

LOCATION: Watling Club, Dryfield Road, Edgware, Middx, HA8 9JU

REFERENCE: H/02450/13

Received: 14 June 2013

Accepted: 28 June 2013

WARD: Hale

Expiry: 27 September 2013

**Final
Revisions:**

APPLICANT: Turnhold Properties Ltd

PROPOSAL: Demolition existing 2 storey building. Construction of 2no. three storey blocks and 2no. two storey blocks to provide 22 self-contained flats and 2no. two storey houses. Associated refuse storage, cycle storage and amenity space.

APPROVE SUBJECT TO SECTION 106 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 4 affordable housing units on the site, split up into the following types:
 - i) Social Rented Accommodation:
2 x 2 bedroom (3 person) 1x 2 bedroom (4 person)
 - ii) Shared Ownership Accommodation:
1 x 1 bedroom (2 person)
- 4 **Monitoring of the Agreement £500.00**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: H/02450/13 under delegated powers subject to the following conditions: -

1. The development hereby permitted shall be carried out in accordance with the following approved plans: P100; P101 RevB; P102 RevB; P103; P104; P105; P106; P107 RevB; P108 RevB; P109 RevB; P110; P111; P112.

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 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.

4. Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the 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.

5. Before the building hereby permitted is occupied the proposed window(s) in the side and rear elevation of block B and C facing The Annunciation Roman Catholic School and the first and second floor rear windows of flat C4 facing block C 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 Adopted Barnet Development Management Policies DPD (2012).

6. 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).

7. 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.

8. 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.

9. The dwelling(s) 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).

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

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

11. 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.

12. Before the development hereby permitted commences details of the location within the development and specification of the 3 units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority. The specification provided for the 3 units shall demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

Reason:

To ensure that the development is accessible for all members of the community and to comply with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.

13. The dwelling(s) hereby approved shall have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters.

Reason:

To encourage the efficient use of water in accordance with policies DM02 of the Development Management DPD (2012) and 5.15 of the London Plan 2011.

14. The development hereby permitted shall not commence until a parking management plan detailing the changes to the parking layout, allocation of spaces, including accommodating visitors, parking controls within the site and enforcement system of unauthorised parking, provision of EVCP (active & passive) has been submitted to and approved by the local planning authority. All standard and disabled car parking spaces to be provided and for use only in connection with this site. The plan shall be implemented before the buildings hereby permitted are occupied and maintained in good order thereafter.

Reason:

To ensure safe access to and from the development and protect the amenity of the area and conform 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 permitted development commences, details of Refuse/Recycle/Service arrangements shall be submitted to and agreed by the Local Planning Authority and an indemnity agreement to be signed with service providers of refuse/recycle collectors. The vehicles associated with these activities will not go over the bridge.

Reason:

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

16. Prior to commencement of the proposed development a Demolition/Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details. The Demolition/Construction Management Plan shall include, but not be limited to, the following information:

- details of the routing of construction vehicles to the site, access/egress arrangements within the site;
- site preparation and construction stages of the development;
- 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;
- details showing how all vehicles associated with the construction works are properly washed to prevent the passage of mud and dirt onto the adjoining highway;
- the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- 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;
- noise mitigation measures for all plant and processors;
- details of contractors compound and car parking arrangements;
- Details of interim car parking management arrangements for the duration of construction;
- details of precautions to minimise damage to protected species and habitats in particular from site clearance works including soil moving and material storage, vehicle and machinery movements, removal and disposal of excess soil, debris and materials from the site;
- details of action to be taken and mitigation measures to be employed should any protected species be found or disturbed on the site.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

17. Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

18. 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 Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

19. Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

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 Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

20. No siteworks or works on this development shall be commenced before 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 are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

21. 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).

22. The property shall be used as self-contained units as shown on the hereby approved drawings under Class C3 (a) and no other purpose (including any other purpose in Class C3 or C4 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.

23. Before the development hereby permitted is occupied full details of the photovoltaic panels to be installed as part of the scheme shall have been submitted to and approved in writing by the Local Planning Authority. The photovoltaic systems detailed in the information provided shall be fully installed and operational prior to the first occupation of the building and shall thereafter be maintained in accordance with the approved details.

Reason:

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

24. Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in

writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

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).

25. Development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the foul and/or surface water discharge from the site shall not be prejudicial to the existing sewerage system and the amenities of the area to comply with Policies 5.13 and 5.14 of the London Plan 2011.

26. Before the development hereby permitted commenced, details of Sustainable Urban Drainage Systems shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these details and shall be permanently maintained thereafter.

Reason:

To ensure that the development has an acceptable environmental impact in accordance with policy DM04 of the Adopted Development Management Policies 2012.

27. The further incorporation of proposed habitat creation and ecological enhancement set out in table WM05 of the Phase 1 Habitat Survey shall be implemented within 6 months of occupation of the hereby approved development and maintained thereafter.

Reason:

To ensure that the development has an acceptable impact on ecology/biodiversity in accordance with Local Plan Policy DM16.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D and E of Part 1 to Schedule 2 of that Order shall be carried out within the area of the site hereby approved.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012).

29. Before this development is commenced, details of the proposed external lighting scheme throughout 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 provides adequate levels of safety and amenities of users of the site, the amenities of surrounding residential occupiers in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 of the Adopted Barnet Core Strategy DPD (2012).

INFORMATIVE(S):

1.
 - i) 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.
 - ii) In this case, formal pre-application advice was sought prior to submission of the application.
2. Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
3. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £62,370 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 £240,570 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.

4. 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.
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. The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: London Borough of Barnet, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP

7. Wildlife and Countryside Act 1981 Obligations etc: TIN/TPO
Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.
8. The documents accompanying this application are: Planning Statement, Flood Risk Assessment, Energy Statement, Arboricultural Impact Report, Ecology Report, Bat Survey and addendum, Transport Statement, Preliminary Code for Sustainable Homes Assessment.

RECOMMENDATION III

That if an agreement has not been completed by 17th January 2014, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should **REFUSE** the application H/02450/13 under delegated powers for the following reason:

1. The development does not include a formal undertaking to secure the provision of affordable housing on site and the associated monitoring costs which would be incurred by the community as a result of the development; contrary to Policies CS4, CS10 and CS11 of the Local Plan Core Strategy DPD (Adopted) 2012 and DM10 of the Local Plan Development Management Policies DPD (Adopted) 2012; and the adopted Supplementary Planning Documents "Affordable Housing" and "Planning Obligations".

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011

- Policy 3.3 – Increasing Housing Supply
- Policy 3.4 – Optimising Housing Potential
- Policy 3.5 – Quality and Design of Housing Developments
- Policy 3.8 – Housing Choice
- Policy 3.9 – Mixed and Balanced Communities
- Policy 3.10 – Definition of Affordable Housing
- Policy 3.11 – Affordable Housing Targets
- Policy 3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- Policy 3.13 – Affordable Housing Thresholds
- Policy 3.14 – Affordable Housing Thresholds
- Policy 5.2 – Minimising carbon dioxide emissions
- Policy 5.3 – Sustainable design and construction
- Policy 5.14 – Water quality and wastewater infrastructure
- Policy 5.15 – Water use and supplies
- Policy 6.12 – Road network capacity
- Policy 7.1 – Building London's Neighbourhoods and Communities
- Policy 7.2 – An Inclusive Environment
- Policy 7.3 – Designing Out Crime
- Policy 7.4 – Local Character
- Policy 7.6 – Architecture
- Policy 7.14 – Improving air quality

Core Strategy Policies 2012

- Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
- Policy CS 3 Distribution of growth in meeting housing aspirations
- Policy CS 4 Providing quality homes and housing choice in Barnet
- Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places

- Policy CS 7 Enhancing and Protecting Barnet's Open Spaces
- Policy CS 9 Providing safe, effective and efficient travel
- Policy CS 15 Delivering the Core Strategy

Development Management Policies 2012

- DM01 Protecting Barnet's character and amenity
- DM02 Development standards
- DM03 Accessibility and inclusive design
- DM04 Environmental considerations for development
- 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
- DM17 Travel impact and parking standards

Local Supplementary Planning Documents (SPDs):

- Barnet SPD: Planning Obligations (Section 106) (September 2006)
- Barnet SPD: Contributions to Health Facilities from Development (July 2009)
- Barnet SPD: Contributions to Education from Development (February 2008, Updated January 2010)
- Barnet SPD: Contributions to Library Services from Development (June 2008)
- Barnet SPD: Sustainable Design and Construction (June 2007)
- Barnet SPD: Affordable Housing (February 2007, Updated August 2010)

Strategic Supplementary Planning Documents and Guidance:

- Accessible London: Achieving an Inclusive Environment (April 2004)
- Sustainable Design and Construction (May 2006)
- Health Issues in Planning (June 2007)
- Wheelchair Accessible Housing (September 2007)
- Planning for Equality and Diversity in London (October 2007)
- All London Green Grid (March 2012)
- Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
- Land for Industry and Transport SPG (September 2012)
- Mayor Housing SPD

Cabinet Resources Committee:

Reports of 28th March 2011 and 18th October 2012.

Relevant Planning History:

Application:	Planning	Number:	H/02451/13
Validated:	28/06/2013	Type:	CAC
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Elizabeth Thomas
Description:	Demolition existing 2 storey building. Construction of 2no. three storey blocks and 2no. two storey blocks to provide 22 self-contained flats and 2no. two storey houses. Associated refuse storage, cycle storage and amenity space. (CONSERVATION AREA CONSENT)		

Consultations and Views Expressed:

Neighbours Consulted: 177 Replies: 5 (1 support)
Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

- The effect on the already overstretched road network will cause local residents considerable upset and disturbance due to the local parking, schools and bus routes.
- The site will cause a large amount of disturbance to the nature reserve and disused railway.
- This will undoubtedly mean a loss of well-established trees and wildlife.
- The area is in no doubt in need of redevelopment, this is not at issue.
- The number of properties could be reduced to lessen the impact upon local residents, traffic, wildlife and trees.
- Overlooking and loss of privacy from new windows.
- Impact on slow worms and bats, both of which are protected species.

Internal /Other Consultations:

- Traffic & Development - No objections subject to conditions
- Urban Design & Heritage - No objections
- Environment Agency - No objections subject to conditions

Date of Site Notice: 18 July 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a large plot fronting Dryfield Road which is currently occupied by a neglected former community building. Behind the site lies the Mill Hill Old Railway Local Nature Reserve. The site is flanked by an existing primary school and residential properties along Dryfield Road. Opposite the site is an area of open greenery known as Meads Open Space. There is a stream which runs through the site.

Proposal:

Demolition existing 2 storey building. Construction of 2no. three storey blocks and 2no. two storey blocks to provide 22 self-contained flats and 2no. two storey houses. Associated refuse storage, cycle storage and amenity space.

Planning Considerations:

The main issues in this case are considered to be covered under the following areas:

- The principle of residential development
- The living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the conservation area and street scene, having regard to the size, siting and design of the proposal.

- Impact on traffic, parking and vehicle movements.
- Impact of proposal on trees on site.
- Impact on ground water and other hydrology given location within flood risk zone 1.
- Financial and other Planning Obligations arising from the development.

Principle of the residential use proposed and loss of community building

The Government is committed to maximising the re-use of previously developed land and empty properties to minimise the amount of green field land being taken for development. One of the chief objectives of the NPPF is to provide sufficient housing for future needs, ensuring that as many of the new homes as possible are built on previously developed land. The NPPF advocates the adoption of a sequential approach to selecting sites for housing to ensure that green field sites are used only when no appropriate sites exist inside urban areas. The sequential approach identifies previously developed sites within urban areas as being the most suitable for development.

The site is previously developed land and therefore is sequentially preferable for residential development.

Policy CS5 states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'. Policy DM01 requires that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

Furthermore, the Residential Design Guidance SPD advises that the design and layout of new development should be informed by the local pattern of development. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are all likely to be significant factors when redeveloping sites within existing residential areas. This is reinforced by the principles of Policy DM06 which seeks to protect the borough's Conservation Areas.

The principle of demolition is considered acceptable. The existing community building is not considered to contribute positively to the conservation area and its demolition is not considered to be harmful to the ethos of the conservation area. The building itself is of no particular architectural merit to warrant its retention. It has been vacant for over 9 years and is semi-derelict.

London Plan policy 3.4 seeks to optimise the housing potential of sites with reference to the density matrix contained in Table 3.2 which provides a guide to appropriate density ranges for particular locations, depending on accessibility and character. The application site has poor accessibility and has a low PTAL of 2. It is considered to fall within a suburban setting as defined in the London Plan. The London Plan Density Matrix therefore suggests a range of 40 to 80 units per hectare and 150-250 habitable rooms per hectare. Taking the site area of 0.34ha, the proposal for 22 flats would equate to a density of 72 units per hectare (208 habitable room per ha).

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups. The council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough.

The proposal comprises of 2 x 3 bedroom family houses, 7 x 1 bedroom, 12 x 2 bed and 3 x 3 bedroom flats which is considered to include an appropriate range of dwelling sizes and types that would make a useful contribution to meeting the needs of the growing and diverse population of the borough.

Loss of community building

Policy DM13 states that loss of community/educational use will only be acceptable in exceptional circumstances where:

- i. New community or education use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or
- ii. There is no demand for continued community or education use, and that the site has been marketed effectively for such use.

In March 2011 a report was submitted by Property Services officers to Cabinet Resources Committee (CRC) concerning the disposal of this site. That report sets out the marketing history as follows:

In July 2004 the Council resolved to sell the freehold of the land for redevelopment. Following the marketing process, a bidder was selected but the sale was not completed.

In October 2007 the Council resolved to re-market the site. The property was extensively marketed and the results of the marketing reported to CRC in December 2008. 3 bidders were selected to be taken forward. However, the location of the stream running through the site and issues with the Environment Agency, the failing market and reluctance of RSL providers to commit to projects due to uncertainties over grants lead to bids significantly reduced to a value such that officers could not recommend disposal.

At the end of 2010/ beginning 2011 the site was re-marketed. Of the expressions of interest received, two were from groups wishing to maintain a community use. A local resident who had been involved with the Club previously wished to reinstate it as a community hall. No formal proposal was received however. One bidder for exclusive community use advised that this would be subject to a substantial Council grant.

Given that the site has been vacant for over 9 years and that the site has been marketed 3 times over that period, with no realistic viable bids from community groups, it is considered that the scheme would comply with part ii.) of policy DM13.

Standard of accommodation provided and amenities of future occupiers of the proposed units

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that

development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings, outdoor amenity space and play space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new dwellings. These include requirements to provide high quality indoor and outdoor spaces, set minimum internal space standards for different types of unit and seek accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

The council's adopted supplementary planning documents (SPDs), Sustainable Design and Construction and Residential Design Guidance, and the Mayors adopted supplementary planning guidance, Housing, provide more detailed guidance on a range of matters related to creating new dwellings that have adequate amenities for their future occupiers.

The Residential Design Guidance SPD identifies that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments. In the few instances where this standard has not been met the windows are secondary windows and as such will be conditioned to be obscure glazed.

Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. All the proposed units comply with or exceed these minimum standards.

Dwelling outlook

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed is considered to maximize the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking to neighbouring properties. There would be adequate setting space around each of the blocks to ensure that outlook from the units would not be unduly constrained by other buildings or trees and the level of outlook provided would therefore be adequate for future occupiers of the development.

External amenity space provision

Barnet Local Plan policy DM02 and London Plan policy 3.6 state that proposals for dwellings should make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. The development contains a large area of open space, although much of this is alongside the stream.

Privacy and overlooking

In a few cases the distance between directly facing windows to habitable rooms in the new dwellings would be less than 21m. Subject to the conditions recommended it is considered that the design and layout of the windows, doors and amenity areas in the proposal are such that the new residential units would all be provided with an acceptable level of privacy and not suffer unacceptable overlooking. The proposal is therefore found to be acceptable in this regard.

Conclusions on the amenities of future occupiers

The scheme is found to be compliant with development plan policy as it relates to the amenities of the future occupiers of the dwellings proposed and the design approach is considered, for the reasons outlined above, to provide future occupiers with acceptable amenities.

Design and character matters:

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Local plan policy DM06 states that development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet. The proposal falls within the Watling Estate Conservation Area.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

Development principle 4.3 of the NBTFCF (copied below) seeks to ensure that development in the area reflects the existing predominantly context of the locality as follows:

- *‘Redevelopment should seek to make the most effective and efficient use of land. A design-led approach should be taken to defining appropriate plot ratios and residential densities, having regard to the suburban setting and good public transport accessibility.*
- *Building heights should be appropriate to the wider suburban context.*
- *Massing (bulk of buildings) should be reflective of the suburban setting and role of the town centre – over-dominance (visual) by any unit should be avoided.’*

The character of Watling Estate is distinctive in terms of its layout, form, scale and building designs. The proposed layout of the development is considered to respond well to the character of the Watling Estate. The proposal is not considered to interrupt the distinctive buildings lines and street pattern along Dryfield Road. The proposal will in part replace an existing detached building the loss of which is not considered to be detrimental to the Conservation Area.

The layout of the proposals has been the subject of extensive pre-application discussions and it is considered that the two main blocks, due to their set back from the edge of the pavement and separation would not be harmful to the streetscene of this part of Dryfield Road. The urban design and heritage team have reviewed the application and do not consider that the proposed design and layout of the scheme would be harmful to the character and appearance of the Watling Estate Conservation Area. The proposal has been amended following the comments of the urban design and heritage officer to ensure the buildings provide enough fenestrational interest to avoid large areas of blank walls.

Block A and the two new houses will be two storeys in height. Block A will be the closest of the new buildings to the public highway and the existing residential property of 127 Dryfield Road, the eaves level and overall height of the building is comparable to 127 Dryfield Road. The proposed building is considered to be set a sufficient distance from the highway to ensure it would not appear overbearing.

Block B and C are to be three storeys in height and are set at a greater distance from the public highway and have been designed to ensure the overall mass and scale is not overbearing or overly dominant

The proposed buildings due to the distances between the existing buildings, public highway and distance between each new building ensures that the proposal does not appear overly dominant.

Details of the proposed materials to be used for the proposed buildings and materials for the hard landscaping are to be secured through condition.

In summary, it is considered that the size, scale, siting and design of the buildings and layout of the scheme proposed are such that they would adequately respect the character of the Watling Estate Conservation Area. The existing site and building have a negative impact on the character and appearance of this part of the Conservation Area and it is considered that the proposal would in fact make a positive contribution. The scheme would make effective and efficient use of previously developed land. The overall design quality of the development responds to the site context. The proposal is therefore considered to comply with the relevant design policies set out above.

Impacts on amenities of neighbouring and surrounding occupiers and users:

Local Plan policies seek broadly to promote quality environments and protect the amenity of neighbouring occupiers and users through requiring a high standard of design in new development. More specifically policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users. Policy DM04 identifies that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

Barnet's Residential Design Guidance Supplementary Planning Document provides further guidance on safeguarding the amenities of neighbouring and surrounding occupiers and users. This includes stating that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

Overlooking, Privacy and Outlook

The nearest residential property to the development site is 127 Dryfield Road. The nearest new buildings to the property being the two new houses sited to the rear of the application site and block A comprising of three flats. The houses are sited to the rear of no.127 garden space with a buffer between the new houses and the neighbouring garden maintained at a minimum distance of 2m. There are no proposed windows on the side elevation to the nearest new house and as such there will be no loss of amenity. The development overall does not include windows to habitable rooms which directly face existing habitable windows in neighbouring residential buildings that are set apart a distance of less than 21m and distances from directly facing habitable windows in the development proposed to a neighbouring properties garden are not less than 10.5m. These parts of the proposal would therefore comply with planning guidance in these regards. The position of the proposed terraces and balconies would also comply with overlooking standards.

There will be no habitable room windows in the elevations of block B and C which face towards the school and school playground. A condition has been imposed on the permission that windows in the side and rear elevations of block C and side elevation of block B serving secondary rooms such as bathrooms and some hallways will be obscure glazed.

Noise and Health

The residential dwellings proposed in the development are of a nature that they would be expected not to generate unacceptably high levels of noise and disturbance to the extent that they would harm the amenities of the occupiers of neighbouring properties in the normal course of their occupation.

A condition has been recommended to ensure that the construction of the development does not result in unacceptable levels of noise and disturbance. A suitable Construction Management Plan will be required, this has been suggested as a condition. Subject to these conditions the proposal is considered to be acceptable in terms of the noise impacts.

Impacts from Lighting Associated with the Development

Policy DM01 of the Barnet Local Plan requires new lighting schemes to not impact upon amenity. A condition has been recommended requiring the implementation of the development in accordance with details of the external lighting installed as part of the development. Subject to this condition the proposal is considered to be acceptable and compliant with the objectives of policy in terms of preventing unacceptable lighting impacts from new development.

Conclusion

The proposed development is considered to be acceptable and compliant with the relevant development plan policies as they relate to the protection of the amenities of neighbouring and surrounding occupiers and users.

Affordable Housing

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual residential schemes, having regard to:

- Current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8, 3.10 and 3.11.
- Affordable housing targets adopted in line with Policy 3.11.
- The need to encourage rather than restrain residential development (Policy 3.3).
- The need to promote mixed and balanced communities (Policy 3.9).
- The size and type of affordable housing needed in particular locations.
- The specific circumstances of individual sites.

It suggests that negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy and other scheme requirements.

This approach is reflected in Local Plan policy DM10 which requires the maximum reasonable amount of affordable housing to be provided on site, subject to viability, having regard to a borough wide target that 40% of housing provision should be affordable. To explain and justify this position the applicant has submitted a confidential report which evaluates the economic viability of the proposed development making a contribution to affordable housing provision. The Council has then commissioned BNP Paribas to independently review the viability report provided and examine its findings.

As set out above the conclusions of the viability assessment indicate that although the scheme can support the provision of some affordable housing it would not be viable to provide 40%. It is proposed that 3 x 2 bed units within block A are to be for social rented and 1 x 1 bed unit in block C for shared ownership will be transferred to a Registered Provider. It is therefore considered that the proposal would comply with adopted policy and the NPPF in regard to development viability.

Trees and Landscaping:

Policy DM01 identifies that proposals will be required to include hard and soft landscaping that:

- Is well laid out in terms of access, car parking and landscaping.
- Considers the impact of hardstandings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife habitat and trees.
- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

The policy also states that trees should be safeguarded and when protected trees are to be felled the council will, where appropriate, require replanting with trees of an appropriate size and species.

The application submission includes an Arboricultural Impact Assessment and Tree Survey. Conditions have been recommended to ensure that the trees and wider landscaping implemented as part of the proposal would be of a sufficient quality, including new trees of a suitable size and species.

More generally the indicative landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces, given the constraints of the scheme. Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate quality and makes a positive contribution to the area.

Transport, parking and highways matters:

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, seek more environmentally friendly transport networks, ensure 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.

Major development proposals with the potential for significant trip generation will be expected to be in locations which are, or will be made, highly accessible by a range of modes of transport and supported by a Transport Assessment that fully assesses the transport implications of the development across all modes.

The traffic and development team have reviewed the planning application and submitted transport statement and consider that subject to appropriate conditions the proposal will not have a harmful impact on traffic and parking in the surrounding area.

Policies CS9 and DM17 sets out the following parking provision standards:

- A maximum of two to one and a half space, for detached and semi detached houses and flats (4 or more bedrooms)
- A maximum of one and a half to one space, per unit (2 to 3 bed)
- A maximum of one to less than one space, per unit (1 bed)

The proposed car parking provision for a new development must comply with The London Plan and although a restraint based approach is encouraged the applicant must provide reassurance and justification that any overspill parking will not unduly affect the free flow of traffic and operation of bus routes nearby nor that the residential parking is unduly effected.

For this proposal with:

7 one bed units= max of 7 car parking spaces

12 two bed units= max of 12 car parking spaces

3 three bed flats= max of 4 car parking spaces

2 three bed semi detached house= max of 4 car parking spaces

Total max number of parking spaces to comply with the above policy is 27.

The proposal includes 30 parking spaces that will accommodate visitors and servicing as well. Taking into consideration the above, in terms of car parking provision the proposal is considered acceptable.

In accordance with The London Plan, the applicant has to include 20% of the overall parking spaces with Electric Vehicle Charging point (EVCP) active and 20 % passive.

In terms of TfL standard recommendations, cycle parking provision for this development is: 1/unit- flats; 1/ one or two bed dwelling; 2/three bed dwelling;

For the 24 proposed residential units:

7 one bed units= 7 cycle spaces

12 two bed units= 12 cycle spaces

3 three bed flats= 6 cycle spaces

2 three bed semi detached house=4 cycle spaces

Therefore, in accordance with policy the number of cycle spaces is 29. The applicant states that 25 spaces are for the provision of flats, whereas for the two houses the cycle provision will be done separately and in the rear gardens providing potentially 2 enclosed cycle spaces. The proposed cycle provision is considered in accordance with policy therefore is acceptable.

Creating inclusive environments for all members of the community:

Planning policies make it clear that new developments should be accessible, usable and permeable for all users. Statements should be submitted with proposals explaining how the principles of inclusive design have been integrated into the development for which consent is sought.

Policy requires all the proposed dwellings (houses and flats) to meet the relevant Lifetime Homes standards and also that more than 10% of the dwellings proposed to be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements. A sufficient number of parking spaces proposed would be provided to a disabled parking space standard.

Conditions have therefore been recommended to ensure that all the proposed dwellings would meet the relevant Lifetime Homes standards and not less than 10% of the dwellings proposed would meet (or be easily adapted to meet) wheelchair accessible standards. Subject to these controls and the requirements in place under other legislation officers conclude that the design and layout of the proposal is such that it is acceptable in terms of creating a development that is accessible, useable, permeable and inclusive for all members of the community.

Safety and security matters:

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.

The design and layout of the development proposed and the degree of natural surveillance is considered to be such that, provided adequate external lighting is provided, it would provide a safe and secure environment. A condition is recommended requiring a lighting scheme to be submitted and approved. The proposal is therefore deemed to be acceptable in respect of providing a safe and secure development with an environment which reduces opportunities for crime and the fear of crime.

Flooding and water infrastructure matters:

The site falls within a flood risk zone 1. The applicant has carried out pre-application consultation with the Environment Agency who have helped inform the design and layout of the proposed scheme.

A flood risk assessment (FRA) was submitted as part of the planning application. The Environment Agency have been consulted as part of the application and are satisfied with the proposed bridge design over the existing stream that runs through the site. The environment Agency's Flood Risk standing advice recommends that good practice to achieve sustainable surface water management is followed. A condition has been recommended to ensure that the suitable drainage infrastructure is implemented as part of the development proposed.

Conditions have been recommended to ensure that water use by the development is minimised. Subject to these conditions the development is found to be acceptable in this respect.

Energy, climate change, biodiversity and sustainable construction matters:

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

Residential developments are currently required to achieve a 25% reduction in carbon dioxide emissions when compared to the 2010 Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes. The council's adopted Sustainable Design and Construction SPD provides that schemes such as this should achieve Code Level 4 or above against the Code for Sustainable Homes. A preliminary code for Sustainable Homes Assessment has been submitted with the application, the results show that the current scores for the plots range from 69.48% to 72.65% which equates to Code Level 4 at preliminary stage. A condition will ensure that each dwelling meets Code Level 4.

Carbon dioxide emissions

The application is accompanied by an Energy Strategy which includes an assessment of the options considered under the Mayor's hierarchy. The Energy Statement submitted with the application identifies that the development features improved insulation and air tightness standards when compared against the compliance requirements of Part L of the Building Regulations. In addition, energy efficient lighting is to be provided throughout the dwellings in excess of the Part L1 of 2010 requirements. The strategy indicates that the incorporation of energy efficiency measures and photovoltaic panels will equate to a minimum reduction of 27.5% which exceeds the 25% improvement requirement within the London Plan. Therefore the conditions recommended include requirements for the details of the photovoltaic panels to be installed to be submitted and agreed with the Local Planning Authority.

Biodiversity matters

Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity. To the rear of the site is a designated nature reserve. The London Wildlife Trust have been consulted on the application and have no objection in principle to the proposal but have recommended a number of conditions to protect the ecology of the site and neighbouring nature reserve and have recommended that prior to demolition or site clearance reptile proof fences are erected on the site boundaries and a suitably qualified specialist searches the site for slow worm and if found arrangement made for them to be translocated to the nature reserve.

A Phase 1 habitat survey was undertaken which has identified a number of recommendations to protect and encourage wildlife and enhance overall biodiversity, including the provision of bird and insect boxes, wood piles for amphibians. A condition has been placed on the application to ensure measures are undertaken to

protect and encourage the biodiversity. The tree and wider landscaping conditions recommended are considered also ensure that the scheme makes appropriate contributions to biodiversity generally and that the new planting which takes place provides suitable levels of habitat.

Two surveys have been carried out for bats one to take account of bats within the existing building and one that was carried out to the outside areas. Bats are also addressed in the phase 1 habitat survey. The surveys do not identify any bats on the site. Bat boxes have been recommended to be provided within the phase 1 survey and consideration has also been given to provide downward facing lights so as to not interfere within the nocturnal activity of bats should they wish to colonise the new development area.

Subject to the controls in place under the conditions recommended and the requirements in place under other legislation including the protection of bats the proposal is found to be acceptable and compliant with the objectives of planning policy on biodiversity and nature conservation matters.

Community Infrastructure Levy

The proposed development is liable for charge under the Mayoral Community Infrastructure Levy (CIL) and the Barnet CIL.

3. COMMENTS ON GROUNDS OF OBJECTIONS

These have been addressed in the main report.

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

The application is recommended for APPROVAL.

SITE LOCATION PLAN: Watling Club, Dryfield Road, Edgware, Middx,
HA8 9JU

REFERENCE: H/02450/13



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2013.
All rights reserved. Ordnance Survey Licence number LA100017674.