

LOCATION: 1230 High Road, London, N20 0LH

REFERENCE: B/02128/13

Received: 28 May 2013

Accepted: 13 June 2013

WARD: Totteridge

Expiry: 12 September 2013

**Final
Revisions:**

APPLICANT: Catalyst Housing

PROPOSAL: Erection of six storey building to provide ground floor offices and 42 no. self-contained flats on the upper five floors, external amenity space at first floor level, a basement car park for 44 no. cars with cycle storage provision and associated external works.

APPROVE SUBJECT TO S106 AGREEMENT

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 (units) £0.00**
Provision of 15 affordable housing units on the site, split up into the following types:
 - i) Affordable Rented Accommodation:
 - 2 x 1 bedroom (2 person)
 - 3 x 2 bedroom (3 person)
 - 3 x 2 bedroom (4 person)
 - 1 x 3 bedroom (5 person)
 - ii) Shared Ownership Accommodation:
 - 3 x 1 bedroom (2 person)
 - 3 x 2 bedroom (3 person)

RECOMMENDATION II:

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: B/02128/13 under delegated powers subject to the following conditions: -

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

Drawing Nos. p-200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214 and LO1178-DR01, and Design and Access Statement (received 28 May 2013)

Details of stacked parking equipment (received 19 July 2013)

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).

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. Before the development hereby permitted is first occupied, car parking and cycle parking and storage facilities should be provided in accordance with Drawing No. P-201, with the 'EcoSpace Plutone Parking Solution' (received 19 July 2013) installed to spaces 5/6. The parking spaces shall not be used for any other purpose other than the parking of vehicles in connection with the approved development. The parking layout should include provision for disabled parking spaces and electronic charging points for all elements of the 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 policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

4. Before the development hereby permitted is first occupied, the layout and gradient of the access ramp to the basement car park shall be constructed in accordance with the details shown on Drawing No. P-201.

Reason: To ensure the safe form of access to the development and to comply with Policy DM17 of the Development Management Policies DPD.

5. Prior to the first occupation of the development hereby permitted, details of traffic signals and sensors to be installed to control access to and from the basement car park shall be submitted to and approved in writing by the Local Planning Authority. Such controls shall thereafter be installed in accordance with the approved details and useable prior to the first occupation of the development, and shall be permanently maintained and operational thereafter in accordance with the approved details.

Reason:

In the interests of highway safety and the requirements of Policy DM17 of the Development Management Policies DPD.

6. All works must be carried out in full accordance with the submitted Construction Management Plan dated 4 January 2010 and received 17 July 2013.

Reason: In the interests of highway safety, in accordance with Policy DM17 of the Development Management Policies DPD.

7. Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To 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 DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

8. The materials to be used in the external surfaces of the buildings and hard surfaced areas shall be as per the schedule of materials received in the agent's email dated 17 July 2013.

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

9. Prior to the first occupation of the development hereby permitted, the boundary treatments to the site shall be installed as shown on approved drawing No. P202. The boundary treatments shall be permanently maintained as such thereafter.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and 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 Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

10. No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm 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 Adopted Barnet Development Management Policies DPD (2012).

11. A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

12. 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.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

13. 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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

14. 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.

15. Prior to the first occupation of the development hereby approved, the privacy screens as detailed on Drawing P-102 (received 17 July 2013) shall be installed in the positions as shown on the elevational drawings hereby approved (Drawing Nos. P-208, 209 and 213). The screens shall be maintained as such thereafter.

Reason:

To safeguard the privacy and amenities of occupants of adjacent units, in accordance with Policy DM01 of the Development Management Policies DPD.

16. The ground floor of the development hereby approved shall be used for offices falling within Use Class B1 and no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

17. Prior to the first occupation of the development hereby permitted, extraction and ventilation equipment shall be installed in accordance with the memo from Waterstone Design Dated 28 June 2012 and received 17 July 2013, and shall be maintained as such thereafter.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties

18. Prior to the first occupation of the development hereby permitted, the glazing and associated acoustic ventilation shall be installed in accordance with the details within noise assessment LC-12-0027-RP1 and in the email from Lansett Consulting dated 17 September 2012 approved in the Council's decision dated 23 October 2012 in connection with application B/02557/12, and shall be maintained as such thereafter.

Reason:

To ensure that the amenities of occupiers are not prejudiced by road traffic or other mixed use noises in the immediate surroundings.

19. The development shall be implemented and the made ground removed from the site in accordance with the Ground Investigation Report G12084-IR approved in the Council's decision dated 23 October 2012 in connection with application B/02557/12. All soft landscape area soil should be imported from a certified source.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety, in accordance with Policy DM04 of the Development Management Policies DPD.

20. Prior to the first occupation of the development hereby approved, the glazing and insulation shall be installed in accordance with noise assessment LC-12-0027-RP1 (received 17 July 2013, and the email from Lansett Consulting of 17 September 2012 approved in the Council's decision dated 23 October 2012 relating to application B/02557/12. This includes the insulation between the ground floor Office and upper floor residential units. The glazing and insulation shall be maintained as such thereafter.

Reason:

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

21. Prior to the first occupation of the development hereby permitted, the mechanical ventilation system detailed in the email from Lansett Consulting on 17 September (further to Air Quality Assessment LC-12-0027-RP2) and approved in the Council's decision dated 23 October 2012 in relation to application B/02557/12 shall be installed and maintained as such thereafter.

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

22. Prior to the first occupation of the development hereby permitted, a maintenance agreement for the traffic signals should be submitted to and approved in writing by the Local Planning Authority. Details of all equipment associated with the proposed access system should also be included, and must be installed within the site boundaries and not encroach on the public highway.

Reason:

In the interest of highway safety and to comply with Policy DM17 of the Development Management Policies DPD.

23. The dwellings shall achieve a Code Level 4 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 4 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

24. Prior to the first occupation of the development hereby permitted, a Car Parking Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The on-site car parking shall thereafter be managed in accordance with the approved scheme.

Reason:

To ensure that parking is provided and managed in line with the Council's standards, in the interests of highway and pedestrian safety and in accordance with Policy DM17 of the Development Management Policies DPD.

25. All new residential dwellings within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.

26. Prior to the first occupation of the development hereby permitted, a Car Parking Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The on-site car parking shall thereafter be managed in accordance with the approved scheme. Car parking spaces shown on Plan P20 numbered 1 to 4, 7 to 13, 17 to 22, 26 to 37 and 40 to 44 should be allocated to the residential units to ensure that residential parking spaces are independently accessible and do not obstruct access to other parking spaces.

Reason:

To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with Policy DM17 of the Development Management Policies DPD.

INFORMATIVE(S):

1. In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
2. The applicant is advised that when the development hereby approved is implemented, it will be necessary for the existing vehicular crossover to be modified by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on public highway land from the Chief Highways Officer at Building 4, North London Business Park, Oakleigh Road South, London N11 1NP.

3. The applicant is advised that High Road is a Traffic Sensitive Road. As such, deliveries during the construction period should not take place between 8:00am to 9:30am, and 4:30pm to 6:30pm Monday to Friday. Careful consideration should also be given to the optimum route for construction traffic, and the Environment and Operations service should be contacted in this respect.
4. The applicant is advised that the development is located on a Strategic Road Network and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London for the implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on the public highway, and would require Transport for London's approval before works can commence.
5. The applicant as advised that given parking spaces 5/6 and 36/39 are not independently accessible, these spaces should be allocated to the same units.
6. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £199,465 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £632340 payment under Barnet CIL.

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.

If affordable housing or charitable relief applies to your development 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 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 Community Infrastructure Levy 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: cil@barnet.gov.uk.

7. A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 8 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 9 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 as calculated according to the Code for Sustainable Homes.

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 11 September 2013, unless otherwise agreed in writing, the Acting Assistant Director of Planning and Development Management REFUSE the application ref: B/02128/13 under delegated powers for the following reasons:

The proposed development does not include a formal undertaking to secure affordable housing units, contrary to Barnet supplementary Planning Documents Affordable Housing (2007), Planning Obligations (2013) and Policies CS4 and CS15 of the Local Plan Core Strategy (adopted September 2012) and Policy DM10 of the Development Management Policies DPD (adopted September 2012)

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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

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

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

The Mayor's London Plan July 2011:

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

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

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS4, CS5, CS9 and CS15.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM04, DM08, DM10 and DM17.

Supplementary Planning Documents and Guidance

The Council's Residential Design Guidance SPD was adopted in April 2013. This sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation.

Included advice states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

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

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Relevant Planning History:

Site Address: 1230 High Road LONDON N20
Application Number: N01078S
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 29/06/1994
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of 5 storey block of offices (ClassB1) with basement and surface car parking for 88 spaces.**

Site Address: 1230 & 1232 High Road London N20 0LH
Application Number: N01078X/06
Application Type: Full Application
Decision: Approved
Decision Date: 19/02/2007
Proposal: **Demolition of all existing buildings and erection of a six storey building comprising basement car park ground and first floor offices and 28 self-contained flats on upper 4 floors.**

Site Address: 1230 & 1232 High Road, London, N20 0LH
Application Number: B/00027/10
Application Type: Conditions Application
Decision: Approved
Decision Date: 05/07/2010
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Submission of details of conditions 3 (levels) 4 (materials) 7 (hard and soft landscaping) 12 (sustain ability) 14 (vehicular access to basement car-park) 15 (construction management plan) 16 (lighting) 17 (extract and ventilation) 19 (acoustic report) pursuant to planning permission N01078X/06.**

Site Address: 1230-1232 High Road, London, N20 0LH
Application Number: B/02471/11
Application Type: Full Application
Decision: Approved
Decision Date: 21/02/2012
Proposal: **Erection of six storey building to provide 1,015 sqm of ground floor offices and 39 no. self-contained flats on the upper five floors plus roof top plant room, external amenity space at first floor level. Basement car park for 45 no. cars with cycle storage provision and associated works.**

Site Address: 1230 - 1232 High Road, London, N20 0LH
Application Number: B/02557/12
Application Type: Conditions Application
Decision: Approved
Decision Date: 23/10/2012
Proposal: **Submission of details of condition 21 (Archaeological Investigation), 23 (Ventilation and Extraction Equipment), 24 (Impact of Noise), 26 (Contaminated Land), 29 (Sound Insulation from Commercial / Industrial), 30 (Air Quality Report) and 32 (Vibration from Industry and Traffic) pursuant to planning permission B/02471/11 dated 21/02/12.**

Site Address: 1230-1232 High Road, London, N20 0LH
Application Number: B/03438/12
Application Type: Conditions Application
Decision: Approve
Decision Date: 21/01/2013
Proposal: **Submission of details of Condition No.10 (Materials) pursuant to planning permission Ref: B/02471/11 dated: 21/2/2012.**

Site Address: 1230-1232 High Road, London, N20 0LH
Application Number: B/02684/12
Application Type: Material Minor Amendment/Vary Condition
Decision: Approved
Decision Date: 05/02/2013
Proposal: **Variation of condition 1 (Plan Numbers) and removal of conditions 25 (Noise Report for Site Plant) and 31 (Biomass Boiler) of planning permission B/02471/11 dated 21/02/12 for 'Erection of six storey building to provide 1,015 sqm of ground floor offices and 39 no. self-contained flats on the upper five floors plus roof top plant room, external amenity space at first floor level. Basement car park for 45 no. cars with cycle storage provision and associated works.' Variation to include additional internal escape staircase; revision of vehicular ramp and basement layout; increase in ground floor height; omission of top floor plant room; adjustments to the design of roof, parapet edges to fifth floor, fenestration and rear elevation; location and levels of front entrances adjusted: dwelling mix adjusted.**

Consultations and Views Expressed:

Neighbours Consulted: 99 Replies: 0
Neighbours Wishing To Speak: 0

Internal /Other Consultations:

Traffic and Development:

- The proposal is for a variation of previous planning consent B/02684/12 for a development of 1,015 sqm of office space and 39 self contained flats to provide a total of 42 self contained flats. The residential development on the consented application B/02684/12 included 2 no. four bedroom units, 3 no. three bedroom units, 24 no. two-bedroom units and 10 no. one-bedroom units. The proposed revised plans include modifications to the dwelling mix to provide 2 no. three bedroom units, 28 no. two-bedroom units and 12 no. one-bedroom units. The number of parking spaces provided remains as per previous consent with a total of 44 parking spaces for the whole development within the basement car park. A total of 81 cycle parking spaces are proposed also located in the underground car park.
- Although the number of residential units has increased from 39 to 42, 3 of the larger previously proposed units (2x 4-bedrooms and 1x 3-bedrooms), which are likely to attract a larger number of trips than smaller units, have been replaced in the current application by smaller units (1 and 2 bedrooms). In order to meet the parking standards in Barnet's Local Plan, the consented application would require up to 30 to 54 spaces and the current proposal would require up to 30 to 57 parking spaces. Therefore the parking requirement is equivalent to the provision in the consented application. The proposed parking provision is still in accordance with the parking standards in the London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.. The parking provision for the proposed modified development is acceptable on highways grounds at this location.

- The parking layout, includes parking spaces which are not are not independently accessible and a total of 38 spaces which are independently accessible and also do not obstruct access to other parking spaces. These arrangements were also included in the parking layout on the previously consented application. The applicant must ensure that a minimum of 34 independently accessible parking spaces which are allocated to the residential element of the development.
- The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access road. The proposed access design details, construction and location will be reviewed part of the Section 184 application.
- A condition should be included to provide a parking management plan for approval by the planning authority; the parking allocation should include provision of disabled parking spaces and electric car charging points for both elements of the proposal. In order to provide a more efficient use of the available spaces, the applicant is encouraged to include an agreement in the Parking Management Plan for commercial parking spaces to be available for residents in the evenings if possible.
- The proposal includes the implementation of traffic control on the ramp in the form of traffic signals and sensors. These should be sited and configured so that there is no opportunity for waiting vehicles to tail back onto the public highway. Priority should be given to vehicles entering the site. This will ensure that vehicles will not conflict with one another when entering and exiting the car park.
- It is considered that the proposed modifications are not expected to have an adverse impact on the public highway network in the vicinity of the site. The application is recommended for approval.

Councillor Sowerby has requested that this application be referred to the East Area Planning Sub-Committee, raising concerns that the proposal could be an overdevelopment of the site with its 42 flats above commercial offices, all above a large basement car park.

Date of Site Notice: 27 June 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site fronts the High Road in Whetstone. It is to the south of the major junction between the High Road, Oakleigh Road North, and Totteridge Lane. The original building on the site was demolished some time ago in connection with a previously approved planning permission.

To the north of the site is a four storey building at No. 1238 High Road, to the south a timber yard and to the east the Sweets Way residential housing estate.

Proposal:

This application follows the approval of planning application B/02684/12. That application sought a variation to the previously approved plans, in order to make alterations to the external appearance of the approved building, alter the internal layout of the basement car park, remove the top floor plant room and alter the mix of units within the building. The approval resulted in a fresh grant of planning permission. The approved building measures a maximum of 33.7 metres in depth by 40.2 metres in width. It has a maximum height from ground level of 18.2 metres.

The current application seeks an alteration to the approved scheme, with the following changes proposed between the extant planning permission and the current scheme:

- The internal layout of the top floor has been changed. Whilst the approved top floor contained three units (1x three-bedroom unit and 2x four-bedroom units), the current scheme proposes six units to the top floor, comprising 2x one-bedroom units and 4x two-bedroom units. The size of the top floor area has not changed and the unit mix and layout throughout the remainder of the building is unchanged.
- The fenestration to the top floor has been changed to reflect the alterations to the internal layout.
- The internal layout of the basement floor level has been revised, with the gas meter store and a number of cycle parking spaces relocated.
- To the front elevation, vertical posts are no longer proposed to the centre of the balconies.

Planning Considerations:

As noted above, this application proposes various amendments to the extant scheme. As such, given that the majority of the scheme already benefits from planning permission it is necessary only to assess whether those amendments to the approval comply with the current Development Plan policies. Since the previous approval, the Development Plan policies have not changed. The Council has adopted a Residential Design Guidance SPD, and a Sustainable Design and Construction SPD (both in April 2013). However, draft versions of those documents were material considerations at the time the previous application was determined. As such, there have been no material changes to the development plan since the previous approval.

Alterations to the approved scheme

The main alteration between the current scheme and the proposed scheme relates to the internal alterations to the top floor, to increase the number of units from three to six. This is achieved by subdividing the previously approved larger units to the top floor. The footprint and size of the top floor area remains unchanged. The additional three units are considered to be accommodated comfortably within the approved building, given that the units meet the minimum size requirements as set out in the London Plan and do not result in an increase to the massing of the building.

The alteration to the front elevation involves the removal of a small design feature to the balconies. It is considered that the removal of this element is not detrimental to the character or appearance of the building. The alterations to the fenestration to the top floor would not be clearly visible from the street level, and in any instance are not considered to be detrimental to the character and appearance of the building. The internal layout of the basement has been changed but this is not visible from outside the site.

It should be noted that other than the changes noted above, the building remains as previously approved in terms of its height, siting and massing. As such, it is not considered that the proposed alterations would be detrimental to the character and appearance of the building, the street scene or the wider locality.

Affordable Housing

The previously approved scheme secured 30% of units to be maintained as

affordable housing, which translates to 12 units (6 affordable rent and 6 shared ownership). In the current application, the number of units proposed at the site is increased by three. The applicant has confirmed that they are willing to increase the number of units secured to be affordable units by three, such that the additional units created by this grant of planning permission are all secured to be affordable units (all three to be affordable rent units). The proposal would therefore comprise 35% affordable units, or 15 out of 42. This increased proportion of affordable units is considered to comply with Policy DM10, and no objections are raised.

Parking implications

The approved scheme includes basement parking with 44 spaces. The current scheme also proposes 44 parking spaces, with the internal alterations to the basement having no impact on the number of spaces. The applicant's agent has advised that there is a contractual agreement in place with the commercial lease holder to provide them with 10 parking spaces. This leaves 34 parking spaces for occupants of the residential unit. The Highways Engineer raises no objections to this split in parking spaces, confirming that the parking provision accords with Policy DM17 of the Development Management Policies. Conditions are required, including one to ensure that spaces allocated to the residential units are independently accessible, and those spaces not independently accessible allocated to the business user.

Changes to S106 Contributions

The previous planning application was approved subject to a Section 106 Agreement which related to the number of units within the scheme secured as affordable housing, and which also related to financial contributions toward education, library and health facilities in the borough. It should be noted that since the previous application was approved, the Council's Community Infrastructure Levy (CIL) has been adopted. This replaces the previous regime relating to financial contributions. The contributions relevant to the current proposal will be secured by the Council's CIL, and are not required to be included within the Section 106. As such, any Section 106 agreement which relates to the current application is only required to secure affordable housing provision.

Relevance of previously attached conditions

Since the previous planning application was approved, no further details have been submitted relating to any previously attached conditions. As such, the previously imposed conditions remain reasonable and necessary, and are attached to the current application.

3. COMMENTS ON GROUNDS OF OBJECTIONS

No objections have been received.

4. EQUALITIES AND DIVERSITY ISSUES

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

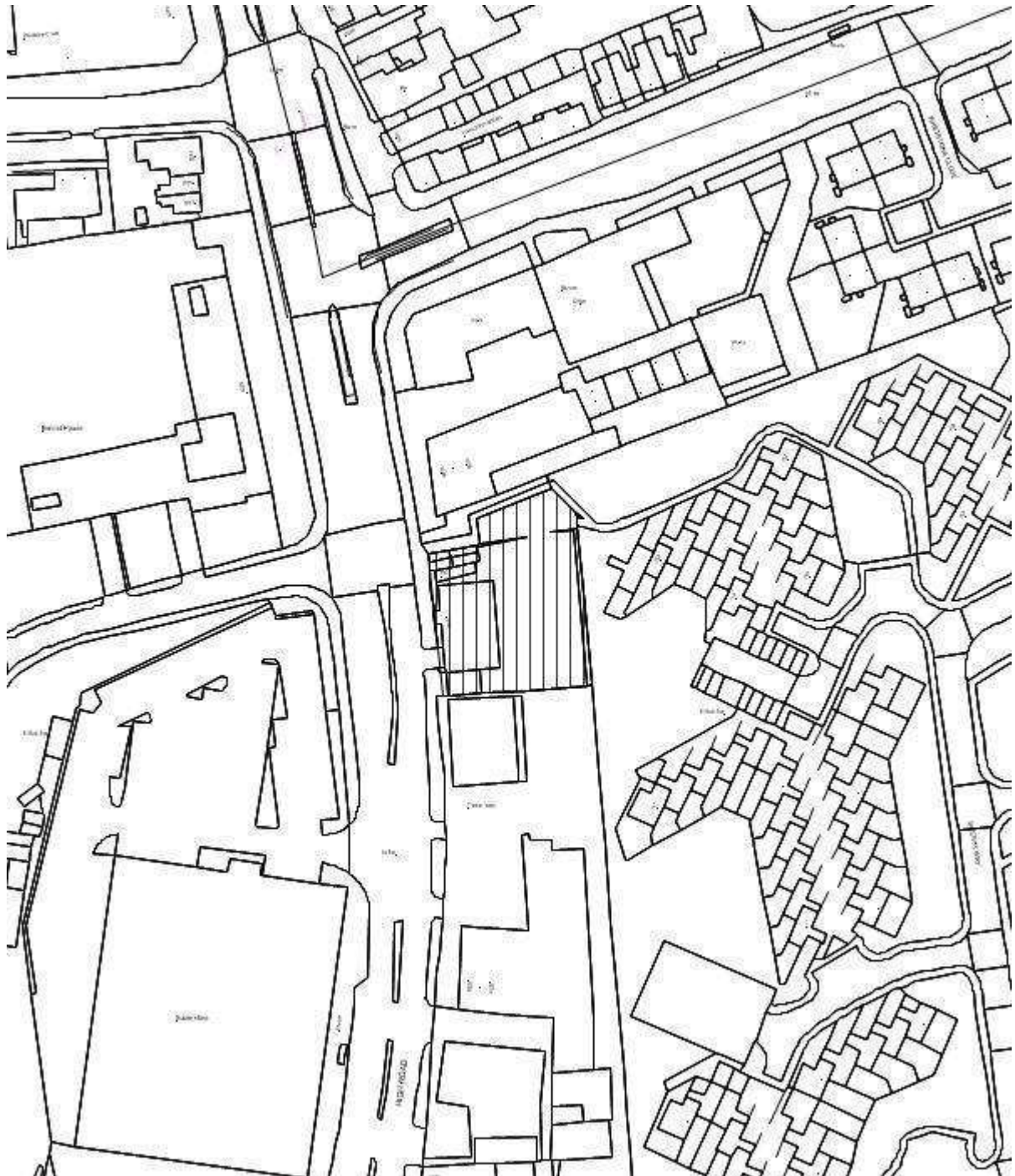
5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site and the general street scene. The development is not considered to have an adverse impact

on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

SITE LOCATION PLAN: 1230 High Road, London, N20 0LH

REFERENCE: B/02128/13



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