of surface water drainage, the applicant's drainage engineers have considered a number of options. They have considered that the use of storage and attenuation tanks below parking and paved areas would be the most suitable means of attenuating the surface water flows for the site. The Local Lead Flooding Authority has reviewed the statement and confirms that such techniques are considered appropriate.

It is proposed to connect the proposed dwellings to the existing Thames Water foul sewers around the site. The existing residential blocks have a connection to the foul sewer network at the south of the site and reuse of this connection is proposed.

Overall, the Local Lead Flooding Authority has raised no objections in principle subject to a number of conditions being attached if planning permission is granted.

Sustainability and accessibility

The applicant has submitted an Energy Statement which states that the proposal will incorporate a range of energy efficiency measures. In addition, the proposal involves the installation of PV panels on the roofs of all blocks. Overall, the proposal achieves a reduction in regulated CO2 emissions of 40.64% over current Part L Building Regulations (2013). A condition will be attached to ensure compliance with this policy requirement.

In addition, the proposal will ensure a reduction in the use of potable water to below 105 litres as set out in Barnet's Sustainable Design and Construction SPD. A condition will be attached to ensure compliance with this policy requirement.

In terms of accessibility, London Plan policy states that 90% of new build housing should meet the Building Regulation requirement M4(2), with the remaining 10% meeting M4(3) standards. The London Plan acknowledges that this may have particular implications on small blocks (up to four stories in height) as the provision of a lift may have financial implications for the viability of the development or the level of affordability of service charges.

In such circumstances, applicants can provide site specific assessment to justify the non-provision of a lift. The applicant has provided justification in the form of size of development, type of tenure and service costs to demonstrate that including a lift within the scheme would not be unviable. Officers have assessed this information and considers that it is acceptable. The proposal will still be compliant with all other aspects of M4(2) and provides one M4(3) unit.

5.4 Response to Public Consultation

The letter of objection received raised concerns regarding the location of the bin store, with particular concern with the store attracting mice /rats. The individual bins will be located within an enclosed store and have been calculated on the proposed number of residents. Therefore, it is considered through the proper management of the site, the location of the store should not create detrimental impacts to neighbouring occupiers.

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 the completion of a legal agreement and compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring or future occupiers. The development is also considered to be compliant with regard highways, drainage, accessibility and sustainability matters. This application is therefore recommended for approval.



Location **Land West Of Edgwarebury Farm Edgwarebury Lane Edgware
HA8 8QX** AGENDA ITEM 10

Reference: **18/2340/S73** Received: 17th April 2018
Accepted: 17th April 2018

Ward: Edgware Expiry 17th July 2018

Applicant: Bridgedown Ltd.

Proposal: Variation of conditions 22 and 23 of appeal decision
APP/N5090/W/16/3151579 (planning ref. 15/00286/FUL) dated
10/04/2017 for 'Creation of an 18-hole golf course with ancillary
clubhouse, associated car parking and landscaping.' Variation to
include alteration of the wording of condition 22 to read 'The use of the
club house shall not be open to members of the public before 07:00 or
after midnight between Saturday or Thursday and on Bank and Public
Holidays, or before 07:00 or after 01:00 on Fridays and Saturdays.'
and condition 23 to read 'The details required to be submitted pursuant
to Conditions 6, 9 and 14 shall be submitted to the LPA for
consideration at the same time'

Recommendation: Approve subject to s106

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

RECOMMENDATION I:

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

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

3. Full travel plan,

The provision of alternative land for the use of the pre-existing equestrian facility.

Legal cost of monitoring the Section 106 agreement of £500.

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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

Drawings: 01-450-PA02, 02-450-PA01, PA03A, PA04A, PA05, PA06, PA07, 120, 400 Rev A, 500, 501, 601, AL004, AL005 Rev A, AL010 Rev B, AL021, Access Drawings 11-T114 01A, 11-T114 02A, & 11-T114 06.

Environmental Statement Volumes 1, 2 and 3 (including supplemental Construction Traffic Noise Impact Assessment & Air Quality Assessment), Outline Ecological Management Plan dated January 2015, Stage 1 Road Safety Audit dated May 2012, Transport Assessment dated May 2013, Transport Addendum dated February 2015, Energy Assessment Rev B dated July 2015, Icen Transport Note dated November 2015, Updated Arboricultural Implications Assessment Ref J46.26 dated 5 May 2015, Framework Construction Logistics Plan dated February 2015.

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

2 The development shall be commenced no later than three years following the date of the original decision on 10 April 2017.

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

3 The development shall be carried out in accordance with the programme of archaeological work submitted and approved through the discharge of this condition by way of planning application 18/3072/CON.

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.

4 The development shall be carried out in accordance with the levels details submitted and approved through the discharge of this condition by way of planning application 18/3078/CON.

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.

5 No development or construction works on the buildings hereby approved shall take place until details of the materials to be used for the external surfaces of the buildings and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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

6 The development shall be carried out in accordance with the construction, demolition and logistics plan submitted and approved through the discharge of this condition by way of planning application 18/3112/CON.

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

7 Notwithstanding the details submitted with the application and otherwise hereby approved, the development hereby permitted shall not be first brought into use or occupied 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.

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 policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

8 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.

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.

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

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

9 Notwithstanding the details submitted with this application, no site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree and hedgerow 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) and expanding on the principles of the submitted report have been submitted to and approved in writing by the Local Planning Authority.

No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree and hedgerow protection shown on the protection plan approved under this condition has been erected around existing trees and hedgerows 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 ensure the proposed development does not prejudice the adjacent SSSI and that onsite ecological features are protected, enhanced, created and managed in accordance with policies DM16 of the Barnet Local Plan and 7.19 of the London Plan. And to ensure the proposed development does not prejudice existing protected species and that onsite ecological features are protected, enhanced, created and managed in accordance with policies DM16 of the Barnet Local Plan and 7.19 of the London Plan.

10 No development shall take place on the construction of the clubhouse hereby approved until details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority. The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

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

11 The development shall be carried out in accordance with the surface water drainage plan submitted and approved through the discharge of this condition by way of planning application 18/3489/CON.

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).

12 The development shall be carried out in accordance with the flood water drainage plan submitted and approved through the discharge of this condition by way of planning application 18/3489/CON.

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)."

13 No infiltration of surface water drainage from hard surfaces into the ground is permitted other than with the prior express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

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)."

14 The development shall be carried out in accordance with the landscape and ecological management plan submitted and approved through the discharge of this condition by way of planning application 18/5670/CON.

Reason: To ensure the proposed development does not prejudice the adjacent SSSI and that onsite ecological features are protected, enhanced, created and managed in accordance with policies DM16 of the Barnet Local Plan and 7.19 of the London Plan. And to ensure the proposed development does not prejudice existing protected species and that onsite ecological features are protected, enhanced, created and managed in accordance with policies DM16 of the Barnet Local Plan and 7.19 of the London Plan.

15 Prior to the development hereby permitted being first brought into use, details of the all-weather permissive path shown on drawing 02-450-PA03 Rev A including materials, levels, method of construction, route and details of access rights, shall be submitted to and approved in writing by the Local Planning Authority. The path shall thereafter be constructed in accordance with the details approved under this condition prior to the development hereby permitted first being brought into use, and maintained as such thereafter.

Reason: In order to improve access to the Green Belt and to ensure the equestrian business retains access to land, in accordance with Policies DM01 and DM15 of the Development Management Policies DPD and policies 2.18 and 3.19 of the London Plan 2015.

16 Before the development hereby permitted is first occupied or the use first commences the car parking and cycle parking spaces shown on Drawing No. AL004 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

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

17 Prior to the first occupation of the development hereby approved, details (including manufacturers specification, light spillage diagrams, scaled plans and drawings detailing the size and direction, and proposed hours of use) of all external lighting to be installed on the building and in the car park hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the details approved under this condition and retained as such thereafter.

Reason: In order to protect the character and appearance of the site, and the amenities of the occupants of neighbouring properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

18 Prior to the first occupation of the club house the developer shall submit certification that BREEAM 'Very Good' has been achieved.

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

19 The development shall be carried out in accordance with the phasing plan submitted and approved through the discharge of this condition by way of planning application 18/3112/CON.

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

20 Prior to the first use of the development hereby permitted, details of the renewable energy installations as proposed in the submitted energy statement shall be submitted to and approved in writing by the Local Planning Authority. These should thereafter be installed in accordance with the approved details prior to the first use of the development hereby approved and maintained as such thereafter.

Reason: To ensure that the development is compliant with policies 5.2 and 5.3 of the Mayor's London Plan.

21 The club house building hereby approved shall be used only for purposes ancillary to the use of the site as a golf course. It shall not be used by external organisations as a function venue.

Reason: To safeguard the amenity of the Green Belt and in the interest of highway safety, in accordance with Policies DM15 and DM17 of the Development Management Policies DPD.

22 The use of the club house shall not be open to members of the public before 07:00 or after midnight between Saturday or Thursday and on Bank and Public Holidays, or before 07:00 or after 01:00 on Fridays and Saturdays.'

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

23 The development shall be carried out in accordance with the access plan submitted and approved through the discharge of this condition by way of planning application 18/3390CON.

Reason: In order to improve access to the Green Belt and to ensure the equestrian business retains access to land, in accordance with Policies DM01 and DM15 of the Development Management Policies DPD and policies 2.18 and 3.19 of the London Plan 2

24 The development shall be carried out in accordance with the golf course operation and management plan submitted and approved through the discharge of this condition by way of planning application 18/5664/CON.

Reason: To maintain and achieve the dual objective of providing a championship standard and public accessible affordable golf course, thereby providing a more comprehensive sports and leisure offer in the Borough in accordance with policies CS7 and CS11 of the Local Plan Core Strategy (2012) and policy DM15 of the Local Plan Development Management Policies Document (2012).

25 Prior to the first occupation of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the car proposed parking spaces to be provided with active or passive Electric Vehicle Charging facilities. The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

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

RECOMMENDATION III:

1 That if the above deed of variation to the existing legal agreement has not been completed or a unilateral undertaking has not been submitted by 31 January 2019, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of provision of a travel plan, the provision of alternative land for the existing equestrian facility and the monitoring fee. The proposal would therefore not address the impacts of the development, contrary to Policies CS5 and CS15 of the Local Plan Core Strategy (adopted September 2012), policies DM01 and DM17 of the Development Management Policies (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

Officer's Assessment

1 Site and surroundings

The application site is located to the north of Edgware and to the west of Mill Hill. The site bordered by the M1 to the north, the A41 to the south-west and Edgwarebury Lane to the east.

The site is comprised of mixed arable and grazing agricultural land with small areas of woodland. There are no buildings on the site itself. However to the east of the application site is Bury Farm, in use primarily as an equestrian business with riding school and livery stables.

The application site is within the Green Belt, and contains trees covered by tree preservation orders. A public right of way (footpath) crosses the site from the A41 to Edgwarebury Lane.

Part of the land beyond the southern boundary of the site is designated as the Edgware Way Rough Site of Metropolitan Importance for Nature Conservation. Beyond the south east boundary of the site is the Edgwarebury Park site of Local Importance for Nature Conservation. The Edgwarebury Brook Site of Borough Importance for Nature Conservation is adjacent to the eastern boundary of the site.

The site is also identified as an area of special archaeological significance. Work has commenced on the construction of the vehicular access to and from the A41.

2 Site History

Reference: 15/00286/FUL

Address: Edgwarebury Farm, Edgwarebury Lane, Edgware, HA8 8QX

Decision: Refused

Decision Date: 4 December 2015

Description: Creation of an 18-hole golf course with clubhouse, associated car parking, landscaping and access from the A41

The primary reason for refusal was as follows:

The proposed development would not comprise the provision of appropriate facilities for outdoor sport and outdoor recreation, and would therefore represent inappropriate development in the Green Belt which would be harmful to the openness and visual amenities of the Green Belt and the purposes of including land within the Green Belt. No very special circumstances exist to outweigh the harm caused to the Green Belt. The proposal is therefore contrary to Policies CS NPPF, CS1 and CS7 of the Local Plan Core Strategy (September 2012), Policy DM15 of the Local Plan Development Management Policies DPD (September 2012) and Policy 7.16 of The London Plan 2015.

As the application was refused, further reasons relating to the failure to complete a Section 106 agreement on Travel Plan, alternative facilities for equestrian uses and a landscaping plan were imposed.

The decision to refuse the application was appealed by the applicants and the appeal was allowed on 10th April 2017 following a public inquiry. The following conditions were imposed on the decision which have become relevant to this planning application.

22 The use hereby permitted shall not be open to members of the public before 07:00 or after midnight between Saturday or Thursday and on Bank and Public Holidays, or before 07:00 or after 01:00 on Fridays and Saturdays.

23 The details required to be submitted pursuant to Conditions 7, 10, 15, and 19 imposed by this Planning Permission shall be submitted to the LPA for consideration at the same time.

3 Scheme description

Permission is sought for the variation of condition 22 and condition 23 of the appeal decision overturning the refusal of the planning application 15/00286/FUL. The planning permission granted as a result therefore is for the, "Creation of an 18-hole golf course with ancillary clubhouse, associated car parking and landscaping'.

The applicant wishes to amend condition 22 of the permission so that it reads as follows:

The use of the club house shall not be open to members of the public before 07:00 or after midnight between Saturday or Thursday and on Bank and Public Holidays, or before 07:00 or after 01:00 on Fridays and Saturdays.'

As a result of this change, the permission would restrict the applicant to using the clubhouse only during the hours of 0700 and midnight Sundays to Thursdays and 0700 and 0100 on Fridays and Saturdays. The current wording of the condition would permit the applicant to allow Members of the Public to use the application site as a whole with the exception of the clubhouse at all times on all days. The clubhouse would have a time restriction while the grounds would be unfettered by the hours of use condition.

The applicant also wishes to amend condition 23 of the permission so that it reads as follows:

The details required to be submitted pursuant to Conditions 6, 9 and 14 imposed by this Planning Permission shall be submitted to the LPA for consideration at the same time.'

Condition 6 relates to a construction management plan, Condition 9 relates to a tree protection plan and Condition 14 relates to an ecological management plan.

It should be noted that Condition 23 has been complied with as an application was submitted to discharge all three conditions simultaneously on 22 May 2017 under planning application reference 18/3112/CON. However, planning officers refused to discharge condition 9 while discharging conditions 6 and 14 and this remains outstanding. While this should be resubmitted for consideration, Condition 23 has served its purpose and it is recommended that the condition should be deleted from the permission as it is no longer relevant to the planning permission (in accordance with the guidance from the NPPG).

4 Consultations

1080 neighbouring occupiers were notified of this planning application. A press notice and a site notice were also erected on this planning application and 14 objections were received by the Council.

These raise the following concerns:

- o Impact on views through the land
- o Obstruction over rights of way
- o The scheme would result in extended hours which would harm neighbour amenity
- o Impact on the green belt
- o Impact on flora and fauna in the area
- o The proposed development would give rise to excess highway congestion on local roads.
- o There is a sufficient number of golf courses in the area which are under subscribed.
- o The site is 500 year old farm land
- o The land is of outstanding natural beauty which should not be affected.
- o There would be environmental degradation
- o There would be harm to archaeological remains.
- o The proposal would permit noise in the clubhouse, to 0100 which would come from functions, bands and djs. This would be intolerable.
- o The proposed development would be dangerous for pedestrians

The Council also received one expression of support to the application welcoming the enhancements to the area that the golf course would bring.

Hertsmere Borough Council objects to the application as it would permit the use of the golf course by members of the public (with the exception of the clubhouse) 24 hours a day. This would cause harm to the amenity of residents and to the quality of the local environment. It would also constitute an intensification of the use of the land and would result in the planning balance that the Inspector considered at the time of the planning appeal.

The Council also objects to the wording of the condition resulting in the removal of Condition 19.

(It should be noted that Condition 19 was also submitted in May 2018 in parallel to the conditions listed. This condition was discharged and as a result, this part of the objection should not be sustained.

London Wildlife Trust were consulted and hold no objections to the application.

The Council's Environmental Health team was consulted on the planning application and no objections are raised in respect of the variation of these conditions.

5 Planning policy requirements

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 24 July 2018. This is a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016

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

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

Consultation Draft London Plan

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7, CS15
- Relevant Development Management Policies: DM01, DM02, DM15, 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. Policies CS7 and DM15 aim to protect Green Belt land and rural character, in line with policy advice in the NPPF.

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.

Green Infrastructure SPD (adopted October 2017)

The main issues for consideration are:

- Whether the change to the parts of the golf course that the hours of use and access are applicable would harm residential amenity in respect of noise etc.
- Whether the alterations to Condition 23 in relation to the submission of conditions for discharge affect the way in which the scheme is delivered to the detriment of interested parties.

Permission is sought for the variation of Condition 22 of the planning permission granted by way of an appeal for the construction of an 18 hole championship standard golf course. The condition currently in place prevents public access to any part of the golf course between the hours of midnight and 0700 on Mondays to Fridays and between the hours of 0100 to 0700 on Saturdays and Sundays. The application proposes that this should be changed so that only the public access to the clubhouse is restricted to these hours.

As such, public access to the clubhouse would remain the same however, the access to the golf course would remain unfettered to the general public. Nevertheless, it is not the intention for the operators of the golf course to facilitate play on the golf course outside of clubhouse hours or outside of daylight hours.

At present the condition prevents public entry to the site and would also prevent access to the permissive bridleway open to the public that crosses the site. To some degree, it may prevent members of staff from accessing the maintenance facilities and other parts of the golf course which are necessary for course management and upkeep.

However in considering this application, regard has been had to the Golf Course Management Plan which has been submitted and agreed to in accordance with the discharge of condition 25. This is clear that the proposed development gives rise to a golf course of exceptional standard with a comprehensive and high quality course management programme which would be at odds with events and functions on the golf course which have concerned some objectors who have expressed a concern that the course may host events which are noise generating. It is clear that the management plan for condition 25 does not anticipate this.

As the clubhouse remains inaccessible to members of the public after midnight on weekdays and 0100 on weekends. This condition does not result in any change to the way in which the clubhouse is occupied and as such, there is no incremental increase in noise or light pollution that may arise from the clubhouse. This application therefore does not give rise to any additional harm or amenity impact that may be experienced by residents particularly along the A41 or in the Broadfields Estate.

The Environmental Health department has been consulted on this planning application and no objections were returned on public health, amenity or quality of life considerations.

It should be noted that Condition 21 requires the club house to be used for activities ancillary to the golf course only and for no other purpose. As such, this would eliminate the potential for the activities listed in the neighbour objections. Furthermore, condition 17 also seeks to control site wide lighting with the objective of reducing light pollution and spillage in the wider area.

In respect of Condition 23, which requires the submission of conditions 7, 10, 15 and 19 to be submitted in parallel. These conditions relate to refuse strategy (7), clubhouse roof (10),

permissive allweather path (15) and phasing plan (19). It is considered following discussions with officers, that this is a drafting error as there is no strategic or implementation link between these conditions. As a result, the applicants proposed that the condition should be varied to require the submissions of conditions 6 (construction management plan); 9 (arboricultural method plan with tree protection plan) and 14 (landscape and ecological management plan). These conditions have a better implementation linkage and are critical to the effective development of the land. To this end, an application was made to discharge these three conditions in May 2018 and conditions 6 and 14 were discharged. Given that these conditions have been applied for, condition 23 no longer serves a purpose and it is recommended that this should be removed from the planning permission.

Furthermore, given that conditions 3, 4, 6, 8, 11, 12, 19, 24 and 25 have been discharged throughout the course of 2018, it would be prudent to amend these conditions on the permission to ensure that their wording reflect the fact that they have been discharged and that the development will be constructed and operated in compliance with the details approved through the discharge of these conditions.

The original planning permission allowed at appeal is supported by a legal agreement which is referred to at the beginning of the appeal decision overturning the refusal of planning permission on 15/00286/FUL. The unilateral undertaking would provide for replacement land for the displaced equestrian use, measures for sustainable travel planning, the provision of a new permissive bridleway as well as financial contributions towards monitoring.

These obligations remain valid and applicable to the implementation of the planning permission and would need to be re-secured to this planning permission by way of a deed of variation.

Objectors have raised concerns about the impact of the proposed development on the green belt, on highway safety and congestion on the A41 and surrounding roads, impacts on the flora and fauna and archaeology and the potential degradation of an existing landscape. This planning application does not seek to reassess all the material considerations and elements of the application and the principle of the development of the construction of the golf course has already been established.

On this basis, it is considered that the proposed variation of condition 22 is acceptable on the grounds that the proposed development would not affect the amenity of neighbours or the amenity of the wider area. It is also considered that it would be appropriate to delete condition 23 and amend the wording of the discharged conditions so that the development is carried out in accordance with information submitted to discharge these conditions.

7 Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities. It is not considered that any particular group with specific protected characteristics (as defined by The Equalities Act 2010) would be prejudiced by this application, and improvements to the public footpath and provision of a new bridleway will improve access to the site.

8 Conclusion

Having taken all material considerations into account, it is considered that the proposed changes would not affect the amenity of residents and the wider area. Subject to

compliance with the attached conditions, the proposals would have an acceptable impact on the character and appearance of the application site and the locality and 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 the recommended conditions and the deed of variation of the Section 106 legal agreement.

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LOCATION: Colindale Telephone Exchange
The Hyde
London
NW9 6LB

AGENDA ITEM 11

REFERENCE: 18/0352/FUL Validated: 09.02.2018

WARD: Colindale Expiry: 11.05.2018

APPLICANT: Telereal Trillium

PROPOSAL: Hybrid (part full/part outline) application for the phased comprehensive redevelopment of the site for a maximum of 505 residential dwellings (Use Class C3); and up to 743 sqm of flexible commercial floorspace (within Use Class A1, A2, A3, B1, D1, and D2) in buildings ranging from 3 to 17 storeys along with associated means of access, car parking, amenity space, landscaping, and other associated works and improvements.

Full planning permission sought for Phase 1 comprising 1.02 hectares of the Site for 244 residential dwellings (Use Class C3); 193 sqm of flexible commercial floorspace (within Use Class A1, A2, A3, B1, D1, and D2) along with associated internal road layout and means of access, car parking, amenity space, landscaping, and other associated works and improvements.

Outline planning permission sought for Phases 2 and 3 comprised 1.157 ha of the Site, with all matters reserved for up to 261 residential dwellings (Use Class C3), 550 sqm of flexible commercial; floorspace (within Use Class A1, A2, B1, D1, and D2) along with associated car parking, amenity space, landscaping, and other associated works and improvements.
(The application is accompanied by an Environmental Statement)

EXECUTIVE SUMMARY

The application comprises a part detailed, part outline application for the comprehensive redevelopment of Colindale Telephone Exchange site to provide a residential-led mixed use scheme comprising up to 505 residential units. It should be noted that the scheme has been the subject of a comprehensive pre-application process with officers.

Of significant note, is the affordable housing provision of the scheme which will comprise of 35% which is in line with the Mayor of London's Housing and Viability SPG and is significantly above the level of affordable housing that has been delivered on similar sites in the local area (most pertinently, the adjoining Rushgroves development which delivered 20%). Officers consider that the level of affordable housing should be considered as significant benefit to the scheme and should weigh strongly in favour of any balanced judgement to be made. The affordable housing aspect of the scheme is discussed fully in section 8.0 of this report.

The development proposals also provide a varied mix of residential units – in tandem with delivering a high-quality scheme for this important gateway into Colindale and along the Edgware Road (A5) designated 'key corridor of change' whereby a number of residential-led schemes are currently coming forward (including directly adjacent to the Former Homebase site, Rookery Way).

The existing site is principally used under the B1 and B2 use class as a telephone exchange and switching centre however the current occupier is vacating the premises as part of a holistic rationalisation of their estate, with substantial areas of the Site currently unused/underutilised. Given the bespoke form and layout of the building and the proximity of the site to both the Brent Cross/Cricklewood and Colindale Regeneration areas where there are large quantities of employment floorspace being delivered, the continued use of the site for employment purposes is unviable and undesirable. The change of use to provide a residential led mixed use scheme is therefore supported by officers. The principle of the change of use is discussed fully in paragraphs 5.2-5.12 of this report.

The residential density of the scheme is considered to be appropriate for its location and would be expressed in a building scale and form which is considered to be acceptable. The scheme would deliver an optimised housing density which would make a valuable contribution towards the borough's wider housing delivery targets. The density of the scheme is discussed fully in paragraphs 6.1-6.9 of this report.

The scheme has been design led and the layout has been well considered in order to ensure that there would be a good quality of accommodation for future occupiers whilst also ensuring that the scheme would not unacceptably impact on the residential amenity of adjoining residents. The quality of the accommodation provided and the impact on the amenity of adjoining residents are discussed fully in sections 7.0 and 10.0 of this report respectively.

The site is located outside of the areas identified as being suitable for tall buildings within Policy CS5 of the Local Plan, however officers consider that there is clear justification for tall buildings being acceptable in this location. Most pertinently is the height and the scale of the existing telephone exchange building, the approved tall building on the emerging Rushgroves site and the location of the application site at a strategic point at the southern end of the A5 corridor. The development also demonstrates a high design quality with a clear and legible architectural rationale. The visual impacts of the development are discussed fully in section 9.0 of this report.

In terms of transport, the scheme would deliver 251 parking spaces across all phases at an approximate ratio of 0.5 spaces per unit. Given the site location, characteristics and the wider benefits being delivered. The scheme has maximised opportunities for parking at basement, undercroft and grade level and officers consider that in this instance the level of parking is acceptable. The level of parking provided should also be considered in the context of the additional bus service being provided through the S106 at a cost of £450,000 and the cycle lane feasibility study and implementation secured at a cost of £250,000. Both of these measures would reduce car dependence through the promotion of sustainable modes of travel. A CPZ in the local area is also being implemented pursuant to the planning permission at the adjoining Rushgroves site which,

when combined with a TMO to prevent future occupiers from applying for a parking permit, will ensure that no overspill parking would impact on neighbouring streets. The transport impact of the development is discussed fully in Section 15.0 of this report.

Sustainability, air quality, flooding and all other matters are addressed within the relevant sections of this report and officers consider that, subject to the conditions and S106 obligations outlined, the scheme would be acceptable in all these regards.

Having regard to all matters and having carried out a robust and comprehensive assessment of the application, officers recommend that the application is approved subject to the conditions and planning obligations outlined in the subsequent section of this report.

RECOMMENDATION

Recommendation 1

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

Recommendation 2

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

(a) Legal Professional Costs Recovery

The Council's legal and professional costs of preparing the Agreement and any other enabling arrangements will be covered by the applicant.

(b) Enforceability

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

(c) Affordable Housing

35% of habitable rooms to be provided as affordable with a tenure split of 37% Affordable Rent and 64% Shared Ownership. All affordable housing to be secured in perpetuity and an early stage review mechanism is to be secured.

(d) Employment and Enterprise

The applicant would be required to enter into a Local Employment Agreement with the Council to secure a minimum of the following:

- Progression into employment, less than 6 months – 11
- Progression into employment, more than 6 months – 7
- Apprenticeships – 18
- Work experience – 24
- School / College / University site visits – 214
- School / College workshops – 118

Alternatively, the applicant may wish to make a financial contribution in lieu of the employment outcomes outlined above. Such a contribution would be commensurate with the number of outcomes secured and in line with SPD guidance.

(c) Bus Service Contribution

A contribution of £450,000 (£90 per year over 5 years) to provide an additional bus service in the vicinity of the site.

(d) Traffic Management Order

A contribution of £2,000 towards the amendment of Traffic Management Order (TMO) to ensure that the new occupants are prevented from purchasing parking permits in local CPZs.

(e) Travel Plans

The proposed development would require provision of 2 separate Travel Plans as follows

- A Strategic Level Residential Travel Plan requiring monitoring contributions of £20,000;
- A Full Commercial Travel Plan requiring monitoring contributions of £15,000.

Residential Travel Plan incentives to be secured with each 1st household to be offered to select 2 of the 3 following incentives to the value of £300 (up to a maximum of £151,500):

- Oyster card with £150 credit
- Cycle shop voucher to the values of £150
- Car club credit/membership to the value of £150

(g) Car Club

At least 2 car club spaces must be provided on the development with a commitment to monitor use and to add additional spaces should demand be demonstrated.

(h) Carbon Offset Contribution

A carbon offset contribution would be secured in order to mitigate the shortfall below the zero-carbon target. The final contribution would be ascertained at the point the application is referred to the Mayor and would be calculated using the published GLA formula for such contributions.

(i) Cycle contribution

A financial contribution of £250,000 towards a feasibility study for the implementation of a cycle lane on the A5 adjacent to the site. If a cycle lane is not shown to be feasible then the monies shall be redirected to other Healthy Streets initiatives and/or programmes within the vicinity of the application site in agreement with the LPA and TFL.

(k) Section 278 Highway Works

All necessary works to the public highway under section 278 of the Highways Act to facilitate the implementation of the development in agreement with the Local Highways Authority.

(l) Community Use

Part of the flexible use commercial floorspace shall be safeguarded for a community use, commensurate with the floorspace of the existing nursery or in agreement with the LPA. After an agreed period of marketing, if no occupiers enter agreement to occupy the space as a community use - the relevant part of the commercial floorspace to revert to flexible commercial use.

(m) Indexation

All financial contributions listed above to be subject to indexation.

Recommendation 3

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Head of Development Management or Head of Strategic Planning to approve the planning application reference 18/0352/FUL under delegated powers, subject to the conditions set out within Appendix 2 of this report.

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

MATERIAL CONSIDERATIONS

Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case, the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

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

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

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

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.

The National Planning Policy Framework (NPPF) was revised on 24 July 2018. This is a key part of the Governments reforms to make the planning system less complex and more accessible, as well as promoting 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 London Plan 2015

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

Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

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

London's People:

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

London's Economy:

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

London's Response to Climate Change

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

London's Transport

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

London's Living Places and Spaces

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

Implementation, Monitoring and Review:

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

Draft Replacement London Plan 2017

The Draft London Plan (DLP) published November 2017 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

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

Barnet Local Plan

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

Core Strategy (Adopted 2012):

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

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

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 Promoting Barnet's Town Centres

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)
CS11 (Improving health and well-being in Barnet)
CS12 (Making Barnet a safer place)
CS13 (Ensuring the efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM02 (Development standards)
DM03 (Accessibility and inclusive design)
DM04 (Environmental considerations for development)
DM05 (Tall Buildings)
DM06 (Barnet's Heritage and Conservation)
DM08 (Ensuring a variety of sizes of new homes to meet housing need)
DM10 (Affordable housing contributions)
DM11 (Development principles for Barnet's town centres)
DM13 (Community and education uses)
DM14 (New and existing employment space)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

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

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)
Residential Design Guidance (April 2013)
Planning Obligations (April 2013)
Affordable Housing (February 2007 with updates in August 2010)

Strategic Supplementary Planning Documents and Guidance:

Barnet Housing Strategy 2015-2025
Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Health Issues in Planning (June 2007)
Wheelchair Accessible Housing (September 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
Affordable Housing and Viability (2017)

The Community Infrastructure Levy Regulations 2010:

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

PLANNING ASSESSMENT

1.0 Site Description

- 1.1 The application is located on the eastern side of the A5 and currently comprises of the BT Telephone Exchange and switching centre buildings along with a car showroom, offices and a former industrial building. The site has an area of approximately 2.15 hectares with buildings extending up to 12 storeys in height.
- 1.2 Adjoining the southern boundary of the site is a car showroom and associated forecourt and an autocentre whilst further to the south of the site is a large Sainsburys supermarket along with the large ground level car park. To the north, the application site adjoins the emerging 'Rushgroves' development on the former Homebase site which will comprise up to 386 residential units along with 936sqm of B1 floorspace, 97sqm of A3 floorspace, 295sqm of D1 floorspace and 96sqm of D2 floorspace. To the east, the site partly adjoins the Hyde Estate Road and partly adjoins the Silk Stream, which forms an ecological corridor (of local/borough importance) linking the Brent Reservoir to Colindale. A further car showroom is located adjacent to the eastern site boundary. Two industrial units, collectively referred to as the Connaught Business Centre, are also located to the north-east, adjoining the northern boundary of the application site.
- 1.3 The application site is located approximately 0.5 miles to the north-west of the Brent Cross and Cricklewood Regeneration Opportunity Area and approximately 1 mile to the south of the designated Colindale/Burnt Oak Regeneration Opportunity Area. The site is located approximately a 10 minute from Hendon Station, a 25-minute walk from Colindale Station and is also located adjacent to the A5 with its numerous bus services. The site has an overall PTAL of 2. The site is not located within a conservation area, nor are any of the buildings on site listed.

2.0 Proposed Development

- 2.1 Permission is sought for the phased comprehensive redevelopment of the site to provide up to 505 residential dwellings (Use Class C3); and up to 743 sqm of flexible commercial floorspace (Use Class A1, A2, A3, B1, D1, and D2). The development would vary in height with building heights ranging from 3 to 17 storeys. For clarity, details of the development is set out below by phase.

2.2 Notwithstanding, it is noted that an illustrative masterplan has been prepared and submitted for the entire Site, that also considers the relationship of the detailed layout of the L&Q development to the north; and the potential for future redevelopment to the south. The Illustrative Masterplan is proposed to be delivered in three distinct phases ('Phase One, Phase Two, and Phase Three') and seeks to establish a number of key, indicative development principles in terms of building layout, scale, connectivity, and access across the Site, This approach has ensured that the Site has been comprehensively planned for.

Phase 1 (Detailed Element)

2.3 Phase 1, for which detailed permission is sought, would encompass an area of 1.02 hectares mostly of a linear form running east-to-west to the south of the application site along with the north-east corner of the site adjacent to the Silk Stream and Connaught Business Centre. Phase 1 would deliver 244 residential dwellings along with 193 square metres of flexible commercial floorspace (Use Class A1, A2, A3, B1, D1, and D2). Phase 1 would comprise of 8 distinct blocks A-H which would have the following heights:

Building	Height (Storeys)
Block A	17
Block B	5
Block C	8
Block D	5
Block E	8
Block F	5
Block G	6
Block H	3

2.4 Block A, at part 17 storeys would be the highest element of the development and would be located adjacent to the A5 at the south-west corner of the site. Block A would accommodate commercial floorspace at ground floor level with access from the A5 with residential accommodation to all other floors, accessed from a separate core also with an entrance from the A5. The primary site through pedestrian route adjoins the A5 adjacent to Block A and runs centrally to the north of the linear blocks of Phase 1.

2.5 Blocks B and C would be located to the east of Block A, and would form a composite building with Block B at 5 storeys forming a shoulder to Block C at 8 storeys in height. The blocks are accessed from the south elevation where there is a single residential core for both blocks. Duplex units are also located at ground and first floor levels of Block B with the units on the floors above accessed from a decked access to the north elevation. Ground level car parking would be provided within an undercroft area accessed from the vehicular road running to the south of the blocks. At roof level of Block B would be amenity space for residents inclusive of some children's playspace.

2.6 Blocks D and E would be separated from Blocks B and C by a vehicular access road providing access to a undercroft parking area within D/E. Blocks D/E would replicate the form of Blocks

B/C with Block D at 5 storeys forming a shoulder to Block E at 8 storeys in height. The layout of the blocks would be consistent with that of B/C with duplex units at ground and first floor level and single residential core accessed from the south elevation. The roof level of Block D would provide amenity space, inclusive of some children's playspace.

- 2.7 Blocks F and G would be stand perpendicular to Blocks D/E, laid out parallel to the eastern boundary of the application site. Block F would stand at 5 storeys in height, forming a shoulder to Block G at 6 storeys in height. The block would be located adjacent to the main vehicular entrance to the site, running from the Hyde Estate Road. The block would be solely residential with a single residential core accessed from the south elevation. The units within Block F would also incorporate decked access located to the north elevation. Ground level parking would be located opposite the south elevation and adjacent to the west elevation, between the block and Blocks D/E.
- 2.8 Block H would be located in the north-east corner of the site, adjacent to the site boundary and the Connaught Business Centre. The Block would comprise of a row of 8 x 3 storey townhouses with the rear gardens adjoining the site boundary. A vehicular access road, laid out as in a cul-de-sac manner would be located to the south of the terrace which would incorporate some surface parking.
- 2.9 All of the blocks within Phase 1 would have a vehicular access from a road running to the south of Blocks A-G. A pedestrian access runs centrally to the north of Blocks A-G within an area comprising a scheme of soft landscaping.

Phases 2 and 3 (Outline)

- 2.10 Phases 2 and 3, for which outline permission is sought with all matters reserved, would encompass an area of 1.157 hectares and would provide up to 261 residential units along with 615 square metres of flexible uses commercial floorspace (Use Class A1, A2, B1, D1 and D2).
- 2.11 Design parameters and guidelines have been submitted which show that the buildings within Phases 2 and 3 would have the following indicative heights:

Building	Height (Storeys)
Block J	4-5
Block K	4-5
Block L	10-12
Block M	4-5
Block N	10-12
Block P	5-7
Block Q	5-7
Block R	5-7

- 2.12 Phases 2 and 3 would comprise of the northern part of the site, adjoining The Rushgroves along with the north-west corner of the site adjacent to the A5. The layout of the buildings would be largely laid out in a linear form from east to west adjoining Phase 3 extending to the north on the A5 frontage.
- 2.13 Block J would comprises a single building extending to 4-5 storeys in height, to correspond with the character of the adjacent townhouses (Block H) to be brought forward under Phase One. Block J has an indicative capacity for 26 residential units with an indicative mix of 1, 2, and 3-bedroom apartments. As detailed within the Design Guidelines the design of Block J is envisioned to be of a lower-density character, in creating a mews with a turning head at the western end of the street; when viewed in context with the townhouses to the north (Block H).
- 2.14 Block K would comprise a single building ranging from 4-5 storeys, stepping down to the east; with capacity for 19 residential units. Development Block L is located immediately adjacent to Block K (to the west), stepping up to 10-12 storeys in height with capacity for 44 residential units. Blocks K and L would be accessed from a shared residential core. The outline footprint of Development Blocks K and L would largely mirror that of Blocks D and E of Phase 1 opposite. The access to the basement car park for Phase 2 would be located to the north and south of Block K.
- 2.15 Block M would comprise a single building ranging between 4-5 storeys in height; with capacity for 19 residential units. Development Block N is located immediately adjacent to Block M, stepping up to 10 –12 storeys in height with capacity for 44 residential units. Development Blocks M and N are accessed from a shared residential core.
- 2.16 Blocks P, Q and R would all front onto the A5 with an indicative residential capacity of comprising 15 residential units within Block P, 15 units within Block Q and 25 units within Block R. Blocks Q and R would also comprise up to 550 sqm of flexible commercial floorspace (within use classes A1, A2, A3, B1, D1 and D2) at ground floor level fronting onto the A5.

Car Parking

- 2.17 The development would provide a total of 101 car parking spaces for the 244 residential units within Phase One at grade and undercroft level, equivalent to a ratio of 0.41 spaces per unit. All car parking will be accessible from each individual core.
- 2.18 Within Phases 2 and 3, approximately 150 car parking spaces would be provided, utilising the existing double storey basement under the existing telephone exchange building. Access and layout arrangements for the basement car park are indicative at this stage due to the outline nature of the proposals.
- 2.19 Across all phases, 251 car parking spaces would be provided within basement, undercroft and ground level parking which is approximately equivalent to 0.5 spaces per unit.

3.0 Relevant Planning History

- 3.1 The planning application set out below relates directly to the application site and are considered to be relevant to the consideration of the current scheme. It should be noted that numerous minor applications have been submitted in relation to the operation of the telephone exchange, these are not considered to be directly relevant to the consideration of the current scheme and as such are not listed.
- 3.2 In December 2017, a Prior Approval was granted for the change of use of the main BT Towers from Use Class B1 (office) to Use Class C3 (residential) to provide (220 Units) (application ref: 17/5534/PNO). It is important to note that the approved scheme comprised residential car parking at a ratio of 0.36 spaces per unit.
- 3.3 The adjacent site to the north, formerly comprised of a Homebase retail store, is currently undergoing redevelopment pursuant to the approval of planning application H/0528/14 in October 2015. Permission was granted for the demolition of the existing buildings, and the erection of eight blocks of apartments of 6-8 storeys with a building of 14 storeys adjacent to The Hyde (the A5, Edgware Road) and three terraced blocks comprising housing and duplex apartments, providing 386 residential units (Class C3), 936sqm of Class B1 (Business Hub), 97sqm of Class A3 use (Cafe), 295sqm of Class D1 use and 96sqm of Class D2 use. Associated car and cycle parking, storage and plant space located at basement level with private and shared residential external amenity space and landscaping.

4.0 Consultations

- 4.1 As part of the consultation exercise, 970 letters were sent to neighbouring residents, site notices were erected adjacent to the site and a notice was published in the Barnet Press on 15.02.2018. As a result of the consultation exercise, a total of 3 responses were received, all objecting to the application.

Summary of Neighbour Objections

- 4.2 The material planning considerations contained within the objections received from neighbouring residents can be summarised as follows:

Objection	Officer Response
The development appears to show little regard to supporting infrastructure such as doctors, schools, fire brigade etc which will be put under additional strain with development of this scale	Should the application be approved, the permission would be subject to the payment of the Community Infrastructure Levy, the purpose of which is support the Council in delivering local infrastructure.
The development should be restricted to a maximum of 10 storeys	Whilst it is acknowledged that the site is located outside of those areas identified as being suitable for tall buildings, officers consider that there are material

	<p>circumstances which justify such a departure from the development plan. These include the tall building already in situ on the site, the recent approval of a tall building to the adjoining development site to the north. Full commentary on the acceptability of the tall buildings is set out within Section XX of this report.</p>
<p>Dwellings within the development should be affordable and for local people, and not sold to international investors</p>	<p>The development is providing 35% of the units as affordable which is in line with the Mayor of London's objectives. Placing restrictions on the sale of the private units would be unreasonable and commercially restrictive on the applicant.</p>
<p>The transport report does recognise the poor/moderate cycling provision and recommends explicit cycling lanes to make cycling a safer option for residents and if this proposal is going to attract cyclists to the new 796 cycling parking bays then adequate and safe provision needs to be included in an area wide improvement strategy supported by the rich developers who are capitalising on their projects in our area rather than seeing them simply take the profit and run. This will leave the area in a poor state regarding infrastructure and services which desperately needs to be addressed</p>	<p>Cycling infrastructure and the accessibility of the site and its environs for cyclists was raised as an issue by both LBB and TfL highways officers. Subsequent discussions with the applicant have secured a financial contribution of £250,000 through the S106 which will be used to carry out a study on the feasibility of the installation of a cycle lane to the A5.</p>
<p>This particular development shows some serious flaws in the Transport Assessment. The published numbers of 7 cars per 15 minutes are a fantasy figure. Add the vehicles of the residents of another 505 dwellings and the A5 will quickly become more of a car park that it already resembles at several times during the day. This will have a significant impact on neighbours of this development and will be detrimental to the air quality and residents' amenity in the local area</p>	<p>Following review by LBB and TfL highways officers, revised trip generation figures were submitted by the applicant. The updated figures used an agreed methodology and are considered to be accurate for the purposes of assessment. In terms of air quality impacts, the application site is located within an exceedance zone and is therefore sensitive to any additional impacts. LBB Environmental Health officers were consulted on the application and outlined numerous measures which could mitigate the air quality impacts arising from the development including the payment Marginal Abatement Costs through the S106. Full commentary on the air quality impacts are set out within the relevant section of this report.</p>

<p>The design is generic and inward facing; effectively turning its back to the Edgware Road and its neighbours</p>	<p>The development has been the subject of extensive discussions with both LBB and GLA in reaching the optimum layout. To the north, connections to the Rushgroves were precluded by the approved layout of the neighbouring scheme and the location of private gardens. To the south, the scheme has evolved from earlier iterations to include activity to the southern edge of the scheme which provides scope for harmonisation of any future development of the Sainsburys site. To the A5, a marker building is located on the south-west edge of the site with an active frontage and a distinct form and appearance, giving significant street presence.</p>
<p>The Transport Assessment by Icenii is incomplete and, therefore, the impact of the development on traffic and pedestrian safety has not been properly assessed. However, this objection could be overcome should significant contributions be agreed to improve pedestrian safety at the Kingsbury Road Junction, particularly for children and those with ambulant disabilities. This could be achieved either through the S106 Agreement as a site-specific mitigation measure or through a S278 Agreement as part of the general highway reparations and improvements</p>	<p>The applicant has submitted amended trip generation figures which used a methodology agreed with LBB and TfL highways officers. The likely impacts arising have been assessed and it has been identified that there would be demonstrable impact on A5/Kingsbury Road junction. Given the impact identified, mitigation would be secured through a S278 agreement to be agreed with LBB/TfL.</p>

Responses from External Consultees

4.3 The responses received from external consultees can be summarised as follows:

Consultee	Response
<p>London Borough of Brent</p>	<p>Brent are of the view that additional information is required regarding the treatment and tree planting of the A5 corridor. Given the building line has implications for tree planting this detail needs to be resolved in advance of planning permission being granted and not as a condition.</p> <p>Detailed discussions are needed between colleagues in education at Barnet and</p>

	<p>Brent, to ascertain if there is existing capacity within Barnet to meet the additional demand the development will generate. Such information has not been set out within the application.</p> <p>Barnet Council should be urged to resist this proposal, on the grounds that, in the absence of any offer of funding for improvements to the substandard pedestrian crossing facilities at the signalised junction of Edgware Road and Kingsbury Road, the proposal would fail to ensure that it is safely and easily accessible by pedestrians, particularly those with sensory and mobility impairments.</p>
Thames Water	Thames Water would advise that with regard to sewerage infrastructure capacity, there is no objection to the above planning application.
Metropolitan Police – Crime Prevention Design Officer	<p>There is no objection to this proposal, however one area of concern is the layout of this site is the 27 parking spaces that are positioned to the far east of the site (close to the Silk Stream). The positioning of these spaces, with little activity in this area, very little natural surveillance leaves them very vulnerable and vehicles parked in the area will be targeted by criminals and it will be place where anti-social behaviour will take place, as unobserved, disconnected parking areas such as this, invariably do. The design of this needs to be addressed, either by drastically increasing the activity and surveillance of this area or by securing the parking area with fences and controlling access with a gate, thus preventing access to non-residents.</p> <p>Other aspects of the design that are currently included and are vital to the success of this development from a crime prevention view point, is the active street scene that appears to have be designed in and the securing of under croft parking areas, it is vital that these design aspects remain in this proposal.</p>

<p>Greater London Authority</p>	<p>Principle of development: The redevelopment of the site for a mixed use residential-led scheme is strongly supported.</p> <p>Affordable housing: The proposed 35% provision of affordable housing meets the fast track threshold as set out in Policy H6 of the draft London Plan and the Mayor’s Affordable Housing and Viability SPG and is strongly supported. The applicant has demonstrated that the provision of grant funding (or any other available public subsidy) would not further increase the offer. An early implementation review mechanism as set out in the Affordable Housing and Viability SPG should be secured.</p> <p>Design: Further work on design and residential quality required. Verified images of the scheme from Protected Vista extension 6.1A (Blackheath to St Pauls) must be submitted.</p> <p>Energy: The applicant must submit a revised energy report containing the emission figures of the full hybrid application. In addition, the applicant must explore the potential for additional measures to deliver further carbon dioxide reductions. Once all opportunities for securing further feasible onsite savings have been exhausted, a carbon offset contribution should be secured to mitigate any residual shortfall.</p> <p>Transport: Further information is required on trip generation, blue badge parking and cycle parking. Conditions and Section 106 obligations are required to secure the following; public transport contribution; walking and cycling contribution; car park management plan; details of cycle parking; travel plan; delivery and servicing plan; and construction and logistics plan.</p>
<p>Natural England</p>	<p>Without appropriate mitigation the application may damage the interest features for which Brent Reservoir Site of Special Scientific Interest (SSSI) has been</p>

	<p>notified. This may arise through pollution of the Silk Stream during construction, which feeds into the SSSI.</p> <p>In order to mitigate these adverse effects and make the development acceptable, measures to prevent pollution of the Silk Stream during construction in line with best practice should be secured through an appropriate planning condition or obligation.</p>
Environment Agency	<p>The FRA submitted with this application does not comply with the requirements set out in paragraph 102 of the National Planning Policy Framework which states that for areas at risk of flooding a site-specific flood risk assessment must be undertaken which demonstrates that the development will be safe for its lifetime. It does not comply with paragraph 94 of the National Planning Policy Framework which requires local planning authorities to adopt proactive strategies to adapt to climate change, taking full account of flood risk and coastal change.</p> <p>The FRA uses the correct ‘intermediate’ approach, but the levels are lower than our results. This is because the submitted FRA includes the 1 in 100 + 20% levels in the stage-discharge curve, which may have skewed the results. Consequently the development proposes inadequate flood storage compensation, finished floor levels and resistance and resilience measures.</p> <p><i>Subsequent to the comments above, the outstanding information and calculations were provided to the satisfaction of the EA. Flood issues are fully discussed in the relevant section of this report.</i></p>

Responses from Internal Consultees

4.4 The responses received from internal consultees can be summarised as follows:

Consultee	Response
Environmental Health	With respects to noise, good internal noise

levels can only be achieved with windows that are kept shut and employing a mechanical ventilation system. Any time the residents wish to get purge ventilation (due to overheating or getting rid of cooking odour) they will need to open windows which will result in very high internal noise levels and also poor air quality.

With respects to air quality, the assessment shows that the development site is in an area of poor air quality where air pollution exceeds the limits by a long way and will do so for a long time. The assessment also shows that the development is not air quality neutral in terms of transport emissions. The assessment also shows that the development itself will have a negative impact on already poor air quality in the area and two nearby air quality focus areas (areas where the GLA has highlighted air quality is particularly poor and that there are sensitive receptors and where action should be focused to make improvements).

Chapter 5 of the Environment Statement states that mitigation in the form of Mechanical Ventilation will be needed so that residents do not need to open their windows for ventilation. However the noise report states that windows will need to be opened for purge ventilation or overheating. Alternatives to opening windows for purge and rapid ventilation should be considered; otherwise the internal air quality will not be good.

Air quality has predicted to exceed the relevant legal requirements at ground and first floor levels and higher levels at different existing receptors without the scheme. The predicted baseline levels for 2016 show that there are receptors where the more stringent one-hour mean for nitrogen dioxide is being exceeded. The report models to the future scenario in 2020, and it says air quality will improve. However the nearby monitoring location at the corner of Edgware Road and Kingsbury Road is not showing a decline in

	<p>concentrations</p> <p>No meaningful discussion has taken place as to how the scheme not being air quality neutral with respect to transport emissions will be counterbalanced. No on-site mitigation measures have been specified. No off-site mitigation measures have been mooted.</p> <p>London Plan Policy 7.14 Improving Air Quality states that developments should be at least air quality neutral and not lead to further deterioration of existing poor air quality.</p> <p>Enhanced sound insulation for all potential future users of the commercial units should be secured so that when it is known what use will occupy the commercial then an appropriate assessment be made and use-dependent mitigation recommended.</p>
Transport and Highways	No objections to scheme subject to conditions and S106 obligations.
SUDS/Drainage	No objections to scheme following submission of additional information.

5.0 Principle of Development

5.1 The existing site is occupied by the British Telecom Telephone Exchange and Switching Centre (Class B1 and B2); Vacant BT Training Hut (Formerly Children’s Day Nursery) (Class D1), Crown Honda Hendon Building & JEM Suzuki (Sui Generis) and the BT Open Reach Workshop and Supply Chain Hub (Class B2/B8). Given the presence of employment floorspace, its proposed loss is therefore material to the consideration of the current application. However, it is noted that the main office use (within the main BT Telephone Exchange towers) has rapidly declined over a prolonged period, with the operation of the BT Switching Centre, also due to cease shortly. The former industrial warehouse and training hut within the north-west corner of the Site are also vacant. As such, the Site includes substantial areas which are currently unused/under-utilised for employment use, which is indeed soon to be completely phased out.

Loss of Employment Floorspace

5.2 The existing site is currently occupied by numerous historic employment uses, comprising the following:

- British Telecom Telephone Exchange (Use Class B1)
- BT Open Reach Workshop and Supply Chain Hub (Use Class B2/B8)

- 5.3 Policy DM14 of the Development Management Policies document is relevant and states inter alia that outside of a Locally Significant Industrial Site, Industrial Business Park or Business Location the loss of a B Class use will only be permitted where it can be demonstrated that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken.
- 5.4 In this case, the application site is not identified as a Locally Significant Industrial Site, Industrial Business Park or Business Location within the Core Strategy Proposals map and as such its loss should only be permitted where it is demonstrated that it is no longer viable for its existing (or alternative) employment use.
- 5.5 In respect of the B1 floorspace within the telephone exchange, no explicit marketing evidence has been submitted by the applicant to demonstrate a lack of demand for the continued employment use of the building. Acknowledging that the main BT Towers could be converted under General Permitted Development Rights without the requirement for planning permission (therefore negating the requirement for marketing evidence on this if this were the case). Notwithstanding the absence of explicit marketing evidence, officers consider that there are other material considerations which adequately demonstrate the lack of demand for the continued use of the B1 floorspace.
- 5.6 Firstly, it must be noted that the layout and form of the office accommodation is bespoke to its current use as a telephone exchange. It should also be noted that the occupiers of the telephone exchange have been going through a comprehensive rationalisation of their estate with emerging technologies reducing the need for such large floorplate facilities, thus the lack of demand for their continued occupation. The specific and bespoke configuration of the premises significantly reduces the realistic prospect of it being suitable and viable for an alternative user.
- 5.6 Secondly, it must also be noted that the application site is located in close proximity to the Brent Cross/Cricklewood Regeneration Area which has an outline permission for a significant mixed-use redevelopment for the area which would comprise a total of up to 456,611 square metres of employment floorspace (Use Classes B1-B8). If the loss of the employment floorspace through the current application is viewed in this wider local context, then there would still be a significant increase in employment floorspace and opportunities in this part of the borough.
- 5.7 Lastly, as set out within the planning history of this report, the application site benefits from a prior approval (application ref: 17/5534/PNO) which would allow a change of use from office to residential under permitted development legislation. The scheme, comprising 220 residential units would not retain any mix of uses on the site and could be implemented

without the need for planning permission pursuant to the prior approval. Whilst the current application is materially different to the permitted development scheme, the fact remains that the principle of the change of use is already established through the prior approval.

- 5.8 Paragraph 22 of the NPPF states that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. In light of this and the factors outlined above, officers consider that there is little prospect of the long-term reuse of the B1 floorspace for employment use and its change of use to provide a residential-led mixed use development is acceptable.
- 5.8 With regards to the industrial premises (predominantly Use Class B2), the applicant has submitted a marketing report undertaken by Savills outlining the measures undertaken with regards to the marketing of the site and other such premises within the locality.
- 5.9 In respect of the marketing of the subject premises, the report from Savills confirms that advertising commenced in June 2017 with 10 enquiries being received during the period of marketing. Of these enquiries, 2 were from parties seeking to convert the site to residential and 1 related to the use of the site for a place of worship (Use Class D1). Other enquiries resulted in the parties declining to go forward with negotiations due to the unsuitability of the premises. A copy of the marketing particulars is included within the report.
- 5.10 At the time of submission of the application in January 2018, less than 12 months continuous marketing had been undertaken however at the time of writing this report a supplementary marketing note has been submitted to confirm that no firm enquiries relating to the continued employment use of the premises was received in the intervening period equating to the requisite 12 months of continuous marketing.
- 5.11 It is considered that the marketing report is robust and demonstrates that there is inadequate demand for the continued employment use of the site in accordance with Policy DM14.
- 5.12 In conclusion, officers consider that the proposed change of the current employment uses on site is fully justified and acceptable in accordance with Policy DM14.

Community Use

- 5.13 It is noted that one of the existing uses within the application site is a children's nursery (Use Class D1) which is recognised as a community use. Policy DM13 is therefore relevant and states inter alia that the loss of a community or educational use will only be acceptable in exceptional circumstances where a new community or education use is provided on the site or at a suitable alternative location.
- 5.14 In this case, no alternative provision has been made at an alternative location however permission for community use (Use Class D1) is sought as part of the range of uses for the flexible use commercial floorspace.

- 5.15 Whilst D1 would form part of the approved range of uses, an open approval would leave no safeguards in place that the flexible use would be utilised as community floorspace to ensure some retention in line with Policy DM13. Officers therefore consider that it would be appropriate to include a S106 obligation to ensure that part of the flexible use floorspace is safeguarded for a community use. In order to ensure that such an obligation is not commercially restrictive, a cascade clause would be included to ensure that the floorspace could revert to other approved uses should there be no demand for a community use.

Conclusion

- 5.16 Having regard to all of the above, having justified the change of use of both the employment and community uses currently in situ, the introduction of a residential-led mixed use scheme would be acceptable. There are no overarching strategic policies which would thus restrict the introduction of a residential use to the site. The scheme would thus be in accordance with Policy DM13 and DM14 of the Local Plan.

6.0 Residential Density

- 6.1 London Plan policy 3.4 seeks to optimise the housing output of sites taking into account local context and character, the design principles in chapter 7 of the London Plan and public transport capacity. Taking into account these factors, Table 3.2 of the London Plan sets out a density matrix which serves as guidance for appropriate densities in different locations dependent on the aforementioned factors.
- 6.2 It should be noted that the Draft London Plan, takes a less prescriptive approach and Policy D6 states inter alia that the density of a development should result from a design-led approach to determine the capacity of the site with particular consideration should be given to the site context, its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D6 goes on to state that proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.
- 6.3 The application site is best described as ‘urban’ defined within the London Plan as “areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes”
- 6.5 The density of the proposed development across all phases would equate to 234 dwellings per hectare. The optimum density range for a site such as this as set out within the London Plan density matrix (London Plan – Table 3.2) would be between 45 and 170 units per hectare. The proposed density is clearly therefore in excess of this optimum range, however

it is considered that there are mitigating circumstances which provide justification for such a dense development.

- 6.6 Firstly, officers consider that the density of the scheme is expressed through development of a height and scale that is appropriate for its context and commensurate with the scale of development currently in situ and of the emerging Rushgroves development to the north.
- 6.7 Secondly, it is pertinent to note that Rushgroves development to the north was approved with a higher density than that of the current scheme, 264 dwellings per hectare. In line with the view taken with regards to the Rushgroves development, the application site is located in a strategic location between two Regeneration Areas and at the gateway to the A5 corridor. In such a context, optimised density therefore desirable and densities which exceed the ranges outlined in the London Plan may be acceptable.
- 6.8 The London Plan Housing SPG sets out that development which exceeds the density ranges will not necessarily be considered unacceptable, but will require particularly clear demonstration of exceptional circumstances and a sensitive balance must be struck. The document goes on to state inter alia that where proposals are made for developments above the relevant density range they must be tested rigorously, taking particular account of not just factors such as dwelling mix, design and quality, physical access to services and the contribution of the scheme towards 'place shaping'.
- 6.9 In this case, the application site has been subject to a design-led approach to optimise the potential of the site with cognisance of the factors outlined above. In all respects, officers consider that the scheme delivers a high-quality development which fully justifies an increased density. The London Plan also outlines that the density matrix should not be applied mechanically and in this case it is considered that, notwithstanding the proposed density being in excess of the optimum range, it is appropriate for the site and in accordance with Policy 3.4 of the London Plan.

7.0 Housing Quality

- 7.1 A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch3 'London's People', and Ch7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD and CAAP policy 5.2.

Dwelling Mix

7.2 Policy DM08 of the DMP – DPD states that new residential development should provide an appropriate mix of dwellings and with regards to market housing states that 4 bedroom units are the highest priority and 3 bedroom units are a medium priority.

7.3 The development proposes 505 residential units across all phases with the following mix of units:

Unit Size	Number of Units	% of Units
Studio	49	9.7%
1 bedroom	167	33.1%
2 bedroom	223	44.6%
3 bedroom	65	11.3%
4 bedroom	1	0.2%

7.4 The detailed element (Phase One) will provide 244 residential units comprising of 34 x studios, 106 x one-bedroom flats, 86 x two-bedroom flats, 9 x three-bedroom flats, 1 x 4-bedroom flat and 8 x 3-bedroom, family townhouses.

7.5 It is considered that the scheme comprises a good mix of housing types and sizes, including a good level of larger family sized units. Whilst there is a large proportion of 1 and 2 bedroom units, this is considered to be appropriate given the site’s characteristics and location. Officers therefore consider the proposed dwelling mix to be acceptable and in accordance with Policy DM08 of the Local Plan.

Residential Space Standards

7.6 Table 3.3 in the London Plan provides a minimum gross internal floor area for different sizes of dwelling. This is set out in the table below, which shows the areas relevant to the units proposed within the development:

	Dwelling Type (bedrooms/persons)	Minimum Internal Floorspace (square metres)
Flats	1 bed (2 persons)	50
	2 bed (3 persons)	61
	2 bed (4 persons)	70
Houses	3 bed (5 persons)	85

7.7 All of the proposed units would at least meet and in most cases would exceed the minimum standards, providing a good standard of accommodation for future occupiers.

Wheelchair Housing

7.8 Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst Policy DM02 sets out further specific considerations. All units should have 10% wheelchair home compliance, as per London Plan policy 3.8.

7.9 The applicant’s Planning Statement sets out that 10% of the residential units would be provided as wheelchair adaptable in line with aforementioned policy context and in accordance with Part M4(3) of the Building Regulations. This is considered to be acceptable and a condition is attached which would secure these wheelchair units. It should be noted however that due to the hybrid nature of the scheme, it is considered appropriate to word the condition to require 10% of the units within each phase to be delivered as wheelchair adaptable.

Amenity Space

7.10 Barnet’s Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements. The minimum requirements are set out in the table below:

Outdoor Amenity Space Requirements	Development Scale
For Flats: 5m2 of space per habitable room	Minor, major and large scale
For Houses: 40m2 of space for up to four habitable rooms 55m2 of space for up to five habitable rooms 70m2 of space for up to six habitable rooms 85m2 of space for up to seven or more habitable rooms	Minor, major and large scale
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

7.11 The development proposes a mix of private and communal amenity areas and the Design and Access Statement submitted in support of the application incorporates an assessment of the level of amenity space provided in relation to the requirements of both the London Plan SPG and the Barnet SPD.

7.12 The communal amenity space would be provided within Phase 1 through pocket squares, accessible roofs along with a central green corridor running centrally through the site. Each of the residential units within Phase 1 would also each have a balcony, terrace or garden (in the case of the townhouses) of at least 5 square metres. The amount of amenity space proposed with Phase 1 is fully compliant with SPD requirements and is considered to be well-designed and of a high quality.

7.13 In respect of Phases 2 and 3, an indicative masterplan has been submitted which demonstrates how the amenity spaces could be delivered. Given the outline nature of the proposals, the masterplan is at an indicative stage however has been predicated on the SPD

requirements set out above. This is considered to be acceptable with further details of the amenity provision within Phases 2 and 3 to be included within subsequent reserved matters applications.

Children's Play Space

- 7.14 Phase 1 of the development would have a Child Yield of 34 children as per the Mayor's Child Yield Calculator with 17 under the age of 5, 10 between the ages of 5 and 11; and 7 over the age of 12. The Mayor's Shaping Neighbourhoods: Informal Play and Recreation SPG requires a provision of 10 square metres of playspace per child.
- 7.15 Within Phase 1, play areas would be provided within the accessible roof spaces provided at roof level of Blocks B/C, D/E and F/G along with a play area at ground level adjacent to Block F/G. The play spaces combine to give a total of 349 square metres which is in excess of the minimum requirement of 340 square metres as set out above.
- 7.16 With regards to Phases 2 and 3, in line with the wider amenity space strategy, an indicative masterplan has been submitted which is predicated on the need to provide policy compliant levels of shared amenity space and children's playspace. This is considered to be acceptable with further details of the amenity provision within Phases 2 and 3 to be included within subsequent reserved matters applications.
- 7.17 Nevertheless, the application does not incorporate details of the equipment to be provided. Therefore if permission were to be granted a condition would be attached requiring the submission of details of the play equipment to ensure it is of an appropriate type and quality.

Privacy

- 7.18 Policy DM01 of the Local Plan requires that development have regard to the amenity of residential occupiers. In this regard it is necessary to consider the design of the scheme and the privacy that would be afforded to future occupiers of the development.
- 7.19 Phase 1 is laid out in a largely linear manner, with potential pinchpoints in terms of separation distances between buildings largely mitigated through the layout of the blocks. There is however a separation distance of approximately 16 metres between the flank elevations of Blocks B/C and D/E and between D/E and F/G which is below the recommended minimum of 21 metres. It is considered that the outlook in the context of the development and the design-led approach to optimising the site, these separation distances would not result unacceptable harm for future occupiers. Such separation distances are common in established, higher density urban areas within London and indeed in this case the facing windows do not both consist of primary outlooks with some of the windows in question forming secondary bedroom windows – lessening the extent to which potential overlooking may occur.

- 7.20 The north elevations of Phase 1, within Blocks B/C and D/E would project to within less than 10 metres of the south elevation Blocks K/L and M/N of the indicative layout for Phase 2. However, in both cases – decked access is provided on the north elevation of the Phase 1 blocks with bedroom windows overlooking the decked area. All of the Phase 1 units in question would have their primary living spaces and primary outlook to the south. This would lessen the extent to which overlooking and a loss of privacy could occur.
- 7.21 At this stage, Phase 2 is submitted in outline form and thus the layout of the residential units within Blocks K/L and M/N facing Blocks B/C and D/E is only indicative. However, the 10 metre separation distance would arise from Blocks L and N which are located perpendicular to the facing elevations of Blocks B/C and D/E and as such would incorporate secondary windows with the primary outlook to the east and west. This would further mitigate the risk of a loss of privacy and such a layout would be secured through reserved matters applications.

Outlook

- 7.22 With regards to the outlook from the proposed residential units, as outlined in the Privacy section of this report above, the linear design of Phase 1 is such that potential pinchpoints in terms of separation distances between buildings largely mitigated through the layout of the blocks. However, the same pinchpoints as identified above could also affect the future outlook from the proposed units in question.
- 7.23 In terms of the approximate 16 metre separation distance between the flank elevations of Blocks B/C and D/E and between D/E and F/G, where there are primary outlooks with this separation distances – these units are located opposite the lower shoulder blocks of the adjacent block lessening the impact on the outlook from these units and ensuring that no undue sense of enclosure is created. The windows which are located opposite the higher of the conjoined blocks would form secondary windows or serve bedrooms, mitigating against any loss of outlook.
- 7.24 The north elevations of Phase 1, within Blocks B/C and D/E would project to within less than 10 metres of the south elevation Blocks K/L and M/N of the indicative layout for Phase 2. However, in both cases – decked access is provided on the north elevation of the Phase 1 blocks with bedroom windows overlooking the decked area. All of the Phase 1 units in question would have their primary living spaces and primary outlook to the south. It is considered that this would lessen the impact on the outlook from these windows.
- 7.25 At this stage, Phase 2 is submitted in outline form and thus the layout of the residential units within Blocks K/L and M/N facing Blocks B/C and D/E is only indicative. However, the 10 metre separation distance would arise from Blocks L and N which are located perpendicular to the facing elevations of Blocks B/C and D/E and as such would incorporate secondary windows with the primary outlook to the east and west. This would further mitigate the impact on the outlook from the windows in question and such a layout would be secured through reserved matters applications.

Daylight/Sunlight

- 7.26 A daylight/sunlight report assessing the daylight and sunlight levels of the proposed residential units within Phase 1, undertaken by GL Hearn, was submitted in support of the application. The daylight and sunlight amenity to all habitable rooms within the proposed residential accommodation was tested in line with BRE Report guidance with ADF and Daylight Distribution (DD) tests used for daylight assessment and Annual Probable Sunlight Hours (APSH) used for sunlight assessment. The methodology used within the report is considered to be robust and appropriate.
- 7.27 In terms of daylight, the report sets out that of 618 habitable rooms, 474 (76.7%) would comply with BRE guidelines for ADF. 503 (81.4%) of the habitable rooms would also comply fully with BRE Daylight Distribution (DD) guidelines. This level of compliance is commensurate with the urban characteristics of the scheme and is mitigated by the fact that a large proportion of those windows which fall below the target figures are bedrooms.
- 7.28 In terms of sunlight, the report sets out that 182 out of 618 (29.5%) total habitable rooms would 172 out of 338 (50.9%) of south facing habitable rooms would accord with the BRE guidelines in terms of APSH. Whilst these figures seem relatively low, they must be viewed in the context of the site with its linear form which necessarily reduces the APSH to a good proportion of the Phase 1 windows. Any development of the application site seeking to optimise its potential in line with strategic policies would necessitate a linear form and thus to some extent it is considered reasonable that a lower threshold is adopted. It should also be noted that all units would be provided with an external balcony area which reduces the compliance level below on a quantitative basis however provides a valuable outdoor amenity space for future occupiers on a qualitative basis.
- 7.29 On balance, and considering the site constraints and context, it is considered that the development would achieve acceptable levels of daylight and sunlight compliance.

Noise

- 7.30 In relation to the noise impacts on the proposed development, the application is accompanied by a Noise Impact Assessment from KP Acoustics Consultants which has been reviewed by the Council's Environmental Health officers.
- 7.31 EH officers outlined some concern with the potential noise impacts on future residential occupiers from the adjacent highway network, particularly the A5. Whilst winter gardens were suggested by the EHO for those units adjacent to the A5, officers consider that the introduction of winter gardens would be detrimental to the composite architectural quality of the development. Internally, the noise levels would be mitigated by the specification of the glazing so the concern would only relate to the balcony which would not be used on a daily basis. It should also be noted that the balconies of the units in question would have a

similar relationship to the A5 and the ambient traffic noise as the adjacent Rushgroves residential scheme which was considered to be acceptable.

- 7.32 Nevertheless, these units would require purge ventilation which at present would be achieved through opening of windows. This would negate the noise resistant quality of the glazing and would increase the potential noise levels within the units. It is therefore considered that an alternative form of purge ventilation is required for the units adjacent to the A5 and a condition is attached requiring the submission of details of a scheme of mechanical ventilation for these units within each phase.
- 7.33 The development comprises of a mix of uses with some flexible use commercial space at ground floor level. There would therefore be scope for increased noise generation from a use falling within the range of approved uses, such as a gym. With this in mind, a condition is attached which would require the submission of a scheme of noise insulation for any proposed use of the floorspace under the D use class prior to the occupation of that unit as and when the occupier is known. -

8.0 Affordable Housing

- 8.1 London Plan 2015 Policy 3.12 seeks the maximum reasonable amount of affordable housing to be negotiated. The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings.
- 8.2 The current application is referable to the GLA and as such the Mayors Affordable Housing and Viability SPG is relevant. The SPG sets out a 'fast track' viability route whereby no viability appraisal is required if a development provides a level of 35% affordable housing (calculated by habitable room).
- 8.3 The proposed development proposes 462 habitable rooms as affordable across all phases which would constitute 35% of the 1320 habitable rooms. The affordable rooms would constitute 63% intermediate/shared ownership and 37% affordable rent. It is clear that the proposed tenure split is not compliant with Barnet's preferred split of 70/30 in favour of affordable rented units.
- 8.4 However, it should be noted that the London Plan outlines that affordable housing should be provided on the basis of 30% at low cost rent, 30% an intermediate product and 40% at the discretion of the LPA. In this case, the provision of a 63/37 scheme in favour of intermediate products provide additionality in the amount of affordable housing that can be provided on site. The raison d'être of affordable housing policies is to maximise the amount of affordable housing secured from residential developments and in this case, adjusting the tenure split allows the scheme to maximise its affordable housing delivery.
- 8.5 Whilst in line with the Mayor's SPG and qualified for the 'fast track' approach, the scheme is still below the local target of 40% as set out within Policy CS4. In this respect, a viability note prepared and submitted by the applicant's viability consultants, DS2, outlines that the viable

position is substantially below the 35% being offered. The applicant is therefore providing level of affordable, albeit below the 40% local target, that is significantly over and above the viable position which should be seen as a significant benefit to the scheme. By way of comparison, the adjoining Rushgroves development was approved with an affordable housing level of 20% (by unit).

- 8.6 Having regard to all of the above, officers consider that the 35% of the habitable rooms being provided as affordable is acceptable and is a significant benefit to the scheme which must weigh heavily in favour of the application in the context of the holistic assessment.

9.0 Design/Appearance and Visual Impact

- 9.1 The proposes 16 blocks across 3 phases with varying heights and forms. The following table summarises the heights of each of the blocks.

Building	Height
Block A	16*
Block B	5
Block C	8*
Block D	5
Block E	8*
Block F	5
Block G	6
Block H	3
Block J	4
Block K	5
Block L	10*
Block M	5
Block N	12*
Block P	6
Block Q	6
Block R	6

- 9.2 Those blocks marked in bold in the table above are those which would have a height of 7 storeys or above and as such would comprise tall buildings for the purpose of assessment against the Barnet Local Plan. It will be noted that there are 5 such tall buildings, 3 of which would be delivered in Phase 1 and 2 of which would be delivered in Phase 2.

Tall Building Assessment

- 9.3 London Plan Policy 7.7 sets out the approach to tall buildings in London requiring that appropriate locations are identified in Local Plan's. The policy sets out design criteria that tall buildings should comply with. Further to this, London Plan paragraph 7.25 defines a tall building as one that is substantially taller than its surroundings, or significantly changes the skyline.

- 9.4 Core Strategy Policy CS5 of the Barnet Core Strategy identifies those areas of the borough where tall buildings will be suitable. These include the nearby Regeneration Areas at Brent Cross and Colindale, but not the application site. The application therefore represents a departure from development plan policy and it should be noted that it was advertised as such as part of the consultation.
- 9.5 Notwithstanding the departure from the development plan, Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 state that all applications must be determined in accordance with the development plan, unless material planning considerations dictate otherwise. The key consideration in is therefore whether material planning considerations exist which justify the tall buildings in this location. In this case, officers consider that the principle of tall buildings at this location is acceptable for a number of reasons.
- 9.6 Firstly and most pertinently, the existing telephone exchange building on site rises to a maximum of 12 storeys, reducing a minimum of 8 storeys across its full width. The existing building is very prominent in both short and long range views and officers consider this provides some precedent for a tall building at this location and provides opportunity for a well-designed scheme to improve the site's relationship with its surroundings and in both short and long range views.
- 9.7 Secondly, the emerging Rushgroves development to the north was approved with a tall building rising to storeys in height at the front of the site adjacent to the A5. Similarly as with the current application site, the Rushgroves site is not located within a strategic tall buildings location. In justifying the departure from development plan policy, the officer report for the application set out the following:
- "... the proposed 14 storey feature corner would be located on the main road and would be viewed in the context of tall buildings nearby, which are of a similar height (the BT Exchange and Hyde House). This building would mark the development and would aid legibility in this part of Colindale, providing a positive visual feature in the skyline."*
- 9.8 Based on the commonalities in the location and characteristics between the two sites, officers consider it is appropriate to take a consistent approach to the current application with regards to tall buildings.
- 9.9 Thirdly, as can be seen within the assessment of the Rushgroves development, the introduction of a 'marker' building to the A5 frontage was considered to be a benefit of the scheme in aiding the legibility of this part of Colindale. The application site in this case is located further to the south of the Rushgroves site and thus it can be seen as more of a 'gateway' site to the A5 corridor. Officers therefore consider that there is scope for a marker building of a high design quality to provide legibility to this part of Colindale and to punctuate the southern end of the A5 corridor. Block A of the scheme at 16 storeys in height would be located on the southern part of the site, directly adjacent to the A5 and would

have a distinctive design and appearance, fulfilling the role of the marker building which is considered to be appropriate by officers.

9.10 Having regard to all of the above, and notwithstanding the location of the application site outside of the strategic tall building locations identified in the Core Strategy, the principle of tall building development is considered to be acceptable in this case.

9.11 Having established the acceptability of the principle of tall buildings in this location, it is also necessary to carry out further assessment in respect of Policy DM05 of the Local Plan which identifies 5 criteria which tall buildings would adhere to. These criteria are set out below with an assessment of the application against each criterion.

i) An active street frontage

9.12 The scheme would be laid out in a largely linear form from east to west, with all of the tall buildings being located within Phases 1 and 2.

9.13 Block A, the tallest of the buildings at 16 storeys would be located adjacent to the site frontage with the A5 at the western end of the site, the building would incorporate an active ground floor with commercial frontage and residential cores providing activity to the street facing north and west elevations.

9.14 Blocks C and E, located within Phase 1 would be located to the south of the central landscaping spine which runs through the site and would also be located to the north of the vehicular access road which connects to the Hyde Estate Road and buffers the site from the Sainsburys site to the south. Following extensive dialogue with GLA and LBB officers, it was considered appropriate for Blocks B-E (inclusive of Blocks C and E) to provide activity to the south elevation so as to avoid constraining future development to the south and to avoid creating an inward looking, insular development. Following revisions, the relevant blocks now incorporate residential frontages to the southern façade in line with this advice and in line with this criterion of Policy DM05.

9.15 Blocks L and M, submitted in outline as part of Phase 2 would be located to the north of the central landscaping spine running through the site. Given that the blocks are submitted in outline, the layouts are at an indicative stage however the design guidelines submitted for Phase 2 outline that both of the tall buildings would have residential cores and frontages to the south elevation, providing an active frontage in line with policy. To the north, the layout of the emerging Rushgroves development and in particular the location of private amenity spaces adjoining the application site precludes any interaction between the two schemes.

ii) Successful integration into the urban fabric

9.16 The application site is laid out in a linear form from east to west, adjoining the strategic A5 corridor to the west. The tallest element of the development, Block A, is located adjacent to the A5 which is considered to be appropriate given that there is a semi regular pattern of tall

buildings located on the A5 corridor to the north, including the adjacent Rushgroves site. The site is located at a strategic location at the gateway to the A5 corridor and as such it is considered appropriate that a tall marker building to provide legibility to the urban fabric.

- 9.17 The height of the development, in both Phases 1 and 2, to the east of Block A would not project significantly higher than the existing 12 storeys of the telephone exchange building however the massing and the visual breaks introduced would help to dissipate the massing and ensure that the domination of the existing building within its context is somewhat reduced.
- 9.18 Whilst the overall height and scale of the development would therefore not be significantly greater than that which already exists on site, the variety in heights, massing and visual gaps would ensure a less monolithic form which officers consider would be of benefit to the surrounding urban fabric.
- iii) A regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- 9.19 There are no local viewing corridors or locally important views which would be adversely impacted by the development.
- 9.20 In a wider context, the London View Management Framework is important to consider. The framework identifies important linear views and panoramas in London which are important to preserve and protect from development which may adversely impact on the views. In this case, View 6A is located on Blackheath Point and is relevant to the consideration of this scheme. View 6A consists of a panorama of London from Blackheath Point with St Pauls as the focal point and in this case there is potential that the tall buildings proposed with the current application may present in the backdrop of the panorama.
- 9.21 In order to assess the potential impact, the applicant was requested by the GLA to undertake a view analysis inclusive of a high-resolution image of the panorama to gauge the impact of the development. In this case it is considered that the significant distance from the viewpoint to the application site, the number of buildings in the foreground of the application site and the relatively limited height of the development would ensure that there would be no discernible adverse impact on the view in accordance with the LVMF.
- iv) Not cause harm to heritage assets and their setting
- 9.22 There are no heritage assets within the vicinity of the site, with the closest conservation area being the Hendon - The Burroughs Conservation Area located 1km away to the north-east and the closest statutorily listed building being St Johns Church located 0.8km away to the south-east. The significant separation distances involved would ensure no impact on the setting of either heritage asset.

- v) That the potential microclimate effect does not adversely affect existing levels of comfort in the public realm

9.23 Following on from initial review of the application, it was noted that microclimate assessment had been submitted in support of the application. Accordingly, following a request from officers, a microclimate assessment was undertaken by XCO2 on behalf of the applicant in July 2018.

9.24 The report from XCO2 identifies that there would be no significant adverse effects for the receptor locations placed surrounding the site, within the proposed development and within the cumulative surrounding developments. All of the receptor locations used are considered to be appropriate. With this in mind, it is considered that the proposals should be considered acceptable on these grounds.

CABE/English Heritage Advice on Tall Buildings

9.25 As well as the Barnet DMP – DPD outlined above, the London Plan and CABE set out criteria which tall buildings should adhere to. Most of these criteria are consistent those of Policy DMO5 and in this case officers also consider that the scheme is compliant.

Design and Appearance

9.26 The architecture proposed is divided into distinct character areas where overarching design principles are applied. The A5 frontage and Block A is considered the more formal part as it is the gateway to the site and incorporates non-residential uses. The middle part is considered transitional where the architecture eases the experience between formal and informal. The final informal character area is predominantly residential with lower buildings.

9.27 it is considered that this approach would rationalise of the architectural composition of the development and would provide some coherence in the use of materials, building articulation. The resulting architectural approach allows for variety without becoming illegible and officers fully support the overarching rationale.

9.28 The formal architectural expression follows a very rational approach to the vertical character of the Tower. The bays which appear in consistent intervals, coupled with the fenestration strategy achieve a formal but not strict rhythm on this character area. The design principles and rational are acceptable as most structures of the kind along the A5 corridor are very civic in nature.

9.29 The transitional architecture expression achieves a good but not repetitive relationship with the formal character area. It is considered that the architects have expressed the top of the buildings in double height to mark the beginning of a different architectural language without losing the legibility of the overall rationale. Sharing some qualities with the formal character area yet achieving variation is considered to be an appropriate design response.

- 9.30 In terms of the informal character area, the most important element which would achieve informality is the lowered massing of the grouped buildings. This is a welcome move that allows for variation within the site and a clear demarcation of the residential lower rise quarters. These structures are lower in height but share some common features with the transitional structures with subtle differences commensurate with their lower scale. again, officers are supportive of the general approach to this character area.
- 9.31 In terms of the materiality of the scheme, the palette is considered to be complementary across all of the plots and would provide enough variation on site to relate to the architecture of buildings and landscape. The material palette is informed where possible from local analysis of materials used; and applied appropriately (particularly close to the Broadway where there is interface with existing built development). The range of proposed materials is considered to be acceptable however a condition is attached requiring the submission of the final external materials for approval by the LPA.

Conclusion

- 9.32 Having regard to all of the above, officers consider that the principle of a tall building in this location is acceptable. Officers also consider that the scheme is of a high design quality and would integrate well with its surrounding context in accordance with London Plan Policy 7.7 and Local Policies CS5 and DM01.

10.0 Amenity Impact on Neighbouring Properties

Daylight

- 10.1 The applicant has submitted a Daylight/Sunlight report from GL Hearn which is inclusive of a full daylight assessment. The standardised assessment methodology for daylighting is set out within the BRE document Site Layout Planning for Daylight and Sunlight (BRE, 2011). Within this document it is set out that the primary tool is the Vertical Sky Component (VSC) and that the target value for windows to retain the potential for good daylighting is 27% or more than 0.8 times its former value.
- 10.2 In line with BRE guidelines, it is only necessary to carry out the VSC assessment on a neighbouring window if a 25-degree line drawn from the centre of the window would subtend the facing elevation of the subject development. In this case, the GL Hearn report identifies the following neighbouring properties as necessitating the additional assessment:
- Geneva Court, Rookery Way
 - Development at former Homebase Site (The Rushgroves)
 - Hyde School
 - Albertyllery Court and Malvern Court
 - 63 – 65 Edgware Road
 - Rhodan Gordon Court, 69 The Hyde
 - 71-89 The Hyde, Edgware Roa

- 91 The Hyde, Edgeware Road

10.3 In light of the above, officers consider that both the scope and the methodology of the daylight assessment was appropriate. Having undertaken the assessment, the report demonstrates the following results. For the sake of brevity, those properties which achieve full compliance are not included.

Property	Daylight (VSC)
Development at former Homebase Site (The Rushgroves)	4/513 windows (3%) fail
Alberrillery Court and Malvern Court	8/29 windows (18%) fail
63 – 65 Edgeware Road (existing)	2/6 windows (34%) fail
63 – 65 Edgeware Road (consented scheme)	3/32 windows (9%) fail

10.4 The number of windows which fail the VSC assessment is relatively minor in the context of the number of windows assessed. With regards to the number of windows not in compliance at 63-65 Edgeware Road, expressed as a percentage of 34%, would appear to be high in the context of the other properties assessed. However it should be noted that the 2 windows which do not meet the target value retain a level of 0.77 times their former value, marginally below the target value and both serve bedrooms where there is a lesser expectation of high levels of daylighting as would be the case with a kitchen or living room.

10.5 Having regard to the above, officers consider that the level of non-compliance with BRE guidelines is not significant in the context of the scale of the development and is far outweighed by the other benefits that the scheme would deliver.

Sunlight

10.6 In relation to sunlight, the BRE recommends that the Annual Probable Sunlight Hours (APSH) received at a given window in the proposed case should be at least 25% of the total available including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period.

10.7 The BRE guidelines state that “..all main living rooms of dwellings should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block out too much sun”. In accordance with the BRE Guidelines the following properties were therefore assessed:

- Geneva Court, Rookery Way
- Development at former Homebase Site (The Rushgroves)

- Hyde School
- Alberrillery Court and Malvern Court
- 63 – 65 Edgware Road
- Rhodan Gordon Court, 69 The Hyde
- 71-89 The Hyde, Edgware Roa
- 91 The Hyde, Edgware Road

10.8 Of the properties assessed, all achieved full compliance with the exception of the Rushgroves development where 19 out of 335 windows would fail to achieve the requisite APSH levels which represents a compliance level of 94%. This level of compliance in such a large development is considered to be good and clearly demonstrates that the scheme has been designed to minimise such impacts.

Outlook

10.9 The most sensitive of the adjacencies of the application site is to the north, where the site adjoins the emerging scheme at the former Homebase site, The Rushgroves. The layout of the proposed development, specifically the indicative layout of Phase 2 has responded to the emerging layout of the Rushgroves scheme with breaks in the massing introduced in aligned with those in the adjacent development.

10.10 Blocks F, G, H and J of the emerging development are located to the south of the Rushgroves site directly opposite the north elevation of Blocks N, M, L and K of Phase 2 of the proposed scheme. Nevertheless, due to the location and the height of the existing BT Exchange building the detailed design of the Rushgroves development largely avoided habitable windows to the southern elevations. In respect of those windows that do face the application site (mostly non-habitable or secondary windows), it is considered that the relative impact of the development on their outlook would not be materially worse than the existing situation.

10.11 Blocks P, Q and R of the development adjacent to the A5 have taken a restrained approach to height with each proposed at 6 storeys and in this regard it is considered that there would be a negligible impact on the residential properties to the west of the A5.

Privacy

10.12 To the north of the site, it is considered that the ample separation distance and the lack of habitable windows to the south elevations of Blocks F, G, H and J of the Rushgroves development well help to ensure that there would be little in the way of potential for any mutual overlooking or loss of privacy.

10.13 To the west of the site, the significant separation distances and the buffer provided by the A5 between the application site and the properties would ensure that there would be no undue harm caused to the residential amenity of the neighbouring occupiers in terms of privacy and overlooking .

11.0 Sustainability

- 11.1 London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy
 - Be clean: supply energy efficiently
 - Be green: use renewable energy
- 11.2 Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.
- 11.3 Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.
- 11.4 With regards to the energy hierarchy set out within London Plan Policy 5.2, it is considered that the application is broadly in accordance. The application is accompanied by an Energy Statement from Watkins Power which sets out that the energy efficiency measures and sustainable energy measures that would be incorporated within the scheme which are set out below in accordance with the hierarchy.

Be Lean

- 11.5 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting and mechanical ventilation with heat recovery.
- 11.6 The demand for cooling in the commercial units would be minimised through solar control glazing. Following review from GLA Energy officers, further information was requested relating to the area weighted average actual and notional cooling demand for the non-domestic building (MJ/m²) and the actual building's cooling demand for comparative purposes. The information was subsequently submitted to the satisfaction of GLA Energy officers.
- 11.7 A Dynamic Overheating Analysis has been undertaken to assess the overheating risk within the dwellings using the CIBSE TM52 methodology and the London Design Summer Year 1 weather file: 1989. The applicant has also investigated the risk of overheating using the DSY 2 & 3 weather files which is welcomed and supported.
- 11.8 The results of the overheating analysis show that the design proposals are largely anticipated to meet the CIBSE recommendations for comfort under the DSY 1 weather file, assuming natural ventilation i.e. occupants can open the windows, with two living areas failing the CIBSE criteria out of the 16 units assessed. All bedrooms are anticipated to meet

the requirement under all three of the weather files. The majority of living areas under the DSY 2 & 3 weather files are not expected to meet the CIBSE criteria for comfort under these conditions. It is recommended that the applicant investigate additional passive design measures in order to further reduce the risk of overheating, particularly under warmer weather conditions. It is noted that the reduction of g-value will impact the CO₂ savings from lean measures, however additional energy efficiency measures could be adopted to compensate.

Be Clean

- 11.9 The applicant has identified the proposed Colindale district heating network on the London Heat Map, which is within the vicinity of the development. However, the applicant has not investigated connection due to the distance (circa 500m) the applicant is not proposing to connect. This approach is considered to be acceptable given the distance from the existing network subject to a capped connection to enable future connection should the network extend.
- 11.10 The applicant is proposing to install a site heat network connecting all buildings with the exception of Block H and the commercial units. The applicant has stated that the Block H (town houses) will not be connected due to land ownerships issues. Following extensive discussions with the GLA, the applicant has committed to providing a separate energy centre for the second phase.
- 11.11 Following extensive discussions with the GLA, the CHP unit was removed from the scheme at the request of sustainability officers and in line with GLA policy. It has been confirmed that the energy strategy will conform with relevant policies, however the final figures will be reported by addendum.

Be Green

- 11.14 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 319 sqm of roof mounted solar photovoltaic panels. An indicative layout of the proposed locations of the panels has been provided.
- 11.15 The applicant is required to investigate the feasibility of renewable technologies for the whole application, not just the detailed element. Nevertheless, no such details are provided for the outline phases and as such further information is required to demonstrate the potential for PV across the whole site along supporting information including, PV size, drawings showing the PV location and CO₂ emission savings. The applicant subsequently investigated with renewable technologies for the entire site – with a commitment to delivery for the outline phases within the supporting Design Guidelines. Notably, the Applicant has also indicated indicative areas for PV on the roofs of buildings in Phases 2 and 3 (outline) to demonstrate that this could be feasibility provided.
- 11.16 A reduction in regulated CO₂ emissions of 28 tonnes per annum (13%) will be achieved through this third element of the energy hierarchy.

Conclusion

11.17 Based on the energy assessment submitted, subsequently submitted details and inclusive of the all the measure outlined above, the scheme would deliver the following overall carbon dioxide emissions:

	Total residual regulated CO ₂ emissions	Regulated CO ₂ emissions reductions	
	(tonnes per annum)	(tonnes per annum)	(per cent)
Baseline i.e. 2013 Building regulations	232		
Energy Efficiency	192	40	17%
CHP	174	18	9%
Renewable energy	149	25	14%
Total		83	36%

11.18 An on-site reduction of 83 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected for the domestic buildings, equivalent to an overall saving of 36%. The carbon dioxide savings exceed the on-site target set within Policy 5.2 of the London Plan. It should be noted that these figures are subject to minor change pending an updated energy report and referral to the mayor at Stage 2.

11.19 The domestic buildings are required to meet the zero-carbon target as the application was received by the Major on or after the 1st October 2016. The applicant is therefore required to mitigate the regulated CO₂ emissions, equivalent to 149 tonnes of CO₂ per annum, through a contribution to the borough's offset fund. This contribution would be predicated on the formula set out within GLA guidance and would which would be secured through the Section 106.

11.20 It should be noted that for Phases 2 and 3, as set out in the preceding paragraphs, the applicant has run a preliminary energy assessment for the outline phases (based on the indicative accommodation schedule and layouts and predicated on the fact that the full detailed design has not been progressed at this stage given the outline nature of the phases).

11.21 Resultantly, the emission figures for Phases 2 and 3 are estimates. However, revised indicative design principles which can potentially be incorporated into the future design of buildings on Phases 2 and 3 – in helping to reduce emissions have been identified and would be secured through conditions and future reserved matters applications. Such matters will be submitted to the GLA at Stage 2 for approval with conditions subsequently added or amended to any committee resolution accordingly and in line with Council governance procedure.

Other Sustainability Issues

11.22 With regards to the Code for Sustainable Homes (CSH), the government issued a Written Ministerial Statement which confirmed that the scheme has been withdrawn with

immediate effect. Therefore planning applications, other than those which have already been approved with a CSH condition, are no longer required to comply with the code.

- 11.23 In relation to the non-residential floorspace, the Council supports the use of Building Research Establishment Environmental Assessment Method (BREEAM) which is used to measure the environmental performance of non-residential buildings and a standard of 'Very Good' is required in all new non-residential developments. A BREEAM pre-assessment is appended to the Sustainability Statement which confirms that the office floorspace could achieve a standard of 'Very Good'. If permission were to be granted, a condition would be attached to ensure that the development achieved this standard on implementation.

12.0 Planning Obligations

- 12.1 Policy CS15 of the Barnet Local Plan states that where appropriate the Council will use planning obligations to support the delivery of infrastructure, facilities and services to meet the needs generated by development and mitigate the impact of development.

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

Affordable Housing

- 12.3 In accordance with policy 3.12 of the London Plan and Policies CS4, CS15 and DM10 of the Barnet Local Plan, officers recommend that the following number and mix of affordable housing unit types and sizes are secured by S106 Agreement at the application site:
- 35% (by habitable room) with a split of 37% Affordable Rent and 64% Shared Ownership.
- 12.4 Officers also recommend that an early stage review mechanism should be included in the S106 agreement should permission be granted. This mechanism would ensure that if circumstances changed and the scheme became more economically viable, a correspondingly appropriate additional financial contribution and/or additional affordable housing would be made to the Council. In addition, triggers would be included to ensure timely delivery of the affordable housing and to ensure that the affordable housing is retained as such in perpetuity.

Employment and Training

- 12.5 In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would be required to deliver employment and training opportunities through a Local Employment Agreement.
- 12.6 If permission were granted, the employment agreement would need secure the following minimum levels of employment output and would also set out specifically how the applicant would achieve this.

- Progression into employment, less than 6 months – 11
- Progression into employment, more than 6 months – 7
- Apprenticeships – 18
- Work experience – 24
- School / College / University site visits – 214
- School / College workshops – 118

12.7 The LEA would be subject to discussion with the Council and would be agreed prior to the commencement of development. Alternatively, the applicant may wish to make a financial contribution in lieu of the employment outcomes outlined above. Such a contribution would be commensurate with the number of outcomes secured and in line with SPD guidance.

Travel Plan and Travel Plan Monitoring

12.8 In accordance with policy DM17 of the Local Plan the applicant would be required to enter into a Strategic Level Travel Plan for the residential development which would seek to reduce reliance on the use of the private car and promote sustainable means of transport.

12.9 The Residential Travel Plan provided would be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives (up to a maximum of £151,500) for the first occupier of each residential unit. These incentives are discussed in further detail in the relevant section of this report but would comprise of a voucher to a minimum value of £300 per dwelling to be spent on Car Club Membership, an Oyster Card with a pre-loaded amount and/or Cycle Scheme vouchers all designed to encourage the use of more sustainable modes of transport. A contribution of £20000 would be required towards the monitoring of the Residential Travel Plan.

12.10 A Commercial Travel Plan would also be required which would be required to be ATTrBuTE and itrace compliant to be submitted at least 3 months prior to occupation of all 3 phases that meets the TFL TP guidance. A monitoring fee of £10,000 would also be required for the commercial travel plan.

12.11 The monitoring contributions would enable the Local Planning Authority to continue to monitor the scheme to ensure the development is making reasonable endeavours to meet travel related sustainability objectives in accordance with policy DM17 of the Local Plan.

12.12 In line with the incentives above, the provision of a car club and the allocation of 2 car parking spaces within the site to be provided and retained for use by the car club would also be required along with a mechanism to add further vehicles if usage is recorded at 75% or above.

Traffic Management Order

12.12 The application would be required to provide £2000 funding towards Contributions towards the amendment of Traffic Management Order (TMO) to ensure that the new occupants are prevented from purchasing parking permits in the CPZ to be implemented pursuant to planning permission H/05828/14 or any other CPZ.

Transport and Highways

- 12.13 The transport assessment submitted in support of this application identifies that there would be a demonstrable impact on local bus services, specifically the 83 bus, as a result of the development. Accordingly – a contribution of £450,000 is required for the provision of an additional bus service (£90,000 per year over 5 years).
- 12.14 In terms of cycling accessibility, A Cycling Environment Review System (CERS) audit has been undertaken in support of the application and identifies that the cycling environment in vicinity of the site has poor / intermediate levels of provision. Following review of the CERS by TfL and LBB highways officers, it is considered appropriate that the development be required to contribute towards improving the cycling environment in the locality. In light of this, a S106 obligation is secured which would require a feasibility study to be undertaken in conjunction with TfL and LBB in order to establish the feasibility of the introduction of a cycle lane to the A5. An additional financial contribution of £250,000 is also secured towards the implementation of the cycle lane with a cascade clause allowing the monies to be spent on other healthy streets initiatives if the cycle lane is not found to be feasible.
- 12.15 It is also noted that highway works in respect of the Hyde Estate Road/A5 junction are proposed by the applicant required, including the introduction of a pedestrian crossing in a form and location to be agreed with LBB and TfL, to improve traffic conditions. Whilst Such details have not been agreed at this stage and as such would have to be agreed and implemented through a Section 278 Agreement which would be linked to the application through the S106, LBB / TfL confirm that this can be satisfactorily addressed through further work and discussions.

Carbon Offset Contribution

- 12.16 As set out within paragraph 11.19 of this report, domestic buildings are required to meet the zero-carbon target and the applicant is therefore required to mitigate the regulated CO2 emissions, equivalent to 149 tonnes of CO2 per annum, through a contribution to the borough's offset fund.
- 12.17 Based on the formula set out within GLA guidance (149 tonnes x 60 x 30 years), and based on the currently reported figures this contribution would be £268,200 which would be secured through the Section 106. It should be noted that this figure may increase or decrease depending on the final CO2 reduction figures arising from the amended energy report and referral to the mayor.

Commercial Floorspace

- 12.18 As set out within the land use section of this report, there is an existing community use on site which would be lost through the proposed development. In order to ensure compliance with Policy DM17 it is considered that part of the flexible use floorspace shall be made available for occupation as a community use. In order to ensure that the extent of this floorspace is viable, it is considered that at least 100sqm should be initially safeguarded for a community use.
- 12.19 In order to ensure that this obligation is not commercially restrictive, a cascade clause would be drafted in order to enable the floorspace in question to revert back to full flexible use after a suitable period of marketing to be agreed with the LPA.

Community Infrastructure Levy

- 12.20 The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) at a rate of £135 per square metre. Because of the nature of the way in which CIL is calculated it is only possible to estimate the contribution which will finally be made through the Barnet CIL at the time planning applications are determined.
- 12.21 The Barnet CIL liability of the scheme is determined by the amount of new floorspace being provided, deducting both the social housing element which is exempt from CIL liability. The scheme would also be liable to pay the Mayoral CIL.

13.0 Flood Risk / SUDS

- 13.1 Policy CS13 of the Barnet Core Strategy states that “we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels”.
- 13.2 Given that the site partly lies in Flood Zone 2, by virtue of its proximity to the Silkstream - the application was accompanied by a Flood Risk Assessment undertaken by Ramboll. The FRA was reviewed by the Environment Agency who raised some concern with the methodology used within the document.
- 13.3 The most pertinent of the concerns raised by the Environment Agency relates to the lack of on assessment undertaken for a 1 in 100-year flood event. The development as currently proposed, did not account for this 1 in 100-year event which is contrary to paragraph 94 of the National Planning Policy Framework which requires a proactive strategy with regards to climate change. Consequently, the development made inadequate allowance for the following:
- Flood storage compensation
 - Finished floor levels
 - Resistance and resilience measures
- 13.4 The concern relates specifically to Blocks F, G, H and J located to the east of the site adjacent to the Silkstream and within Flood Zone 2. Following the initial response from the Environment Agency, the applicant’s flood consultants Ramboll entered into discussions with the Environment Agency with a view to addressing the concern and providing the necessary mitigation for the 1 in 100-year event.
- 13.5 Following extensive discussions between the applicant and the Environment Agency, a scheme of mitigation in respect of geo-cellular flood storage has been agreed which would adequately address and overcome the concerns previously raised. Development would be subject to a pre-commencement condition requiring the submission of full details of the flood mitigation for detailed approval.
- 13.6 In terms of Sustainable Urban Drainage Systems (SUDS), the applicant submitted a SUDS Assessment which was reviewed by LBB drainage officers.

13.7 In terms of Phase 1, it was outlined that in order to adhere to Policies S4 and S5 in the Non-statutory technical standards for sustainable drainage systems (March 2015), some revisions were requested in relation to the post-development run off volume for a 1 in 100 year/6 hour rainfall event and details on the maintenance and management of the SUDS. Further details were subsequently submitted including SuDS Management and Maintenance Plan along with revised details addressing all points raised by LBB officers. Appropriate conditions would be attached to ensure that the SUDS measures are implemented and maintained in line with the plan.

13.8 In terms of Phases 2 and 3, given that these phases are outline in nature, no detailed SUDS assessment has been submitted. It is the intention that a full SUDS assessment will be submitted as part of reserved matters application in line with the approach taken on other hybrid schemes in the borough.

14.0 Contaminated Land

14.1 Given the historical commercial and industrial land use, the Council's Environmental Health officers have requested a condition requiring site investigation works to be carried out prior to the commencement of development and subsequent mitigation should it be required. Such a condition would be attached if permission were granted.

15.0 Air Quality

15.1 The application site is located adjacent to the A5 and a Borough-wide Air Quality Management Area (AQMA) declared by LBB. The site is also located near to an air quality Focus Area in West Hendon; these are locations identified by the Greater London Authority that not only exceed the EU annual mean limit value for nitrogen dioxide, but also have high levels of human exposure. Accordingly, air quality was scoped into the Environmental Statement and a chapter of the statement has been submitted in respect of Air Quality.

15.2 The assessment also shows that the development is not air quality neutral in terms of transport emissions. The assessment also shows that the development itself will have a negative impact on already poor air quality in the area and two nearby air quality focus areas (areas where the GLA has highlighted air quality is particularly poor and that there are sensitive receptors and where action should be focused to make improvements). The design and access statement acknowledges that this development will result in delays in improving air quality – it will take longer for Barnet Council to achieve the air quality objectives. It will make (along with the cumulative impact of other development in the area) it harder for the Council to improve air quality due to extra traffic movements. This is contrary to the Council's Air Quality Action Plan.

15.3 Chapter 5 of the Environment Statement states that mitigation in the form of Mechanical Ventilation will be needed so that residents do not need to open their windows for ventilation. However the noise report states that windows will need to be opened for purge ventilation or overheating. Due to the potential harm to internal air quality arising from opening windows, alternative purge ventilation in the form of mechanical ventilation should be implemented in those properties adjacent to the A5. Accordingly, a condition is attached requiring the submission of amended plans incorporating mechanical ventilation.

15.4 Air quality has predicted to exceed the relevant legal requirements at ground and first floor levels and higher levels at different existing receptors without the scheme. The predicted

baseline levels for 2016 show that there are receptors where the more stringent one-hour mean for nitrogen dioxide is being exceeded. The report models to the future scenario in 2020, and it says air quality will improve. However the nearby monitoring location at the corner of Edgware Road and Kingsbury Road is not showing a decline in concentrations.

- 15.5 London Plan Policy 7.14 Improving Air Quality states that developments should be at least air quality neutral and not lead to further deterioration of existing poor air quality. In this regard, it is considered that mitigation is required and it should be noted that none have been proposed in the application documents.
- 15.6 Whilst there is no clear trend in the annual mean concentration at the site, there is evidence that the new vehicle standards are beginning to have a real effect on emissions and these are reducing. It is therefore anticipated that the sensitivity test carried out within the assessment (which assumes limited reduction in emissions into the future) is a realistic worst-case and is more pessimistic than the official Defra forecasts. The assessment therefore is a fair representation of the predictions in the future. This is discussed in detail in the submitted ES (air quality chapter)
- 15.7 Environmental Health officers have outlined that Marginal Abatement Costs should therefore be secured through the S106. Marginal Abatement Costs can take the form of a financial contribution or wider, holistic initiatives which would serve to reduce air quality impacts. At this stage, it is important to note that S106 obligations such as the bus contribution and the cycle lane feasibility study will help to mitigate the air quality impacts through promoting sustainable modes of travel and reducing the dependence on the car. These contributions taken together would total £700,000 and would make a valuable contribution towards reducing air quality impacts. A financial contribution based on the DEFRA recommended formula of £100 per unit would entail a contribution of £50,500 which would be spent on the implementation of an air quality improvement scheme. In this case, officers consider that the holistic measures aimed at reducing car dependence would better mitigate the air quality impacts of the development.
- 15.7 Notwithstanding the location of the site within a AQMA, subject to the mitigation outlined, it is considered that the scheme would be acceptable in terms of air quality.

16.0 Cumulative Impacts

- 16.1 The EIA Regulations 2017 require an Environmental Statement to describe the likely effects of development on the environment when taken cumulatively with other environmental effects and any current or prospective ('reasonably foreseeable') development in the vicinity. Accordingly, the cumulative impacts of the development were scoped into the ES in this case.
- 16.2 The submitted ES sets out that there are two types of cumulative effect, which are commonly known as 'Type 1' and 'Type 2' effects, respectively. These are generally defined as follows: Type 1 Cumulative Effects: The combined (or interactive) effects of individual effects resultant from the development upon a set of defined sensitive receptors, for example noise, dust and visual effects; and Type 2 Cumulative Effects: The combined effects arising from another development site or sites, which individually might be insignificant, but when considered together could create a significant cumulative effect.

- 16.3 In agreeing the scope of the assessment and the developments which should be considered as part of the cumulative impacts chapter, the following sites were agreed with the applicant:
- Homebase (Rookery Way) (LPA Ref: H/05828/14) for 386 residential flats and up to 1,424m² of commercial uses;
 - West Hendon Estate (LPA Ref: H/01054/13) for 2,000 residential dwellings, and new 2 form entry primary school, community building and 1,635m² commercial uses;
 - Oriental City, 399 Edgware Road (LPA Ref: H/00036/12/CAN) for a mixed-use development comprising 578 new residential units and 13024.2m² of mixed uses over all phases;
 - Grahame Park - Phase 1 & 2 (Part of the Colindale Area Action Plan) (LPA Ref: 17_2840_OUT) for up to 2,161 homes and 1,770m² of commercial uses; and
 - Colindale Gardens (Peel Gardens) application (ref: H/04753/14) for circa 2,900 dwellings (LPA Ref: H/04753/14) for up to 10,000m² of non-residential floorspace including a school, and 4 ha of open space.
- 16.4 In terms of transport and highways, the cumulative impacts have been fully assessed and show that there would be a negligible impact on the surrounding highway network. It should also be noted that mitigation is secured in the form of bus and cycling contributions.
- 16.5 In terms of air quality, the site is located in an AQMA and would have a demonstrable additional impact. This is fully acknowledged and discussed in the preceding section of this report. Nevertheless, mitigation in the form of bus and cycling contributions would be secured through the S106.
- 16.6 In terms of the construction phase of development, the cumulative effects would occur through dust associated with the construction phase of the developments. Conditions are attached which would address construction management, inclusive of dust suppression and indeed in discharging such a condition, the LPA would have the ability to minimise cumulative impacts with the adjacent development.

17.0 Crime Prevention / Community Safety

- 17.1 Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.
- 17.2 The Metropolitan Police Crime Prevention Design Advisors were consulted on the application and were largely satisfied that the scheme adhered to Secured by Design principles. Some concern was raised in respect of the isolated location of the car park adjacent to Blocks H and J which could have the potential to attract vehicle crime. It was suggested that security fencing and access control could be introduced to the car park to mitigate this risk. However, officers consider that the introduction of such hostile security fencing would be contrary to achieving a welcoming environment. A condition requiring the submission of details of a scheme of CCTV to cover this area is therefore attached.

18.0 Transport / Highways

- 18.1 Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network

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

Car Parking

18.2 The London Plan sets out maximum parking standards which are outlined in Table 1.4 below.

Suburban	150-200 hr/ha	Parking provision	150-250 hr/ha	Parking provision	200-350 hr/ha	Parking provision
Parking for residential development						
3.1-3.7 hr/unit	40-65 u/ha	Up to 2 spaces per unit	35-65 u/ha	Up to 1.5 spaces per unit	45-90 u/ha	Up to one space per unit
2.7-3.0 hr/unit	50-75 u/ha		40-80 u/ha		50-95 u/ha	
Urban	150-250 hr/ha		200-450 hr/ha		200-700 hr/ha	
3.8-4.6 hr/unit	35-65 u/ha	Up to 1.5 spaces per unit	45-120 u/ha	Up to 1.5 spaces per unit	45-185 u/ha	Up to one space per unit
3.1-3.7 hr/unit	40-80 u/ha		55-145 u/ha		70-170 u/ha	
2.7-3.0 hr/unit	50-95 u/ha					
Central	150-300 hr/ha		300-650 hr/ha		650-1100 hr/ha	
3.8-4.6 hr/unit	35-80 u/ha	Up to 1.5 spaces per unit	65-170 u/ha	Up to one space per unit	140-290 u/ha	Up to one space per unit
3.1-3.7 hr/unit	40-100 u/ha		80-210 u/ha		175-355 u/ha	
2.7-3.0 hr/unit	50-110 u/hr	Up to one space per unit	100-240 u/ha		215-405 u/ha	

18.3 Explanatory text provided in the parking addendum sets out that all developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit.

18.4 Car parking standards for residential development are also set out in the Barnet Local Plan and recommend a range of parking provision for new dwellings based on the on a sites Public Transport Accessibility Level (PTAL) and the type of unit proposed. Policy DM17 of the Local Plan sets out the parking requirements for different types of units with the range of provision is as follows:

- Four or more bedroom units - 2.0 to 1.5 parking spaces per unit
- Two and three bedroom units - 1.5 to 1.0 parking spaces per unit
- One bedroom units - 1.0 to less than 1.0 parking space per unit

18.5 The development proposes 251 parking spaces across all 3 phases at a ratio of 0.50 spaces per unit. 101 spaces would be provided within Phase 1 at grade level and within building undercrofts whilst Phases 2 and 3 would utilise the existing basement of the telephone exchange to provide 150 spaces across the 2 phases. It should be noted, that the Prior Approval at the main BT Towers permitted a car parking ratio of 0.36 spaces per unit.

18.6 The level of parking being provided is therefore below what would be expected through local planning policy. The transport assessment submitted in support of the application sets out justification in respect of the reduced levels of parking through presenting data in respect of local levels of car ownership.

- 18.7 The data presented suggests that 92.5% of flats within the Colindale Ward have access to no vehicles or 1 vehicle which equates to 0.58 vehicles per flat, significantly lower than the borough average. It should also be noted that the London Plan outlines maximum car parking standards for residential developments. It sets out that developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit based on the majority of the development being one and two bedroom flats. With 87% of the flats being developed as either studio, one or two bedroom flats, this process is wholly consistent with applying a lower parking ratio. Accordingly, in the Stage 1 response from the GLA – TfL officers were fully supportive of the restrained approach to parking and the 0.5 spaces per unit ratio.
- 18.8 The site has a PTAL of 3 with Hendon Station located an approximate 10 minute walk away along with 24 hour bus services running past the site on the A5 and a S106 obligation would require the implementation of a new wayfinding strategy to boost accessibility to this public transport network. The scheme is also providing £450,000 funding for an additional bus service through the Section 106 and providing funding towards a feasibility study for the introduction of a cycle lane to the A5 with the potential to link to the northern part of the cycling infrastructure being implemented through the Brent Cross masterplan. All of these measures are designed to provide attractive alternative transport measures and reduce reliance on the car for future residents. This is consistent with overarching sustainable transport strategy at local, regional and national level.
- 18.9 Furthermore, looking at the development holistically – any increase in the current level of parking could likely only be achieved through additional ground level parking, at the expense of landscaping and amenity space, or additional basement parking – the significant cost of which would have a detrimental impact on the viability of the scheme and the level of affordable housing secured. The 35% level of affordable housing secured is considered to be a significant benefit to the scheme and officers consider that any dilution of this benefit through the construction of a new basement parking area would be a retrograde step.
- 18.10 The Rushgroves site to the north was approved with a Section 106 obligation for the implementation of a Controlled Parking Zone which would be implemented prior to the first occupation of the development. The implementation of such a CPZ combined with a restriction on residents of the current development applying for parking permits would help to ensure that no overspill parking would detrimentally impact surrounding streets.
- 18.11 In light of the factors outlined above and on balance, officers consider that the level of car parking provided is acceptable.

Vehicular Access

- 18.12 The main vehicular access to the site would be from the rear of the existing site via the Hyde Estate Road which joins the A5 at a signal controlled junction. It is envisaged that residents wishing to access Phase 1 development will do so by the proposed new access to the south of the existing access off Hyde Estate Road. Vehicles will utilise the primary route on the southern side of Phase 1 into the site before taking secondary routes to access each individual core, with parking comprising under-croft and at grade level parking.
- 18.13 In terms of the Phase 2 proposals, vehicles will again utilise the proposed new access from Hyde Estate Road and use the primary southern route before taking a secondary route north to access the double basement under the existing BT Telephone Exchange building. The

current proposals provide for a separate ingress and egress route to the basement. Given the proportion of traffic movements resulting from the Phase 2 proposals it is expected that the distribution of traffic of primary and secondary internal routes will provide less trafficked areas within the development.

- 18.14 Any works necessary to the highway, including potential junction remodelling at the Hyde Estate Road/A5 junction would be secured through Section 278 in agreement with LBB and TfL.

Cycle Parking and Cycling Accessibility

- 18.15 The transport assessment submitted in support of the application establishes that 807 residential cycle parking spaces would be required to ensure full compliance with London Plan standards however goes on to state that the standards may not be met for phases 2 and 3 with the level of provision in the latter phases predicated on the uptake of spaces within Phase 1. It is also indicated that cycle hire spaces in lieu of physical spaces may be provided in latter phases.
- 18.16 Having been subject to review by LBB and TfL officers, the applicant was advised that such a reactive approach basing the level of provision within the latter phases on the take up in Phase 1 was unacceptable and that all phases should accord with London plan standards. It should also be noted that the provision of hire cycles in lieu of permanent storage for residents is not considered acceptable. Cycle parking standards are progressive and as such should be provided on the basis of future significant modal shifts away from the car in line with strategic sustainable transport strategies. All phases would therefore be expected to be London Plan compliant in terms of cycle parking with further details of the location and type of storage to be submitted for approval through condition and Reserved Matters Applications where appropriate.
- 18.17 Subsequently, the applicant confirmed that the cycle parking would be in accordance with both current and draft London plan requirements with the following breakdown:
- Phase 1 – 370 cycle spaces;
 - Phase 2 – 396 cycle spaces (outline application); and
 - Phase 3 – 56 cycle spaces (outline application).
 - **Total = 822 cycle spaces**
- 18.18 A Cycling Environment Review System (CERS) audit has been undertaken in support of the application and identifies that the cycling environment in vicinity of the site has poor / intermediate levels of provision. Following review of the CERS by TfL and LBB highways officers, it is considered appropriate that the development be required to contribute towards improving the cycling environment in the locality. In light of this, a S106 obligation is secured which would require a feasibility study to be undertaken in conjunction with TfL and LBB in order to establish the feasibility of the introduction of a cycle lane to the A5. An additional financial contribution of £250,000 is also secured towards the implementation of the cycle lane with a cascade clause allowing the monies to be spent on other healthy streets initiatives if the cycle lane is not found to be feasible.

Vehicular Trip Generation

18.19 Following review of the trip generation data within the Transport Assessment by TfL and LBB highways officers, the applicant was advised that the methodology used was not in accordance with best practice and was not acceptable. Specifically the following revisions were required:

- Details of the sites selected from the TRICS database should be identified;
- Site surveys should be undertaken to inform baseline figures;
- Further information required on existing use and number of employees;
- Census data should be used to calculate modal shares;
- Vehicular modal share for the commercial element should be adjusted down to reflect the car free nature of this element of the scheme;
- Clarification required on AM and PM peaks as discrepancies are evident.

18.20 Following the initial review and the applicant being advised of the issues identified above, revisions were made and further responses provided addressing the outstanding points to the satisfaction of TfL and LBB highways officers.

Public Transport Impact:

18.21 A bus impact assessment was undertaken in support of the application and included as part of the Transport Assessment. Following some discourse with TfL and LBB highways officers, it was identified that the development would have a demonstrable impact on the local bus network, specifically the 83 bus route which runs adjacent to the site.

18.22 The impact on the 83 bus route is especially pertinent given that TfL outlined in comments that consultation carried out on a Colindale bus strategy in response to the Colindale Area Action Plan has identified that a substantial growth in bus trips is expected in the area.

18.23 Given the identified impact on the 83 bus route, a £450,000 contribution towards the provision of an additional bus service is considered to be necessary in order to mitigate the impact. The contribution would equate to £90,000 per annum over 5 years. Such an obligation is therefore included as part of the Section 106 requirements.

18.24 It should be noted that other major developments in the area where impacts on the local public transport network were identified made S106 contributions commensurate with that which is being sought in this case. These include the adjacent Rushgroves development (386 residential units) which contributed £275,000 towards bus services as well as the Peel Centre development (2900 residential units and 10,000 sqm of commercial floorspace) which contributed £250,000 towards bus services and £11.25m towards underground station enhancements.

PERS Audit:

18.25 A Pedestrian Environment Review System (PERS) audit has been undertaken and submitted as part of the Transport Assessment. The PERS provides an assessment of links, crossings and public transport waiting areas in vicinity of the site and has identified some improvements required.

18.26 One of the measures identified was the need for an improved wayfinding strategy and it is considered that the introduction of improved wayfinding would provide significant benefit

to pedestrian legibility within the locality. A wayfinding strategy is therefore secured through the Section 106.

- 18.27 In terms of other potential improvements identified was a staggered pedestrian crossing adjacent to the Hyde Estate Road/A5 junction. The proposals put forward by the applicant would require further detailed junction assessment work and negotiation with TfL and LBB in order to deliver the optimal solution in terms of pedestrian safety and traffic flow. A S106 obligation is therefore secured which would ensure that this improvement would be delivered through Section 278 following discussions with TfL and LBB to determine the best possible solution of the highway improvements agreed by all parties.

Refuse Collection

- 18.28 Refuse storage is proposed for each element of the development in accessible locations with the refuse strategy indicating that adequate storage capacity will also be provided for the quantum of each element of the development.
- 18.29 Swept Path Analysis tracking a refuse vehicle in and out of the refuse areas has been submitted as part of the transport assessment which adequately shows that such a vehicle could carry out the necessary operations safely in forward gear which is welcomed by officers.
- 18.30 The refuse strategy sets out that all waste will be compacted on site and collected by a private refuse company and there will be separate storage arrangements for the residential and commercial elements of the development with the movement of bins being the responsibility of the site's management company, who will ensure that bins are moved to collection points from the storage points on the appropriate days. Vehicles would access the site from Hyde Estate Road before exiting onto the A5 where all refuse vehicles would turn left with right turns to travel north on the A5 prohibited to ensure no blockage to the traffic flow.
- 18.31 The overall refuse strategy is considered to be acceptable however it is considered prudent that a strategy is secured by condition.

Deliveries and Servicing

- 18.32 In terms of residential deliveries and servicing, the applicant has set out within the submitted transport statement that most of these are expected to be ad hoc with the exception of the regular deliveries via Royal Mail. All residential deliveries and servicing would be managed by the on-site management team. Officers consider that a more robust strategy should be in place with regards to residential deliveries as it is considered that these would occur with more regularity than the 'ad hoc' approach outlined in the transport assessment would suggest. A delivery and servicing management plan for the residential element is therefore required by condition. Albeit it is acknowledged that a draft document has been submitted by the Applicant as part of the planning application submission (alongside a draft Construction Management Plan, Car Park Management Plan and Residential Travel Plan).
- 18.33 The application seeks permission for a flexible use for the commercial floorspace and as such at this stage, the final occupiers are not known and it would not be possible to make reasonable assumptions on the specific servicing requirements of these units. On this basis a

condition is attached requiring the submission of a delivery and servicing management plan for the commercial units. Albeit, it is noted that a draft document was submitted as part of the planning application package to LBB.

19.0 Conclusion

- 19.1 In conclusion officers consider that, on balance, the development is acceptable having regard to the relevant local, regional and national policies. The principle of the redevelopment of the site and the provision of a residential-led mixed use scheme is acceptable.
- 19.2 The Site lies in a prominent position along the A5 Edgware Road “key corridor of change” and in-between both the Colindale/Burnt Oak and Brent Cross and Cricklewood Opportunity Areas. As such, the local area surrounding the Site is currently subject to significant change – in seeking to deliver a mixed-use, residential-led development corridor with improved public realm. As such, redevelopment of the Site for principally residential use with a complementary commercial frontage onto the A5 is considered highly appropriate; making use of a site which is already part vacant and soon to be an under-utilised key site fronting Edgware Road – enhancing the vitality of the area whilst maximising the sustainable re-use of a key brownfield site. The proposals will also be supported by additional jobs and services (when combined with the L&Q scheme to the north) and will go towards ensuring the holistic, comprehensive regeneration of this area of Colindale as a whole
- 19.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to a Stage 2 referral to the Mayor of London and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out in Appendix 2 of this report.

Appendix 2: Conditions

Definitions Relating to Phase 1 (Full Permission)

- **Detailed Element of the scheme** – relates to the grey hatched area indicated on approved plan (00)_002 comprising the Full Planning Permission Boundary for the detailed Phase 1 element.
- **Commencement:** means the date upon which any material operation in connection with the development has begun to be carried out under Section 56 of the Act with exception to:
 - Site Clearance and Site Preparation Works (including demolition)
 - Ground Works and Investigations – for the purpose of addressing ground conditions;
 - Erection of any temporary means of enclosure; and
 - Ecological surveys, investigations or assessments.

Detailed Phase Conditions -Relating to Phase 1 (Full Permission)

1. The development hereby permitted comprising the detailed element of the scheme as highlighted on drawing no: (00_002) shall be carried out in accordance with the following approved plans:

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

2. The detailed element of the development hereby permitted shall begin no later than 3 years from the date of this permission.

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

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

Construction site and works

- i. Site information (including a site plan and management structure);

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

Construction management and procedures

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

Demolition and waste management

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

Construction traffic

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

Environmental Management

- xxiv. Ecology surveys and management plan in relation to any existing ecological features that may be affected by works in that Development Phase.
- xxv. Measures to minimise visual impact during construction

- xxvi. Measures to minimise noise and vibration levels during construction;
- xxvii. Measures to minimise dust levels during construction;
- xxviii. Measures to control pollution during construction (including a Pollution Response Plan);
- xxix. Construction lighting strategy, including measures to minimise light spill;
- xxx. Measures to reduce water usage during construction;
- xxxi. Measures to reduce energy usage during construction;
- xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register;

The detailed element of the scheme shall thereafter be implemented in accordance with the measure detailed within the statement.

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

4. Prior to demolition of existing buildings associated with the detailed element of the scheme (as indicated on approved plan (00)_002):

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.

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.

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.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

5. 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 detailed element of the scheme is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

6. No construction works shall occur outside of the following times:

08:00 - 18:00 hours weekdays;

08:00 - 13:00 hours Saturdays.

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

7. No development within the detailed element of the scheme shall commence (with the exception of Site Preparation Works, Site Investigation Works and Ground Works) until a scheme of Advanced Infrastructure Works associated with this phase is submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. Underground drainage details;

- ii. Below ground energy infrastructure;
- iii. Below ground services and utilities;
- iv. Ground Works, earthworks, contouring and levels;

Development of the detailed element of the scheme shall be carried out in accordance with the approved details.

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

8. Notwithstanding the details submitted with the planning application, and prior to the occupation of buildings in the detailed element of the scheme, a scheme of Landscaping Works for the first phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

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

xv. Timing of planting.

The detailed phase of the development shall be carried out in accordance with the approved details.

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

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

10. Any trees, hedges or shrubs to be planted as part of the approved landscaping scheme (including any planting associated with the decked car park) which are removed, die, become severely damaged or diseased within five years of the completion of the detailed element of the scheme shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

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

11. Prior to the construction of buildings on the detailed element of the scheme, revised SUDS assessment shall be submitted to and approved in writing by the Local Planning Authority. The document shall include the following:

- i. identification the party(ies) who will adopt / own the proposed SuDS post-construction;
- ii. in respect of the proposed green roofs:
 - An operation and maintenance plan for the SuDS features;
 - Justification for why below ground storage has been proposed instead of above ground storage;
 - Confirmation on how surface water flows are to be restricted (assume via a hydrobrake); and
 - Confirmation that the proposed surface water drainage system will be gravity fed.

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 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 (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).

12. Prior to the construction of any residential building in the detailed element of the scheme, a rainwater and grey water feasibility study, investigating the potential for incorporating rainwater or grey water recycling into building across the detailed phase, shall be submitted to and approved in writing by the Local Planning Authority.

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

13. A Car Parking Management Strategy for the detailed element of the scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the detailed phase of development.

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

14. Prior to the first occupation of the detailed element of the scheme, full details of the electric vehicle charging points to be installed in the detailed element of the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include for the provision of 20% active and 20% passive parking spaces with electric vehicle charging facilities. The development shall thereafter be implemented in full accordance with the approved details and permanently retained as such 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.

15. Private parking provision for residential units shall be used for the purpose of residential parking and servicing only.

Reason: to ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan.

16. The development shall provide a total of 10% of units across the detailed element of the scheme, designed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users.

Reason: to ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan and to ensure that parking is provided and managed in line with the Council's standards in the interest of highway and pedestrian safety in accordance with Barnet's Local Plan Policy CS9 of the Core Strategy and DM17 of Development Management Policies Document.

17. Prior to the construction of the buildings in the detailed element of the scheme, the following details for each building in the detailed phase shall be submitted to and approved in writing by the Local Planning Authority:

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

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

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

18. Notwithstanding the details submitted with the application, prior to the construction of any building within the detailed element of the scheme, the following details for Phase 1 shall be submitted to and approved in writing by the Local Planning Authority:

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

The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the detailed elements of the scheme are occupied and the development shall be managed in accordance with the approved details.

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

19. Prior to the construction of any building within the detailed element of the scheme, details of all extraction and ventilation equipment to be installed for that building shall be submitted to and approved in writing by the Local Planning Authority. This shall be accompanied by a report carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation / extraction plant, and proposes mitigation measures for the development if necessary to reduce these noise impacts to acceptable levels (as defined in the relevant British Standard). The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

The development shall be implemented in accordance with details approved under this condition before first occupation of the relevant building within the detailed element of the scheme.

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.

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

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and / or distinct impulse (bangs, clicks, clatters, thumps), then it shall

be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

21. Prior to demolition of existing buildings associated with the detailed element of the scheme (as indicated on approved plan (00)_002 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 as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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

The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the detailed element of the scheme 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.

22. Notwithstanding the details of the application, hereby approved, all windows of single aspect units facing the A5 within the detailed element of the scheme shall be non-openable. Prior to construction of buildings on the detailed element of the scheme, details of mitigation measures to show the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibrations has been submitted to and approved in writing with the LPA

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. Part A:

Energy Provision for the detailed element of the scheme shall be in accordance with the Revised Energy Statement (Planning Issue 2)

Part B:

Prior to the occupation of the detailed element of the scheme, details of the energy supply network shall be submitted to and approved by the Local Planning Authority. Details shall be in accordance with the Energy Statement and Addendum and shall include:

- i. Details of connections available for each building;
- ii. Proposals for the staged installation of plant within the energy centre and any temporary energy provision required;
- iii. Details of safeguarded connections to an area wide heat network if found to be feasible following further engagement with the LPA and GLA;
- iv. Details of any potential future connections and safeguarding of space to accommodate a site wide energy centre in agreement with the LPA and GLA.

Reason: to ensure that the development is sustainable and complies with the requirements of London Plan Policies 5.2 and 5.6

24. CHP and / or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London's Plan Sustainable Design and Construction SPG document.

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.

25. Prior to the first occupation of the detailed element of the scheme, full details of the Solar Photovoltaic panels to be installed shall be submitted to and approved in writing by the LPA and shall thereafter be installed prior to the first occupation of the detailed element of the development.

Reason: to ensure that the development is sustainable and complies with the requirements of London Plan Policies 5.2 and 5.6

26. Prior to the first occupation of the detailed element of the scheme, an External Lighting Assessment of lighting proposed within the detailed phase, shall be submitted to and approved in writing by the Local Planning Authority. The external lighting assessment submitted shall detail the existing average night time luminance and light spread levels across the phase at night, identify the levels of light pollution received at the windows to residential properties within the

development and, where appropriate, identify the measures to be used to mitigate any impacts to species including bats. Any light pollution mitigation identified in the external lighting assessment shall be implemented in full prior to occupation of the detailed elements of the scheme.

Reason: to ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with Policy DM01 of the Local Plan and to mitigate the impact to species including bats in accordance with Policies CS7 and DM16.

27. No building within the detailed element of the scheme shall be occupied until a Delivery and Servicing Management Plan has been submitted to, and approved in writing by the Local Planning Authority. This shall be in accordance with the draft strategy set out in the Transport Assessment and Addendum and the detailed phase of the development shall be carried out in accordance with the approved Plan.

Reason: in the interest of highway safety in accordance with Barnet's Local Plan Policy CS9 and DM17 of the Development Management Policies Document.

28. No residential unit within the detailed element of the scheme shall be occupied until the access roads and highways works associated with the first phase are made available for use.

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

29. No residential unit within each block of the detailed phase of the scheme shall be occupied until the private and / or communal amenity space provision (excluding public open space) associated with that block of the detailed phase is available in accordance with the approved plans.

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

30. Prior to residential occupation within each block of the detailed phase of the scheme, a scheme for the provision of communal / centralised satellite and television reception equipment for that block of the detailed phase shall be installed and thereafter be retained and made available for use by all occupiers of the detailed phase.

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

31. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

The installation of any structures or apparatus for purposes relating to telecommunications or any part of the development hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that order.

Reason: To ensure that the development does not impact adversely on the character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with Policies CS5 and DM01 of the Local Plan.

32. No impact piling within the detailed element of the scheme shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) for the detailed phase has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To prevent any damage to nearby underground sewerage utility infrastructure.

33. Notwithstanding the content of plans hereby approved, prior to the commencement of the detailed element of the scheme (except for Site Preparation Works, Ground Works, and Site Investigation Works) details comprising a scheme of measures to enhance and promote biodiversity within the detailed phase shall be submitted to the Local Planning Authority and approved in writing. The approved scheme of measures shall be implemented in full accordance with the approved details before the detailed phase is first occupied.

Reason: to ensure that the development represents high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with Policies DM01 and DM16 of the Local Plan and 5.11 and 7.19 of the London Plan.

34. Cycle parking for the detailed element of the scheme shall be provided in accordance with the approved plans and in accordance with the Transport Assessment.

Reason: In the interests of promoting cycling as a mode of transport in accordance with Barnet's Local Plan Policies CS9 and DM17.

35. Prior to the construction of any buildings on the detailed element of the scheme (the detailed design and a maintenance plan of the geo-cellular storage to provide flood storage on site must be submitted to, and approved in writing by the local planning authority. The maintenance plan should ensure that the geo-cellular storage is managed and maintained for the lifetime of the development. The detailed design and maintenance plan shall be fully implemented and subsequently maintained in accordance with the timing arrangements embodied within the maintenance plan, or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of fluvial and surface water from the site, and reduce the risk of flood to the proposed development and future users. This is in accordance with Policy CS13 of Barnet's Core Strategy and Policy 5.12 of the London Plan.

Outline Phases Conditions

Definitions

- **Outline element of the scheme** – relating to Phases 2 and 3 as shown on the approved Phasing Plan (00_008) and Hybrid Application Boundary Plan (00_002).
36. The development hereby permitted comprising the outline element of the scheme shall be carried out in accordance with the following approved plans and documents:

(00)_002

(00)_003

(00)_004

(00)_005

(00)_006

(00)_007

(00)_008

(00)_009

Phase II and Phase III Design Code Document

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the adopted Barnet Development

Management Policies DPD (2012) and NPPF and CS1 of the adopted Barnet Core Strategy DPD (2012);

37. The development hereby permitted comprising the outline element of scheme shall begin no later than 2 years from:
- i. The final approval of the last Reserved Matters Application pursuant to Condition 2, or;
 - ii. The final approval of any pre-commencement condition associated with that Development Phase.

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

38. Applications for the approval of the reserved matters (being scale, layout, appearance, landscaping and siting) for the outline element of the scheme shall be made to the Local Planning Authority before the expiration of five years from the date of this permission.

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

39. The development shall be undertaken in accordance with the approved Phasing Plan (drawing ref: (00)_008).

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

40. A detailed Energy Statement for Development Phases 2 and 3 shall be submitted and approved by the Local Planning Authority with each Reserved Matters Application.

Reason: to ensure that the development is sustainable and complies with the requirements of London Plan Policies 5.2 and 5.6