

LOCATION: Land between Sweets Way and Oakleigh Road North, London, N20
REFERENCE: B/02710/13 **Received:** 28 June 2013
Accepted: 02 July 2013
WARD: Totteridge **Expiry:** 01 October 2013

APPLICANT: Annington Property Limited

PROPOSAL: Demolition of all existing buildings and outline planning permission (with all matters other than access reserved) for new residential dwellings (Use Class C3), comprising up to 189 houses and up to 171 flats (up to 360 new dwellings in total), and a community building (Use Class D1) providing up to 292m² of floorspace. The provision of site access from Sweets Way and Oakleigh Road North.

RECOMMENDATION

The application being one of strategic importance to London it must be referred to the Mayor of London. As such any resolution by the committee will be subject to no direction to refuse or call in the application being received from the Mayor of London.

It is recommended that subject to no direction being received from the Mayor of London to call in the application or to refuse it for different reasons to those set out here, the Acting Assistant Director for Planning and Development Management be instructed to refuse planning application reference B/02710/13 under delegated powers for the following reasons:

1. The proposal would, by reason of its design and the parameters sought for approval, represent a cramped form of development that would create unacceptable levels of overlooking and provide insufficient privacy for the future occupiers of a number of the houses proposed on the site, both from other proposed houses and from existing neighbouring houses at 12 and 14 Domville Close, to such an extent that it would be detrimental to their residential amenities. The proposal would therefore not constitute a sustainable form of development which optimises the housing potential of the site and be contrary to policies DM01, CS NPPF and CS5 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.4 and 3.5 and 7.6 of the London Plan (adopted July 2011 and October 2013) and the guidance contained in the Barnet Residential Design Guidance Supplementary Planning Document (adopted April 2013).
2. The proposal would, by reason of its design and the parameters sought for approval, represent a cramped form of development that would fail to provide the future occupiers of a number of the houses proposed with adequate levels of individual external amenity space to the detriment of their residential amenities. The proposal would therefore not constitute a sustainable form of development which optimises the housing potential of the site and be contrary to policies DM01, DM02,

CS NPPF and CS5 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.4 and 3.5 and 7.6 of the London Plan (adopted July 2011 and October 2013) and the guidance contained in the Barnet Sustainable Design and Construction Supplementary Planning Document (adopted April 2013).

3. The proposal would, by reason of its design and the parameters sought for approval, constitute a cramped form of development that would result in the occupiers of existing dwellings at 12 and 14 Domville Close suffering unacceptable levels of overlooking from a number of the proposed houses, to such an extent that it would cause them to suffer a loss of privacy and be detrimental to their residential amenities. The application would therefore not constitute a sustainable form of development which optimises the housing potential of the site and be contrary to policies DM01, CS NPPF and CS5 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.4 and 3.5 and 7.6 of the London Plan (adopted July 2011 and October 2013) and the guidance contained in the Barnet Residential Design Guidance Supplementary Planning Document (adopted April 2013).
4. Insufficient information has been submitted with the application in respect of the impact of the proposed development on daylight and sunlight at neighbouring dwellings. On the basis of the information provided it is considered that a development built within the parameters sought for consent could result in adequate daylight and sunlight not being received at certain neighbouring residential dwellings to the detriment of the amenities of their occupiers. The application would therefore not constitute a sustainable form of development and is found to be unacceptable and contrary to policies DM01, CS NPPF and CS5 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.5 and 7.6 of the London Plan (adopted July 2011 and October 2013) and the guidance contained in the Barnet Sustainable Design and Construction and Residential Design Guidance Supplementary Planning Documents (both adopted April 2013).
5. The proposed development would, by reason of its design and the parameters sought for approval, result in the direct loss of trees of special amenity value and damage which may be severe enough to cause the loss of further trees of special amenity value, contrary to policies DM01, CS NPPF, CS3, CS5 and CS7 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012) and policies 3.4, 3.5, 7.4 and 7.21 of the of the London Plan (adopted July 2011 and October 2013).
6. The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area despite it having been found financially viable for the development proposed to make such a contribution. The application is therefore unacceptable and contrary to policies DM10, CS NPPF, CS4 and CS15 of the Barnet Local Plan Core Strategy and

Development Management Policies Document (both adopted September 2012), policies 3.12 and 3.13 of the London Plan (adopted July 2011 and October 2013), the Barnet Planning Obligations (adopted April 2013) and Affordable Housing (adopted February 2007 and August 2010) Supplementary Planning Documents and the Mayoral Housing (adopted November 2012) Supplementary Planning Guidance.

7. The application does not include a formal undertaking to secure the delivery of highways works which are necessary to provide the proposal with suitable vehicular access arrangements and mitigate the transport impacts of the development proposed. The works concerned comprise the signalisation of the Friern Barnet Lane and A1000 junction; the formation of a new access from the site on to Oakleigh Road North; and modifications to optimise the A1000, Oakleigh Road North and Totteridge Lane junction, which require the making of a financial contribution. In the absence of an undertaking to secure these highways works and make the associated financial contribution the application is found to be unacceptable and contrary to policies DM17, CS9 and CS15 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012) and policies 6.1 and 6.3 of the London Plan (adopted July 2011 and October 2013).
8. The application seeks, through the parking parameter plan submitted, to deliver an excessive number of parking spaces for the new residential dwellings proposed. Having considered the sites access to public transport facilities, on-street parking stress in the surrounding area, the presence of some on street parking controls in the locale, local population density, the car ownership ratio in the surrounding area and the proximity of the site to the facilities provided in Whetstone Town Centre, it is considered that the level of parking proposed would not result in a sustainable form of development. The proposal is therefore found to be unacceptable and contrary to policies DM17, CS NPPF and CS9 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012) and policies 6.1 and 6.13 of the London Plan (adopted July 2011 and October 2013).
9. The application does not include a formal undertaking to secure the delivery of a Travel Plan for the development proposed, to minimise increases in road traffic from the proposal and encourage the use of sustainable modes of transport, and the provision of the funding needed to monitor and review a Travel Plan of this nature. The application is therefore unacceptable and contrary to policies DM17, CS NPPF, CS9 and CS15 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012); policies 6.1 and 6.3 of the London Plan (adopted July 2011 and October 2013); and the Barnet Planning Obligations (adopted April 2013) Supplementary Planning Document.
10. The application does not include a formal undertaking to secure a financial contribution to the enhancement of bus stop facilities in the

area surrounding the site to ensure that mobility impaired occupiers and users of the development would have suitable access to the bus network. The application is therefore unacceptable and contrary to policies DM17, CS NPPF, CS9 and CS15 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012); and policies 6.1 and 6.7 of the London Plan (adopted July 2011 and October 2013).

11. The application does not include a formal undertaking to secure the making of a financial contribution needed to ensure the delivery of the planning obligations which are necessary for the development to be found acceptable. The application is therefore unacceptable and contrary to policy CS15 of the Barnet Local Plan Core Strategy (adopted September 2012) and the Barnet Planning Obligations (adopted April 2013) Supplementary Planning Document.

Informatives:

The informatives that it is recommended be included on the decision notice for this application are set out in **Appendix 3** of this report.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

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

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

Since the adoption of the London Plan in July 2011 the Mayor has adopted (in October 2013) 'Revised Early Minor Alterations' to this document. These make a number of changes to policies and other text in the 2011 London Plan. A key objective of these changes is to ensure that the London Plan is consistent with the National Planning Policy Framework. They also seek to update the position on affordable housing (to reflect changes to national policy) and make changes to cycle parking standards. The changes to the London Plan as adopted under the 'Revised Early Minor Alterations' have been used as the basis for the assessment of this application.

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

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that that the development proposed would not fulfil them to a satisfactory level. The application has therefore been recommended for refusal on this basis.

The London Plan

The London Plan (2011 and 2013) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.7 (Large Residential Developments); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes); 3.13 (Affordable Housing Thresholds); 3.14 (Existing Housing); 3.16 (Protection and Enhancement of Social Infrastructure); 3.17 (Health and Social Care Facilities); and 3.18 (Education Facilities)

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location of Tall and Large Buildings); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.18 (Protecting Local Open Space and Addressing Local Deficiency); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)
DM06 (Barnet's Heritage and Conservation)
DM07 (Protecting Housing in Barnet)
DM08 (Ensuring a variety of sizes of new homes to meet housing need)
DM10 (Affordable housing contributions)
DM13 (Community and education uses)
DM14 (New and existing employment space)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance (SPG) and documents (SPD) are material to the determination of the application.

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)
Residential Design Guidance (April 2013)
Planning Obligations (April 2013)
Affordable Housing (February 2007 with updates in August 2010)

Strategic Supplementary Planning Documents and Guidance:

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)
Land for Industry and Transport SPG (September 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
Housing (November 2012)

Draft Shaping Neighbourhoods: Character and Context (February 2013)
Draft Sustainable Design and Construction (July 2013)

National Planning Guidance

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and the document includes a 'presumption in favour of sustainable development'.

1.2 Key Relevant Planning History

A full summary of the key planning history of relevance to this proposal is set out in **Appendix 1** of this report. In 2012 it was determined, through a submission requesting a Screen Opinion, that an application for planning permission to redevelop the site (as described in the documents provided with that submission) would not need to be accompanied by an Environmental Statement.

Since the construction of the Sweets Way Estate proposals within the application site area have been mainly of a minor nature and have generally related to alterations to existing buildings. This has included various alterations to existing dwellings and the addition of a side extension to Whetstone Community Centre (171 Sweets Way) in 2006.

There are a number of historic planning consents at properties surrounding the application site which have some degree of relevance to the consideration of the current proposal. These include an application to redevelop the adjoining site at 1230 High Road for mixed use (residential and office) purposes which is currently being implemented; historic applications related to the Lawsons builders merchant at 1208 High Road (adjoining the application site); and applications for developments at the Queenswell School site (adjoining the application site) on Sweets Way.

In the wider area surrounding the application site outline planning permission was granted in 2012 for the redevelopment of land located off the High Road and Chandos Avenue and the Brethren Meeting Hall and Well Grove School. The permission concerned gave outline consent for 70 new dwellings and a 512m² building for purposes falling within Use Class D1. This is therefore a relevant committed development in the Whetstone area. At the time of this report being written applications for mixed use schemes are currently under consideration for both the former BP Garage (1412 to 1420 High Road) and Northway House (1379 High Road) sites in Whetstone.

1.3 Public Consultations and Views Expressed

Public Consultation

1210 local properties and a number of other relevant bodies and elected representatives were consulted on the application by letter and email in July 2013. The application was also advertised on site and in the local press at that time.

Following the submission of revised information a further round of consultation (including letters, emails and site and press notices) was carried out in October 2013. In summary the changes made at this time included:

- Reducing the number of houses proposed by 1.
- Reductions in the maximum height sought for buildings proposed across the site.
- Reductions in the maximum roof pitch proposed for many buildings across the site.
- Increases in the size of the gardens proposed for some of the houses in the scheme.

The revised information also included additional supporting material for the proposal.

The consultation process carried out for this application is considered to have been entirely appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy on the consultation to be carried out for schemes of this nature.

The views expressed on the application are summarised under the headings below. Responses by officers to the points made are provided in the relevant section of the committee report.

Number of Responses from Residents and Businesses

34 responses objecting to the proposal were received from residents and businesses. **4** of these objectors have requested to speak at committee. **1** response supporting the proposal was received from residents and businesses. This supporter did not request to speak at committee. **1** further respondent concluded that they took a neutral stance on the application.

Comments from Residents and Businesses

The comments made in objection to the application are summarised under the headings below.

Highways, transport and Parking:

- Quantity of parking proposed in the development is inadequate.
- Proposal would exacerbate existing parking problems in the area.
- Proposal would be detrimental to highway safety.
- Development would add unacceptably to the vehicles and traffic in the area and exacerbate the existing access and congestion problems in this location.
- Junctions in the area would be adversely affected by the development.
- Surrounding road network does not have capacity for the additional vehicles the development would generate.
- Use of bollards to stop through traffic at the site is inadequate.
- Concerned that a barrier to prevent use of the site by through traffic may not be provided, that they may be asked to pay for the upkeep of the barrier and that adequate systems may not be in place to ensure the correct operation of the barrier.
- Concerned that the roads proposed may not be adopted.
- Sweets Way should have speed controls and pedestrian crossings.

Design and Character:

- Proposal is overly dense and represents an overdevelopment of the site.
- Scale and height of the proposed buildings is excessive.
- Proposal would create an overcrowded and dismal place to live.
- The gardens of the houses proposed are too small.
- The gardens of the houses proposed do not comply with the Council's guidance and this demonstrates that the proposal is an overdevelopment of the site.
- A scheme as cramped as this is not appropriate for the area.
- Proposal is not sympathetic with its context or the surrounding area.
- Proposal would have a detrimental impact on the character of the area.
- Proposal results in the loss of too much existing open space.

Trees:

- Proposed loss of existing mature trees on the site is unacceptable.
- Replacement planting proposed as part of the scheme is inadequate.
- Proposal would hide views of existing trees on the site.

- A significant number of trees are proposed to be felled along boundaries of the site.
- Loss of trees proposed would be detrimental to the amenities of the wider area.
- Proposal would not comply with development plan policy on trees.
- Many large branches fell down in the last storm and these would be a hazard if the site were filled with buildings. The existing large trees on the site should be replaced with smaller trees.

Amenities of neighbouring occupiers and users:

- Development would cause unacceptable loss of light.
- Development would cause unacceptable overlooking and loss of privacy.
- Proposal would be detrimental to their safety and security.
- Proposal would cause unacceptable noise and disturbance.
- Proposal results in the loss of too much open space on the site.
- Proposed use of air source heat pumps is unacceptable as they are noisy and unsightly (and they have low efficiency in cold weather, use large quantities of electricity and are expensive to run).
- Proposal would impact upon their parking facilities.
- Proposal would increase air pollution in the area.
- Building works the development would result in would impact on their amenities.
- New community centre would be detrimental to their amenities.

Comments from Lawsons Timber Merchants:

- Layout of the site at present is compatible with their business, but the proposed layout would bring them into potential conflict with the future occupiers of the new dwellings.
- The adjacent tree buffer within Sweets Way should be retained in its entirety.
- New housing nearest them should be no more than two storeys high, reduced in density and set back a minimum of 14m from their boundary. It would also be advisable for an acoustic barrier to be installed.
- Garden depths and back to back distances between houses are substandard in parts of the site as proposed.
- Consideration should be given to a future redevelopment of their site involving a timber business on the ground floor with residential uses above.

Other objections:

- Support the grounds of objection raised by the Friern Barnet and Whetstone Residents Association (summarised below).
- Development does not provide the infrastructure and facilities (including education and health facilities) needed to support the people it would bring into the area.
- That consideration should be given to other developments in the surrounding area when determining the application.
- Object to the loss of the existing housing and the impact of this on the people who occupy them. Consideration should be given to retaining and improving much of the site and redeveloping a smaller part of the land including the community centre and adjacent areas.

- Consideration should be given to extending the school adjacent the site given the shortage of school places in the area and the demand the development would generate.
- Community centre proposed is unsatisfactory.
- The schemes impact on biodiversity, including nesting birds and endangered bird species, is unacceptable.
- That there are many large trees on the site and that this is in direct contradiction to the use of solar or photovoltaic panels on the development.
- If approved the site should be sold and developed as a whole (not sold off in smaller parts) and the planning permission should not be allowed to change at a later date.
- Proposal may impact on their buildings foundations.
- Living rooms in the proposed dwellings may be turned into bedrooms.
- That their previous objections have not been addressed.

Comments from Elected Representatives

The Rt. Hon. Mrs Theresa Villiers MP:

Requested that the representations made by the Barrydene Phase 11 Residents Association, objecting to the proposal (summarised below), be carefully considered and taken into account before a decision on the application is made.

Has also stated that she shares their concerns about loss of the trees and open spaces at the site and tends to agree with their views in respect of overdevelopment, parking, overlooking and lack of privacy. Believes more could be done to reduce the density of dwellings.

Councillor Brian Coleman:

Supports the application and **requests to speak at committee** as a Ward Member. The application was called in for determination at committee by Councillor Coleman.

Considers that the revised plans are acceptable and have taken on board many of the concerns that he and some local residents had with the original plans. Also identifies that residents of Friern Barnet Lane have raised the issue of removing trees close to their boundaries with him and notes that Barnet's Tree Officer will be providing comments on this.

Comments from Local Associations and Societies

Friern Barnet and Whetstone Residents Association:

Object to the application and **request to speak at committee**. In summary the concerns raised comprise that:

- The proposal would not be compliant with national planning policy and the local development plan.
- The two blocks of flats proposed fronting on to Oakleigh Road North (blocks A and B) would result in an overdevelopment of the site (by reason of their appearance, scale, mass and height); be out of context in the street scene; be excessively obtrusive; result in an unacceptable loss of trees; and reduce the size of open area fronting onto Oakleigh Road North to the detriment of the street scene.

- The block of flats proposed in the north-west corner of the site (block C) would result in an overdevelopment of the site (by reason of its appearance, scale, mass and height); and not relate to the scale of houses proposed to the east and south of the block nor to the existing flats to the north of the block.
- Blocks B and C proposed are a gross overdevelopment of the site and have an excessive density.
- In respect of highways matters are concerned about the incremental effect on the road network from users of the proposed parking spaces; the treatment of the Sweets Way / Friern Barnet Lane junction; the parking implications of school traffic; and the treatment of the High Road Friern Barnet Lane junction and how it will impact upon the High Road (A1000) /Totteridge Lane / Oakleigh Road North junction which is understood to be operating very close to capacity.
- The traffic impact studies carried out should embrace the traffic implications of approved and submitted applications in the locality.
- The infrastructure implications of the proposal, including impacts on school and health provision, may not be adequately addressed by the Community Infrastructure Levy charged on the development.

Barrydene Phase 11 Residents Association:

Have submitted a letter with **13** signatures objecting to the application. In summary the concerns raised comprise that:

- The site is being overdeveloped, the proposal does not represent good planning and the result of the development would be a modern day slum.
- Some dwellings are too close to each other and will lack privacy.
- The density of the area is about 30 dwellings per hectare and this plan would increase this by 50% to 45 dwellings per hectare.
- The flats proposed are too high, especially the block at the centre of the development. Four storeys is the tallest the flats should be allowed to rise to.
- The flats would cause gross overlooking, overshadowing and loss of privacy.
- The type of dwelling proposed does not meet with local needs.
- Parking provided for cars is inadequate and the spaces not within properties curtilages will be untidy and an eyesore.
- Traffic would increase with a significant effect on the roads.
- Believe that 60 trees have been felled to avoid subsequent conflicts or to facilitate the development and that in total 145 trees would be felled as part of the proposals. This will be a great loss to the public.
- No green space of any size is provided.
- That no plans are in place to provide additional school facilities to support the new residents.
- It is probable that medical attendance will suffer with the large increase in population.

Totteridge Residents' Association:

Consider that the amended application has addressed their concerns and that the proposal is now acceptable.

Finchley Society:

Object to the application and support the comments made by the Friern

Barnet and Whetstone Residents Association (summarised above). Also raise concern:

- That the proposal is a gross overdevelopment of this suburban site.
- About the impact of the proposal on traffic and local resources.
- That consultation on the application should have been wider.
- That account should be taken of other proposals in the surrounding area when deciding the application, particularly in respect of traffic.
- That the proposal would be detrimental to highway safety.
- That the proposal should provide more green space for its residents.
- That pressure for school places in the area may make people travel further and increase traffic.

Consultation Responses from Statutory Consultees and Other Bodies

Greater London Authority (GLA):

The stage 1 response (dated 21 August 2013) from the GLA finds that the application does not comply with the London Plan. The conclusions section of the GLA stage 1 report on the application makes the following points:

Housing mix: Overall the housing unit size and type mix is supported but as the proposals are for an outline application and the reserved matters application will not be referred to The Mayor, the applicant should accept that the stated number of residential units, mix and type proposed in its proposals are secured by condition.

Affordable housing: The development proposals include no affordable housing and this is supported by the applicant's housing viability assessment. Barnet Council are having the affordability assessment independently reviewed. In this instance it is requested that the viability assessment review be made available to GLA officers and that its findings further discussed with Barnet Council and the applicant.

Community facilities: The applicant should provide more detail of the size and quality of facility to be provided and details of consultation on the type of facility that will be required to meet local needs. The commitment to provide a community facility and the size of building and other qualitative aspects of its design together with use and ownership should be secured within the s106 agreement.

Play space provision: The indicative layouts of play spaces is welcome, the defined locations and sizes of space and minimum quality of facilities should be secured by condition.

Urban design: The overall design layout concept is acceptable however the applicant should provide additional assurance in the securing of urban design and housing design quality through additional design coding; specifically specimen parameter and sketch layouts of each of the housing types proposed.

Access: The applicant should provide additional detail on how the development will integrate inclusive design principles and further information is required on how easy access is provided throughout the development and at all crossing and transition points and proposed

linkages; the number and locations of blue parking spaces should be identified; the applicant commitment that 100% of all new homes will meet the Lifetime Homes Standards and that 10% of homes will be designed to be wheel chair accessible should be secured by condition; additional examples of typical wheelchair residential units should be provided.

Climate change mitigation/energy: The applicant should provide further detail on how the demand for cooling will be minimised; investigation should be made into whether there are any existing or planned district heating networks; the applicant all apartments should consider connect to a site heat network supplied from a single energy centre. A drawing showing the route of the heat network linking all buildings on the site and the location and floor area of the energy centre should be provided; the applicant should indicate which renewable energy option will be taken and provide layout drawings showing the distribution of roof mounted solar PV and/or solar thermal panels throughout the proposed development so that compliance with Policy 5.2 of the London Plan can be determined.

Transport: The applicant should respond to main issues raised in relation to the scheme in particular information on existing use, car parking, junction modelling, and highway accesses will need to be resolved before the application can be considered in line with the transport policies set out within the London Plan (2011).”

The response from the GLA is discussed in greater detail in the relevant parts of this report.

Transport for London (TfL):

Have responded to the consultation and objected to the application on the grounds that the level of parking sought is well in excess of that which is permissible under London Plan policy 6.13. TfL have confirmed that in other regards they find the proposal acceptable subject to the imposition of suitable planning obligations and conditions. The comments from TfL are discussed in greater detail in the relevant sections of this report.

Metropolitan Police Service:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent.

London Fire and Emergency Planning Authority:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent.

Environment Agency:

Have responded to the consultation and have confirmed that they do not have any objections to the proposal subject to the imposition of five conditions. The conditions specified seek to prevent increased risk of flooding, protect water and groundwater quality and to improve habitat and amenity.

Thames Water:

Thames Water have responded to the consultation and not raised any objections to the proposal.

Natural England:

Have responded to the consultation and have not raised any objections to the proposal. Natural England have identified that the application may provide opportunities to incorporate design features which are beneficial to wildlife and has also stated that the Council should consider securing measures to enhance the biodiversity of the site if it is minded to grant permission for the application.

English Heritage Archaeology:

Have responded to the consultation and have not raised any objections to the proposal. They have also recommended that any requirement for an assessment of the archaeological interest of the site be waived in this instance.

Highways Agency:

Have responded to the consultation and confirmed that they have no objections to the proposal.

Network Rail:

Have responded to the consultation and confirmed that they have no observations to make on the application.

National Grid:

Have responded and identified that National Grid apparatus is located within the vicinity of the site. Have not requested that conditions are placed on any consent which may be granted.

Internal consultation responses**Traffic and Development Team:**

The Traffic and Development Team have objected to the application and recommended that it is refused planning permission. In summary they find that the proposal would provide an excessive level of parking for a scheme of this nature in this location. The proposal is also found to be unacceptable in the absence of planning obligations to secure necessary transport related objectives and infrastructure. Transport, parking and highways matters are set out in greater detail in the relevant sections of the report.

Environmental Health Service:

The Environmental Health Service response is set out in greater detail in the relevant sections of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions in respect of air quality, contaminated land and noise matters they would not raise any objections to the application.

Trees Team:

The Trees Team have objected to the application and recommended that it is refused planning permission. In summary they find that the tree related impacts of the proposal are unacceptable and the mitigation proposed in this regard is inadequate. Tree matters are set out in greater detail in the relevant sections of the report below.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site covers an area of land approximately 6.7 hectares in size situated to the east of the High Road (A1000) in the Totteridge Ward. Whetstone Town Centre is located to the north-west of the site. Oakleigh Road North is situated to the north of the site and Friern Barnet Lane is positioned to the south and south-west of the land. To the east of the site Sweets Way connects through to Domville Close, Millson Close, Attfield Close and Darcy Close. Greenside Close is located to the south of the site and the Queenswell primary schools are situated to the east and south-east of the site (accessed off Sweets Way). Totteridge and Whetstone Underground Station (on the Northern Line) is located to the north-west of the land covered by the application.

The site presently contains 150 dwellings (Use Class C3). These are mainly two storey buildings with mono-pitched roofs which were constructed for the Ministry of Defence (MoD) in the 1970's for members of the armed forces. Typically these buildings are laid out on the site in clusters of terraces with inward facing entrances and back gardens that face the street. The submission identifies that this housing is no longer needed by the MoD and that for the last 3-4 years it has been occupied through assured shorthold tenancies to tenants of the Notting Hill Housing Trust. 4 pairs of two storey semi-detached houses with pitched roofs which front onto Oakleigh Road North also form part of the site. The application documents state that these have been let to MoD occupants.

The Design and Access Statement submitted with the application states that "at the northern end of the site behind Oakleigh Road North there are existing multi-functional community building and two office spaces". The application form accompanying the submission identifies that the site contains buildings in non-residential uses containing 289m² of community floorspace falling under Use Class D1. However, no office space is identified on the application form. Observations on site have found that there is a community building located in the north-east corner of the land to which the application relates. This was in use as a Sure Start Children's Centre. Two other smaller non-residential buildings are located on the site to the south and west of the community building.

Vehicular and pedestrian access to the site is available from Sweets Way. To the west this joins Friern Barnet Lane and to the east it links into the Queenswell school sites. Vehicular and pedestrian access is also possible from the site into Domville Close and the roads which run off of this. However, these streets do not link into the wider surrounding road network. There are also three solely pedestrian access routes into the site from Oakleigh Road North, the High Road and Sweets Way. The submission identifies that the site presently has 300 parking spaces within it. Currently there are no parking controls in place on the site. The majority of the land within the site has a Public Transport Accessibility Level (PTAL) of 3, which represents a medium level accessibility. Part of the north-west corner of the site has a PTAL of 4.

In terms of landscaping the application site contains over 200 trees and also areas of grassland, shrubs, hedging, hard landscaped surface and private rear gardens (to the existing houses). The trees on the site are covered by a Tree Preservation Order (Reference Number TRE/BA/86). To the south of the community building (north- east part of the site) there is an area of land which contains play equipment.

The area surrounding the application site varies significantly in its character, both in terms of the scale of the built form and the use of the buildings and their surrounding spaces. The roads accessed from Sweets Way to the east of the site contain two storeys houses with pitched roofs. Houses are also located in other areas surrounding the site including in parts of Whetstone Close, the southern side of Sweets Way, the southern side of Oakleigh Road North and parts of Friern Barnet Lane. The properties in the High Road adjoining the site and also those located at the western end of Oakleigh Road North contain a range of uses including a builder's yard, offices, bank, medical practice and a postal sorting office. The scale and height of the existing buildings in this location is very varied. The Council has also recently granted planning permission for a 6 storey mixed use building on the High Road (at number 1230) with a significant residential component. This is being constructed at the time of writing this report. Further to the east, on the north side of Oakleigh Road North and on Oakleigh Park North, uses include blocks of flats, houses and a Church. Some of the blocks of flats in this location comprise substantial buildings, up to six storeys in height, positioned in significant landscaped settings.

2.2 Description of the Proposed Development

The description of development identifies that outline planning permission is sought for the:

- Demolition of all the existing buildings on the site.
- Construction of up to 189 houses (all Use Class C3).
- Construction of up to 171 flats (all Use Class C3).
- Construction of a new community building (Use Class D1) providing up to 292m² of floorspace.
- Formation of access from Sweets Way and Oakleigh Road North.

Parameter Plans and Other Submission Documents

All matters other than access into and within the site (so including layout, landscaping, scale and appearance) are reserved for subsequent determination under the application made. In light of this the application is seeking to establish a series of parameters and principles for future reserved matters applications through the use of parameter plans. These parameter plans would form a key basis of and control over any detailed development proposed for the site in subsequent reserved matters applications (should the application be granted outline consent).

The parameter plans are intended to be read in conjunction with other parts of the submission documents. These are set out in further detail below and they include 'Design Guidelines' provided as an appendix to the Design and Access Statement.

The parameter plans submitted cover the following matters:

Site Layout Parameter Plan (874-011B):

This plan defines the position of buildings, spaces, roads, footpaths and access points across the site as proposed.

Maximum Storey Heights Parameter Plan (874-012C):

This plan defines the maximum storey heights sought for all buildings proposed across the site. It also provides details of the maximum eaves and ridge height figures and maximum roof pitch angles for the different types and storey heights of building proposed.

Housing Mix Parameter Plan (874-013B):

This plan defines the buildings within the site as proposed which will be would be developed as houses and those which would be developed as flats. It also identifies maximum total proposed floorspace (Gross Internal Area) figures for the houses and flats.

Parking Parameter Plan (874-014E):

This plan defines a number of parking related parameters for the application. These include the number and location of the car parking spaces proposed for the houses (including spaces which could be upgraded to disabled standard spaces); the number and location of the above ground and basement level car parking spaces proposed for the flats (including spaces which could be upgraded to disabled standard spaces); the number and location of car club spaces proposed; and the zones within the basement parking areas of the flats which would be used to provide cycle parking.

Landscape Parameter Plan (2205-LA-01 Revision D):

This plan sets out a number of landscaping related parameters for the development. These include existing trees proposed for retention; areas of communal space for the flats; areas of proposed public open space (including those with equipped play areas); areas of shared surface; and areas proposed for incidental play. The plan also identifies the roads within the proposal which would be landscaped with tree and shrub planting.

The cover letter from PPML Consulting (dated 28th June 2013) which accompanied the submission states that consent is also sought for the access and highways works shown in plan numbers VN40291-DG-0005 and VN40291-DG-0006 in the Transport Assessment submitted with the application.

In addition to the parameter plans and the plans in the Transport Assessment submitted for approval the application is supported by a number of other documents which seek to explain and assess the proposals in further detail and indicate how subsequent detailed applications for the proposal might come forward. These documents are set out in **Appendix 3** (informative 3) of this report. They are also referred to in the sections of the committee report which appraise the proposals where relevant.

A brief description of key elements of the development proposed is set out below. The relevant sections of the report discuss aspects of the proposal in greater detail where this is appropriate.

Key elements of the proposed development

In general terms the development proposed is laid out so as to create a primary route running north from Sweets Way which terminates with a block of flats up to five storeys in height. Secondary streets (mainly running broadly east to west) would stem off from this route, including a road which veers north-east to connect through to Oakleigh Road North. For clarity a plan showing the layout of the proposed development is included in **Appendix 2** of this report. The layout of the development is based on the principles of 'perimeter block development', with the buildings proposed facing onto the streets and having areas of communal and private amenity space to their rear across much of the land. Areas of new public open space are then positioned in several locations across the site. While this is an outline application, as access is not a reserved matter and a Site Layout Parameter Plan has been submitted for approval, the position of roads and buildings within the site would have been accepted if outline planning permission were to be granted for the development on the basis of the submission made.

The majority of the flats proposed are located on the northern parts of the site (the exception to this are two 'flats over garage' structures proposed). Two of the blocks of flats proposed would front onto Oakleigh Road North and a further block of flats would be located on the north-west corner of the site. The flats proposed would be in buildings ranging between two and five storeys in height (with a roof structure above this). Each of the three blocks would have an area of communal amenity space for its occupiers.

The houses proposed are spread throughout the site and would include terraced, semi-detached and detached dwellings. The houses proposed range between two and three storeys in height (with a further roof structure above). A significant proportion of the houses would be two and a half storeys tall and have a top (third) level of accommodation partially within the roof of building. The Maximum Storey Heights Parameter Plan submitted indicates that many of the houses proposed could have single storey projections from the main building. Each of the houses proposed would have a private garden as amenity space.

Points of vehicular (and pedestrian) ingress and egress for the site would be provided from Oakleigh Road North (to the north) and Sweets Way (to the south). Vehicular (and pedestrian) access would also be possible to the east of the site at Domville Close. Separate solely pedestrian access routes would be provided from the site through to Oakleigh Road North, the High Road and Sweets Way.

The Parking Parameter Plan submitted identifies that the scheme would provide a total of 572 car parking spaces. 336 of these would be provided as parking for the houses proposed. 234 of the car parking spaces would be provided for the flats proposed, with 151 of these delivered at a basement level beneath two of the buildings containing flats. The car parking for the scheme also includes 2 car club parking spaces. 62 of the total car parking spaces proposed are identified as being capable of being upgraded to a disabled parking space standard. Areas are identified (at a basement level) on the parameter plan for cycle storage associated with the flats.

In terms of the mix of dwelling types proposed, the description of development identifies that the application is seeking consent for up to 189 houses and up to 171 flats (all Use Class C3). The Housing Mix Parameter Plan also identifies separate maximum amounts of floorspace which could be constructed under the scheme for houses and flats (22085m² and 12069m² respectively). Supplementary 'advice' in the Design and Access Statement Addendum sets out the following potential mix of dwelling types:

Houses:

- 25 x three bedroom four person houses
- 61 x three bedroom five person houses
- 45 x four bedroom six person houses
- 39 x four bedroom seven person houses
- 19 x five bedroom eight person houses

Flats:

- 44 x one bedroom two person flats
- 36 x two bedroom three person flats
- 81 x two bedroom four person flats
- 10 x three bedroom five person flats

This dwelling mix (or a similar version of it found in the original submission) is referred to in several parts of the application documents. These documents use the dwelling mix identified as a basis to evaluate the submission in various regards.

The application does not seek to provide any of the dwellings proposed as affordable housing. This position is advanced by the applicant on the grounds that it is not financially viable.

The community (Use Class D1) building proposed under the application would be a single storey structure with a pitched roof located in the south-east part of the site. The description of development and application form submitted identify that this building could have a floorspace of up to 292m². However, the Maximum Storey Heights Parameter Plan submitted suggests that the community building would have a maximum gross floor area of 162m².

The areas surrounding the proposed buildings would contain a mixture of hard and soft landscaping. The supporting material which accompanies the application identifies that the scheme would include the planting of 170 new trees. The landscaped areas within the site would also include swale and dry pond features, these form part of the drainage strategy for the development.

The Arboricultural Impact Assessment Report (AIA) submitted with the scheme assesses the impact of the proposed development on 230 trees in and around the application site. Using the approach set out in national guidance on this matter (British Standard 5837:2012) 1 of the assessed trees falls into category A; 126 fall into category B; 40 fall into category B/c; 59 fall into category C; and 4 are assessed as category U. The AIA identifies that the principle primary impact of the scheme would be the felling of 145 of the assessed trees. This includes the loss of 118 of the 166 category B and B/c trees. The AIA also notes that there would be impacts on a further 30 existing trees.

3. PLANNING CONSIDERATIONS

3.1 Principle of redeveloping the site

Principle of redeveloping the existing housing at the site

London Plan policy 3.14 identifies that the loss of existing housing should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace. Policy 3.3 of the London Plan recognises the pressing need for more homes in London and seeks to increase housing supply in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford.

Barnet Local Plan documents also recognise the need to increase housing supply. For areas such as the application site, which comprise suburbs not identified as locations to which growth will be focused, policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

As is set out in subsequent sections of this report in greater detail there are serious concerns that several aspects of the development put forward are unacceptable and in conflict with the relevant development plan policies and guidance. However, the broad principle of redeveloping the existing 150 dwellings at the site to provide new housing at a higher density and with a greater level of residential floorspace than exists at present is considered to be acceptable, subject to an application being found adequate in other relevant regards.

Matters relating to the density of residential development proposed are addressed separately below.

Principle of redeveloping the existing non-residential uses at the site and providing a new community building

The application form submitted identifies that the site contains 289m² of floorspace (gross internal) for purposes falling within Class D1 of the Use Class Order which would be lost through the development proposed. Page 15 of the Design and Access Statement submitted with the application identifies that “at the northern end of the site behind Oakleigh Road North there are existing multi-functional community building and two office spaces”. However, no office space is identified on the application form.

Observations on site have found that there is a community building located in the north-east corner of the land to which the application relates. This was in use as a Sure Start Children’s Centre. Two other smaller non-residential buildings are located to the south and west of the community building. The lawful use of these two buildings is unclear. Observations indicate that they are used for office and storage related purposes. However, the building to the south of the community building is identified as a ‘Pavilion’ on the site location plan submitted with the application.

The application form submitted states that the proposal includes the provision of 292m² of new floorspace (gross internal) for purposes falling within Class D1. The description of development for the application states that the application includes “a community building (Use Class D1) providing up to 292m² of floorspace”. The parameter plans submitted for approval show a new community building delivered in a single storey structure located in the south-east corner of the application site. More specifically, under the heading “Community Building” the Maximum Storey Heights Parameter Plan submitted states that the “Maximum gross floor area = 162m²”. Scaling off the parameter plans provided it would appear that the maximum floorspace the parameters sought for the new community building could actually deliver on a ground floor level are approximately 162m². However, while the plans do not actually identify this (and show the building to be single storey) it would seem likely that further floorspace could be provided in the roof structure of the building within the parameters sought.

Policy DM13 of the Barnet Development Management Policies document makes it clear that the loss of community uses will only be acceptable in exceptional circumstances where either:

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

In this instance no marketing information on the existing facility has been provided and it is understood that it is occupied as a Sure Start Centre.

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

The lack of full clarity over the proposed Class D1 floorspace at the site (and the other existing non-residential uses on the land) is acknowledged to be a negative aspect of the submission put forward. However, a new D1 facility has been proposed and it is considered that if it were suitably controlled the new community building could offer a superior quality of facility to that which is currently on the site. It would also seem likely that a D1 facility with a similar level of floorspace to that in the current community building could be delivered under the parameters sought.

On balance, it is accepted that the proposal, as could be controlled through the use of suitable conditions or a planning obligation, is not in conflict with development plan policy and is adequate in this regard. The controls on the community building envisaged would include matters such as the delivery of the facility at an appropriate phase of the wider sites development; the design of the building (including the level of floorspace delivered); and the management and operation of the new facility (for example covering matters such as hours of opening; pricing policy for users; access, availability and management arrangements; and a mechanism for reviewing the management

and operation of the facility). Such controls would also ensure that the use of this facility was not detrimental to the amenities of neighbouring properties.

The concerns raised by the GLA in respect of community facilities at the site (see section 1.3 of this report) are noted and officers would agree that the lack of detail in some of the areas raised by the GLA in this regard is not a positive aspect of the application. However, for the reasons set out above, on balance, officers consider that a refusal of the application on this basis would not be justified in this instance.

3.2 Dwelling mix

Development plan policies require proposals to provide an appropriate range of housing sizes and types. The council's Local Plan documents (Core Strategy and Development Management Policies) identify 3 and 4 bedroom units as the highest priority types of market housing (which is all that has been proposed) for the borough.

The indicative mix of dwelling types submitted for the buildings across the site is as follows:

Houses (up to 189 houses in total):

- 25 x three bedroom four person houses
- 61 x three bedroom five person houses
- 45 x four bedroom six person houses
- 39 x four bedroom seven person houses
- 19 x five bedroom eight person houses

Flats (up to 171 flats in total):

- 44 x one bedroom two person flats
- 36 x two bedroom three person flats
- 81 x two bedroom four person flats
- 10 x three bedroom five person flats

The indicative dwelling mix set out in the submission is considered to include an adequate range of dwelling sizes and types. A scheme with this mix would contain a suitable proportion of the highest priority types of market housing for the borough and officers recognise that this is a positive element of the proposal.

The GLA Stage 1 response requests that the stated number, mix and type of unit proposed are fixed by condition at the outline stage, as subsequent reserved matters applications would not be referred to the Mayor. This point is acknowledged. However, it is considered that it would not be unreasonable that a developer may want to vary the final dwelling mix to some degree (albeit changes would be expected to be relatively small) at a later date with a scheme of this nature. As such it is felt that it would be more appropriate in this instance to impose conditions requiring full details of the dwelling mix for the site to be provided in advance of the submission of any reserved matters applications (were the application not found to be unacceptable). This would provide an appropriate level of flexibility for a developer, while also ensuring that a policy compliant dwelling mix was delivered. A requirement for consultation with the GLA would be included in the wording of such a condition to ensure full account was taken of any views they may have.

Conditions would also have been used to ensure the scheme did not exceed the maximum number of houses, flats and total units sought (the potential controls set out below on phasing and the habitable rooms and floorspace delivered would also be relevant).

While the application is found to be unacceptable in other regards, it is considered that the development, as could be controlled through the use of appropriate conditions, would be compliant with the objectives of development plan policy on dwelling mix.

Matters relating to affordable housing are addressed entirely separately in section 3.7 of this report.

3.3 Density of development

London Plan policy 3.4 seeks to optimise the housing output of sites taking into account local context and character, the design principles in chapter 7 of the London Plan and public transport capacity. Developments should optimise housing output for different types of location within the relevant density range shown in Table 3.2 (set out below). Development proposals which compromise this policy should be resisted.

Table 3.2 Sustainable residential quality (SRQ) density matrix (habitable rooms and dwellings per hectare)

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150-200 hr/ha	150-250 hr/ha	200-350 hr/ha
3.8-4.6 hr/unit	35-55 u/ha	35-65 u/ha	45-90 u/ha
3.1-3.7 hr/unit	40-65 u/ha	40-80 u/ha	55-115 u/ha
2.7-3.0 hr/unit	50-75 u/ha	50-95 u/ha	70-130 u/ha
Urban	150-250 hr/ha	200-450 hr/ha	200-700 hr/ha
3.8-4.6 hr/unit	35-65 u/ha	45-120 u/ha	45-185 u/ha
3.1-3.7 hr/unit	40-80 u/ha	55-145 u/ha	55-225 u/ha
2.7-3.0 hr/unit	50-95 u/ha	70-170 u/ha	70-260 u/ha
Central	150-300 hr/ha	300-650 hr/ha	650-1100 hr/ha
3.8-4.6 hr/unit	35-80 u/ha	65-170 u/ha	140-290 u/ha
3.1-3.7 hr/unit	40-100 u/ha	80-210 u/ha	175-355 u/ha
2.7-3.0 hr/unit	50-110 u/hr	100-240 u/ha	215-405 u/ha

The application site has an overall PTAL of 3 (a small part of the north-west corner of the site has a PTAL of 4). In terms of its 'setting' the site is considered to have predominantly suburban characteristics. Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 35 and 95 units per hectare or 150 to 250 habitable rooms per hectare (see table above) is appropriate for the site.

As the site has an area of 6.7ha the 360 dwellings proposed would equate to a density of approximately 54 dwellings per hectare. The proposal therefore falls within the relevant density range in respect of the number of units per hectare proposed. The supplementary information submitted with the application identifies that the proposal would include a total of 1664 habitable rooms. On this basis the scheme would have a density of 248 habitable rooms per hectare. This suggests that the proposal would fall within the relevant density range in respect of the number habitable rooms proposed.

While it is acknowledged that the proposal falls within the relevant density ranges using Table 3.2 in the London Plan, it also needs to be recognised that the ranges specified in Table 3.2 are broad and that the number of habitable rooms proposed in the application is at the top end of what could be considered appropriate for this site using Table 3.2. As the GLA stage 1 response indicates, densities this high are only appropriate where a high quality design is proposed. This approach is also supported by the adopted Mayoral SPG 'Housing'. As other sections of this report set out in greater detail, there are a number of serious concerns with the design of the development proposed in the application. While this is an outline application these concerns relate to matters which the Local Planning Authority would have accepted under the parameter plans submitted for approval (if outline consent was granted). In light of this position officers are unable to conclude that the submission has demonstrated that the density of development proposed is acceptable or compliant with development plan policy.

It would appear from the submission that some of the buildings proposed could, when constructed within the maximum parameters sought for approval, deliver more floorspace than the supporting material submitted with the application indicates they would. This could raise a number of potential issues in respect of the proposals ability to comply with certain relevant design standards, for example amenity space standards (and potentially exacerbate issues raised elsewhere in this report).

In terms of potential controls (this is entirely theoretical as the density proposed is not found to be acceptable) over the quantum and density of development across the site, the information submitted with the application includes details of the:

1. Maximum numbers of houses and flats proposed.
2. Maximum amounts of floorspace for the houses and flats proposed.
3. Total number of habitable rooms for the houses and flats proposed.
4. Buildings within the site which would be houses and those which would be flats.

The application provides this level of detail for 6 'Character Areas' (defined in a plan on page 99 of the Design and Access Statement), which collectively make up the site as proposed. It also gives a floor space figure and number of habitable rooms for each of the individual dwelling types proposed in the scheme. The applicant has advanced that between the site wide information provided and the breakdown of this information for the 6 Character Areas there is sufficient scope for the Local Planning Authority to control development across the site. This would include being able to ensure that the site wide quantum's of new dwellings, floorspace or habitable rooms were not 'used-up' on only part of the site and then further development proposed on a remaining part of the site.

While the application is found to be unacceptable and not compliant with development plan policy, officers acknowledge that in principle the provision of the level of information identified above offers the theoretical scope to control the quantum of a development at the site to a sufficient degree. Examples of the types of controls that could be applied with this level of

information include the use of planning conditions on the phasing of development and to set limits on the total unit numbers of houses and flats, amounts of floorspace for houses and flats and habitable rooms for the houses and flats delivered at the site as a whole and in each of the Character Areas defined in the application. Controls could also be used to ensure that the range of individual dwelling types identified in the supporting material for use in the proposed redevelopment was reflected in the reserved matters which came forward and that the individual units concerned did not exceed the number of habitable rooms or total floorspace identified (for that unit type).

It should be noted that while the applicant has suggested that only floorspace within the roof of the new buildings above a ceiling height of 1500mm can actually 'count' as floorspace, any limitation on floorspace in the proposed buildings imposed as part of the conditions envisaged in the above paragraph would relate to floorspace below a ceiling height of 1500mm.

3.4 Standard of accommodation provided and amenities of future occupiers of the proposed dwellings

Local Plan policies require high quality design in all new development which creates attractive places that 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 achieve accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

The council has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance) providing more detailed guidance on a range of matters related to creating new dwellings that have adequate amenities for their future occupiers. The Mayor has also adopted SPG's (entitled Housing and Shaping Neighbourhoods: Play and Informal Recreation) providing detailed guidance on issue related to designing new housing to achieve acceptable amenities for its future occupiers.

Dwelling size

The London Plan, the associated Mayoral SPG document 'Housing' and the Barnet Local Plan identify a minimum gross internal floor area for different types of dwelling. As this is an outline application the applicant has not committed to specific floor area figures for each of the different dwellings proposed at this stage. However, details provided in the supporting material submitted show acceptable dwelling sizes for each of the different types of residential unit identified. Were the scheme not found to be unacceptable in

other regards, conditions could be used to ensure that all new dwellings proposed at a reserved matter stage were required to meet the relevant minimum gross floor area for a unit of that type. With such controls the development would be adequate in this respect.

Dwelling outlook

Development plan policy requires that new dwellings are provided with adequate outlook. As the application is for outline planning permission with all matters other than access reserved the submission does not include detail on the internal layout of the dwellings sought or the position of windows and other openings in the buildings proposed. However, with the parameters sought for consent the position, use and maximum storey heights of the buildings proposed across the site are known.

Officers acknowledge that there are parts of the development where the layout of buildings and spaces shown in the parameter plans could result in potentially awkward and overbearing relationships within the site. Examples of this include a block of five storey flats sited directly adjacent a two storey house (in the north-west corner of the site) and relatively narrow streets with comparatively large scale buildings (three and two and a half storeys plus roof) located along their length (on the southern part of the site). As other sections of the report identify this approach to the site layout raises other design concerns. However, in terms of dwelling outlook specifically, on balance it is not considered that that the impacts of this on the amenities of the future occupiers, as could be controlled through the reserved matters process, is so great as to justify a refusal of planning permission. The application is therefore found to be adequate in this regard.

External amenity space provision

Private outdoor space for proposed flats:

Mayoral guidance on the provision of private open space in the Housing SPG sets out that new 1 and 2 person dwellings should be provided with a minimum of 5m² of private outdoor space, with an extra 1m² of private open space provided for each additional bed space proposed. Private external spaces should also have a minimum width and depth of 1500mm and level access from the home.

As the application is for outline planning permission with all matters other than access reserved, full details have not been provided on issues such as the design of private open space for each of the flats. However, the submission does include supplementary advice which indicatively shows a potential design approach to the inclusion of private open space for many of the flats proposed.

While it is not possible to fully assess the indicative approach to the provision of private open space shown in the supplementary advice at this stage (and this is not necessary as it is only shown for indicative purposes), officers consider that a design solution to provide each flat with a suitable area of private open space is possible. In some cases this may need to be delivered with a different solution to that shown indicatively in the submission and this may include different design approaches, such as the use of a winter garden to mitigate potential noise or air quality issues on certain parts of the site.

If the application were not found to be unacceptable in other regards conditions would be used to ensure that each flat proposed had a private outdoor space (balcony, terrace or winter garden) of a suitable design. Subject to such conditions the application would be acceptable in this respect.

External amenity space (private and communal) for proposed flats:

Using the Barnet standard of providing 5m² of usable external amenity space per habitable room (including kitchens over 13m² and with rooms over 20m² counting as two rooms) for flats, the development would be required to provide 2850m² of usable private and communal amenity space for the flats proposed for them to comply with guidance set out in the Barnet Sustainable Design and Construction SPD. This figure is based on the total number of habitable rooms for flats (570) identified in the submission.

While layout and landscaping are reserved matters under the application the submission is accompanied by a parameter plan (for which approval is sought) that identifies areas of potential amenity space within the proposed development. Although it is not entirely clear that all of the areas identified in this way on the parameter plan are truly usable amenity space in the sense intended in Barnet's guidance, officers are satisfied that the development could provide sufficient areas of usable private and communal amenity space for the flats proposed to meet the standards set out in Barnet's Sustainable Design and Construction SPD. If the application were not found to be unacceptable in other regards conditions would have been used to ensure that sufficient amenity space was delivered for the flats proposed (using the Barnet approach to calculating amenity space) at the reserved matters stage. Subject to such conditions the application would be acceptable in this regard.

Private external amenity space for proposed houses:

Barnet's Sustainable Design and Construction SPD identifies that for houses external amenity space should be provided in the form of individual rear gardens. The guidance also sets requirements for the size of outdoor amenity space that should be provided for houses. This varies depending on the number of habitable rooms in the house concerned. For the types of house identified in the submission made the requirements are as follows:

- Five habitable rooms: 55m² of space
- Six habitable rooms: 70m² of space
- Seven or more habitable rooms: 85m² of space

In their stage 1 response the GLA identified the private amenity space available for some of the houses proposed as an area where additional design quality needs to be demonstrated.

The submission made includes supplementary material (drawing number 874-016B in the Design and Access Statement Addendum) identifying the extent to which the applicant considers the gardens of the houses proposed would achieve the standards set down in Barnet's supplementary guidance. Based on this information 34 of the houses proposed (approximately 18% of the total) would not achieve the relevant garden space requirement for a dwelling of that type. 21 of the houses proposed would not meet the relevant garden space requirement for a house of that type by 10m² or more and 8 of the houses fall short of the required figure by 15m² or more.

It has not been demonstrated that the layout and landscaping of the proposal could be changed within the parameters sought for approval to deliver more individual external amenity space for the houses which have not met the requirement. There is also no explanation in the information submitted as to how the houses which have not met the requirement could be provided with alternative types of individual amenity space, such as a balcony.

It is recognised that some of the houses proposed would have gardens significantly in excess of the guidance requirements. However, it is not considered that this would assist in addressing officers concerns about the houses which have not met the requirement. It is also noted that the wider site contains areas of public amenity space. However, this is not felt to be an adequate substitute for the provision of adequately sized individual gardens for the types of dwelling concerned (family houses), particularly where dwellings are falling significantly short of the specified figure.

The application is found to be in conflict with development plan policy and local supplementary guidance in respect of providing houses with adequate areas of private external amenity space. No material considerations have been put forward which are sufficient to justify the approach proposed in the submission and the application is considered to be unacceptable in this respect.

Space for play and informal recreation:

London Plan policy 3.6 states that proposals for new housing should make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. Using the approach to play space provision requirements in Mayoral guidance and the indicative dwelling mix provided with the submission the scheme proposed would be expected to provide approximately 1729m² of space for play and informal recreation.

While layout and landscaping are reserved matters under the application the submission is accompanied by a parameter plan (for which approval is sought) that identifies areas of potential play space (both communal and public) within the proposed development. Although it is not entirely clear that all of the space identified in this way on the parameter plan is truly usable space for play and informal recreation, officers are satisfied that the development could provide sufficient and appropriately designed areas of usable space for play and informal recreation (even if there were slight changes to the dwelling mix) to meet the relevant Mayoral standards. If the application were not found to be unacceptable in other regards conditions would have been used to ensure that sufficient space for play and informal recreation was delivered at the reserved matters stage. Subject to such conditions the application would be adequate in this regard.

It is recognised that the scheme would result in the loss of existing play facilities on the site. However, given the schemes potential for re-providing play and informal recreation facilities, such a loss would be acceptable in this instance.

Privacy and overlooking

The Barnet Residential Design Guidance SPD identifies that privacy is an important design issue, particularly for higher density schemes, and notes that all residents should feel at ease within their home. Paragraph 7.3 of this document states that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5m to a neighbouring garden. It also notes that shorter distances may be acceptable where there are material justifications.

As the application is for outline planning permission with all matters other than access reserved the submission does not include detail on the internal layout of the dwellings sought or the position of windows and other openings in the buildings proposed. However, with the parameters sought for consent the position, use and maximum storey heights of the buildings proposed across the site are known.

Despite the fact that the internal layout and position of windows in the proposed buildings is not known, on the basis of the site wide layout (which is a parameter this application would potentially be approving), there are several areas across the scheme where it is not at all certain how adequate privacy distances between windows to habitable rooms could be achieved and unacceptable overlooking prevented. There are also instances where proposed building facades that would be expected to contain windows (to achieve wider design objectives) are set a distance of less than 10.5m away from the private rear garden of a proposed house. However, this specific issue is likely to be able to be overcome through an appropriate detailed design approach.

On the more southern part of the site there are points where houses are directly facing each other on either side of a street at distances between 12m and 17m apart. In the south-east corner of the site there are houses directly facing each other on either side of a street at distances of less than 10m apart.

At these kinds of distances it is not at all clear how the buildings proposed could be designed to achieve adequate degrees of privacy for future occupiers (based on the Barnet standards identified above) and meet other key design objectives, such as delivering an acceptable appearance for buildings, suitable daylight levels internally and windows that provide adequate surveillance to adjacent streets. At some of the closer distances proposed between houses even if windows were substantially off-set horizontally or vertically (so they were not directly facing each other) it is considered unrealistic to expect that an adequate degree of privacy could be provided for future occupiers.

The applicant has provided some supplementary advice (drawing number 874-042) which seeks to explain a design strategy for elevational treatments to deliver adequate privacy levels. However it is not considered that this information is sufficient to address the concerns raised in the preceding paragraphs. Where it is not at all clear that there is a potential solution within the parameters sought for consent, which could address all the relevant design issues, it is not considered that it would be the correct approach to

grant an outline planning consent and defer concerns to the reserved matters stage.

In the north-east corner of the site there is also an instance where a terrace of three houses is proposed facing an existing terrace of four houses in Domville Close (number 10 to 16) at a distance of approximately 15m apart. At this kind of distance it is not clear how the proposed buildings could be designed to achieve adequate degrees of privacy for the future occupiers of the new dwellings, prevent unacceptable overlooking from 12 to 14 Domville Close on the occupiers of the new properties and meet other key design objectives (such as delivering an acceptable appearance for buildings, suitable daylight levels internally and windows that provide adequate surveillance to adjacent streets). There would also be concerns about overlooking from the proposed dwellings on the existing occupiers of 12 and 14 Domville Close (discussed in further detail in section 3.6 of this report).

The application is found to be in conflict with development plan policy and local supplementary guidance in respect of preventing unacceptable overlooking and providing adequate privacy for the future occupiers of new dwellings. No material circumstances have been put forward which are sufficient to justify the approach proposed in the submission and the application is considered to be unacceptable in this respect.

Daylight and sunlight

As the application is for outline planning permission with all matters other than access reserved the submission does not include any detail on the internal layout of the dwellings sought or the position of windows or other openings in the buildings proposed. However, Officers are satisfied that any potential concerns in respect of the provision of adequate daylight and sunlight for the future occupiers of the proposed dwellings could be adequately addressed through the use of suitable conditions and reserved matters process in this instance. The application is therefore found to be acceptable in this regard.

Noise and air quality

As the application is for outline planning permission with all matters other than access reserved the submission does not include detail on the internal layout of the dwellings sought or the position of windows and other openings in the buildings proposed. However, with the parameters sought for consent the position and use of the buildings and spaces proposed across the site are known.

Environmental Health Officers have assessed the application on the basis of the parameters applied for and have found that it would be possible to mitigate any potential noise and air quality impacts from the surrounding area on the future occupiers of the proposal to an acceptable degree in this instance. Were it not found to be unacceptable in other regards conditions would be used to ensure that appropriate mitigation to deliver this was implemented as part of the development. Examples of the types of mitigation envisaged would include the use of suitably designed acoustic fencing on parts of the site and the installation of mechanical ventilation in the appropriate elements of buildings. Officers conclude that it would not be reasonable to refuse planning permission for the parameters sought on the grounds of noise or air quality impacts on future occupiers.

Objections have been raised by a business adjoining the site (see section 1.3 of this report for further details) that the layout of the proposals would create a situation in which their respective uses (timber merchant and residential buildings and associated spaces) were brought into conflict, particularly in respect of noise impacts. While these points are acknowledged, officers find that with the layout proposed any noise and air quality impacts on the future occupiers of the proposed dwellings could be mitigated to an acceptable degree both within buildings and in outside areas.

Conclusions on the amenities of future occupiers

The application is found to be in conflict with development plan policy and local supplementary guidance in respect of preventing unacceptable overlooking and providing adequate privacy and external amenity space for the future occupiers of a number of the houses proposed. Officers consider the application to be unacceptable in these respects.

It is noted that there are houses on the land to the east of the application site (much of which is under the control of the applicant) which do not comply with elements of Barnet's current planning guidance on residential design quality and the amenities of future occupiers. However, these properties were constructed a significant period of time ago and their existence is not considered to be an adequate justification for new developments failing to achieve the objectives of current guidance.

3.5 Design, appearance 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.

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.

As the application is for outline planning permission with all matters other than access reserved the submission made does not include specific details on several aspects of the proposed buildings design, for example their internal layout and appearance. These types of aspects of the design of the buildings proposed would be dealt with through the use of conditions and at the reserved matters stage (if the application were granted consent). However, with the parameter plans submitted the position and maximum storey heights of the buildings and spaces proposed across the site are known and it is these aspects of the design which are being considered at this stage.

As the text at the start of this section identifies design is a broad ranging issue. It needs to be recognised that other sections of this report consider and assess important aspects of the design put forward in the plans submitted for approval. This part of the report focuses on character and appearance related matters in respect of the built form proposed and therefore needs to be read in conjunction with other sections to obtain a full understanding of officers views of the design of the scheme put forward. As some of these sections explain the design approach proposed in the parameter plans sought for approval has been found to be unacceptable and not compliant with the relevant development plan policies or guidance in a number of important regards. Examples of this include the impact of the design proposed on trees of special amenity value and the provision of suitable amenities for future occupiers of a number of the houses proposed.

Notwithstanding the design concerns identified in other parts of this report it is recognised that in broad terms the design approach proposed provides a permeable and legible layout which would create adequately defined streets and spaces. The use of significant parts of the site for houses is a positive aspect of the scheme, which assists the developments relationship with parts of the wider area. From a character perspective the scale and height of building proposed is considered, on balance, to be acceptable across the site. The layout and maximum storey heights parameter plans are found to propose buildings around the edges of the site which respond to their context adequately, in terms of their size, siting and scale, and provide adequate relationships with neighbouring properties (from a character perspective only).

It is noted that buildings in the surrounding area of the order of scale and height proposed for the flatted blocks (on the northern parts of the site) are generally situated in more extensive settings than the scheme proposes. However, subject to the detailed design of these buildings (and their landscaping) being of a suitably high standard these aspects of the proposal are found, on balance, to be adequate. Officers recognise the concerns raised about the scale of these blocks and would acknowledge that they are the maximum which would be acceptable (from a character perspective) with the layout proposed.

The GLA stage 1 response notes the design guidelines for the scheme provided as an appendix to the Design and Access Statement submitted with the application, but expresses concern that the proposal lacks a set of design codes to ensure that important factors in the design of the scheme are

secured. Officers acknowledge this and find the lack of such information with the application to be a negative aspect of the submission made. However, given the nature of the application (outline with all matters other than access reserved), it is accepted that this matter could reasonably be addressed through a condition requiring the submission and approval of a design code for the scheme in advance of the submission of any reserved matters applications. This is envisaged to cover a wide range of design principles and issues and would be subject of consultation with the GLA.

The GLA have also stated that the applicant should provide simplified layout plans of each unit type proposed to demonstrate compliance with the relevant elements of housing quality identified in the Mayoral Housing SPG, to ensure that these can be met (officers have considered the amenities of future occupiers of the proposed dwellings more fully in other sections of this report but the GLA have considered this as part of their response to the schemes urban design approach). A number of particular points are noted including the need to minimise single aspect units, avoid single aspect north facing units altogether, ensuring public facing ground floor flats have their own individual entrances and limiting the number of flats sharing the same landing to no more than 8. However, the applicant declined to provide this level of information as part of their application.

The GLA's concerns are noted and it is accepted that it is an unfortunate aspect of the submission made that this type of information has not been supplied. However, given the outline nature of the application it is not considered that the proposal could reasonably be refused on the absence of this level of detail. Officers conclude that these matters could be adequately addressed through the use of the design code condition identified above (were the proposal not found to be unacceptable in other regards). The design code could also cover matters such as ensuring that reserved matters came forward with a design approach for the appearance of the buildings proposed that was of a suitable standard and appropriate in respect of the character of the wider area.

Subject to the use of conditions of the nature identified above the design of the proposal is found, on balance, to be compliant with development plan policy as it relates to the character and appearance of the buildings proposed.

3.6 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 Adopted Residential Design Guidance SPD (adopted April 2013) provides further guidance on safeguarding the amenities of neighbouring and surrounding occupiers and users.

It is noted that objections have been received from a number of parties expressing concerns that the proposed development would be detrimental to

the amenities of neighbouring and surrounding occupiers and users in a variety of ways. These include impacts on light, visual impacts, increased noise, disturbance and pollution, overlooking and loss of privacy. Concerns over impacts on the security of neighbouring properties have also been raised. These are responded to in section 3.12 of this report.

Overlooking and loss of privacy

The Barnet Residential Design Guidance SPD identifies that privacy is an important design issue, particularly for higher density schemes, and notes that all residents should feel at ease within their home. Paragraph 7.3 of this document states that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5m to a neighbouring garden. It also notes that shorter distances may be acceptable where there are material justifications.

As the application is for outline planning permission with all matters other than access reserved the submission does not include detail on the internal layout of the dwellings sought or the position of windows and other openings in the buildings proposed. However, with the parameters sought for consent the position, use and maximum storey heights of the buildings proposed across the site are known.

Despite the fact that the internal layout and position of windows in the proposed buildings is not known, on the basis of the site wide layout (which is a parameter this application would potentially be approving), there is an area where it is not at all clear how adequate privacy distances between windows to habitable rooms from buildings in the site to existing neighbouring properties could be achieved and unacceptable overlooking prevented.

In the north-east corner of the site a terrace of three houses are proposed facing an existing terrace of four houses in Domville Close (number 10 to 16) at distances of approximately 15m apart. At this kind of distance it is not at all clear how the proposed buildings could be designed to achieve adequate degrees of privacy for and prevent unacceptable overlooking of neighbouring occupiers at 12 to 14 Domville Close and meet other key design objectives (such as delivering an acceptable appearance for buildings, suitable daylight levels internally and windows that provide adequate surveillance to adjacent streets). There would also be concerns over the impact of overlooking from 12 and 14 Domville Close on the future occupiers of the proposed terrace of three new dwellings (discussed in further detail in section 3.4 of this report).

At the distances proposed even where windows are off-set horizontally or vertically (so they are not directly facing each other) it is considered unrealistic to expect that an adequate degree of privacy could be provided for neighbouring occupiers at 12 and 14 Domville Close (using the standards identified in guidance). Where it is not at all clear that there is a potential solution within the parameters sought for consent, which could address all the relevant design issues, it is not considered that it would be the correct approach to grant an outline planning consent and defer addressing concerns to the reserved matters stage.

The application is found to be in conflict with development plan policy and local supplementary guidance in respect of preventing unacceptable overlooking of and providing adequate privacy for neighbouring occupiers. No material circumstances have been put forward which are sufficient to justify the approach proposed in the submission and the application is considered to be unacceptable in this respect.

It is noted that there are existing houses on the land to the east of the application site (much of which is under the control of the applicant) which would not comply with elements of Barnet's present planning guidance on residential design quality in respect of overlooking and privacy distances to a similar degree to that found in the instance identified in the previous paragraph. However, this in itself is not considered to be an adequate justification for a new development failing to achieve the objectives of current guidance. In this case the impacts identified would be on existing residents who are not presently affected in this way and result from a scheme providing privacy distances below that sought by current guidance.

It is recognised that there are other places, beyond 12 to 14 Domville Close, where elevations of a proposed building, which would be expected to contain windows, are situated less than the relevant distance to a neighbouring building which contains windows to habitable rooms or a garden. While this is not a positive aspect of the scheme, officers are satisfied that in these other cases an adequate design solution to prevent unacceptable overlooking of a neighbouring property (building or associated space) taking place could be delivered. In some cases the distance to a neighbouring property would be shorter than that sought by guidance (albeit to a lesser degree than at 12 to 14 Domville Close), but would also offer greater opportunities to mitigate this, for example the distance of approximately 18.5m from a proposed dwelling to a neighbouring retained house on the south side of Sweets Way. In this instance the careful placement of windows and use of features such as angled windows and appropriate landscaping could be used (alongside the benefit gained from the increased distance) to ensure that adequate privacy is maintained and overlooking of neighbouring properties prevented.

There are further instances where proposed buildings could have windows overlooking a neighbouring property at shorter distances than those identified in the previous paragraph. Nonetheless in these cases it is considered that this could be addressed through a careful approach to design at the reserved matters stage. For example they are instances where windows could be omitted or high level or obscured windows used. This combined with the use of suitable conditions (for example to prevent new windows which would cause overlooking being installed at a later date under permitted development) would be sufficient to achieve the objectives of policy in these cases. However, officers consider that it is important to recognise that in accepting the above position greater pressure will inevitably be placed on the need for windows on elevations of the proposed buildings looking internally within the site. This is deemed to exacerbate the privacy and overlooking concerns, outlined in section 3.4 of this report, in respect of the amenities of the future occupiers of the proposed dwellings.

Daylight and sunlight

Development plan policies require that new developments allow for adequate daylight and sunlight at neighbouring properties. The Building Research Establishment (BRE) publication '*Site Layout Planning for Daylight and Sunlight, a Guide to Good Practice*' sets out procedures for assessing impacts on daylight and sunlight at neighbouring properties. As the application is for outline planning permission with all matters other than access reserved the submission does not include specifics on the detailed design and appearance of the buildings sought. However, with the parameters sought for consent the position and maximum storey heights of the buildings proposed across the site are known and could be examined.

The application is not accompanied by a full assessment of the daylight and sunlight impacts at neighbouring properties using the relevant criteria from the BRE publication. However, on the basis of the information that has been provided by the applicant it is reasonable to conclude (using the BRE criteria) that some buildings situated within the positions shown on the Site Layout Parameter Plan and constructed at the maximum height parameters sought for approval (on the Maximum Storey Heights Parameter Plan) warrant a fuller examination of their daylight and sunlight impacts than has been provided. In the absence of this fuller assessment officers do not consider that they are able to reasonably conclude that the impacts of the proposal on daylight and sunlight at neighbouring properties would not be unduly harmful to the amenities of their occupiers. The application is therefore found to be unacceptable and not compliant with development plan policy in this respect.

The applicant has suggested that impacts of the development in these respects could be addressed through the use of conditions. However, officers consider that it would not be reasonable for the Local Planning Authority to seek to impose conditions that could outright prevent the development from being able to achieve parameters (most likely to be maximum building height in this case) which have been specifically sought for approval. The correct approach in this instance would have been for the application to be accompanied by sufficient information to demonstrate that the maximum (height) parameters sought for approval would be compliant with development plan policies in the relevant regards.

Outlook and visual impact

Development plan policy requires that new developments provide neighbouring occupiers with adequate outlook. As the application is for outline planning permission with all matters other than access reserved the submission does not set out the detailed design of the buildings proposed. However, with the parameters sought for consent the position, use and maximum storey heights of the buildings proposed across the site are known.

It is considered that new buildings constructed within the parameters sought for consent (as could be controlled through the use of suitable conditions) would have an acceptable visual impacts and would not result in any significant loss of outlook at neighbouring properties. The application is therefore considered to be adequate in these regards.

Noise and disturbance

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

Officers consider that, were the scheme not found to be unacceptable in other regards, any possible concerns over noise and disturbance from the new community building proposed could be adequately addressed through the use of conditions imposing controls on the operation and management of this facility (of the type set out in greater detail in section 3.1 of this report).

Conditions could also be used to ensure that the construction of the development itself did not result in unacceptable levels of noise and disturbance and also to minimise the amenity impacts arising from the construction of the development more widely. This would include conditions requiring the carrying out of the works within certain hours and in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

It is noted that concerns have been raised about the impact of the construction of the proposed development on the foundations and structural integrity of neighbouring properties. Officers consider that in this instance such matters are addressed under the requirements of other legislation and are not material to the assessment of this scheme.

Air quality

Barnet Local Plan policies seek to ensure that new development is not contributing to poor air quality.

The application is accompanied by an Air Quality Assessment. This report finds that the operational phase of the proposal would have negligible impacts on nitrogen dioxide, PM₁₀ and PM_{2.5} levels in the area. Environmental Health Officers have concluded that the proposal would be adequate in these respects subject to the use of appropriate conditions. The same conclusion is also reached when the potential air quality impacts of the development proposed are considered cumulatively with the expected air quality impacts of other committed developments in the surrounding area.

If the proposal were not being recommended for refused on other grounds conditions would have been used to ensure that the construction of the development did not result in unacceptable air quality impacts. These would have included the carrying out of the works in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

3.7 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 and 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.
- The resources available to fund affordable housing and maximise affordable housing output
- The priority accorded to family housing provision

It also suggests that negotiations should take account of a sites individual circumstances, including development viability, the resources available from registered providers, the implications of phased development and other scheme requirements. The policy makes it clear that affordable housing should normally be provided on site and off site contributions to affordable housing will only be accepted in exceptional circumstances.

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.

The application is accompanied by a Viability Report prepared by Turner Morum Chartered Surveyors. This advances that with the proposal making no contribution to affordable housing provision the scheme remains 'non-viable'. This is put forward on the basis that even with no affordable housing provided the return to the developer from the proposal would be below the industry norm of 20%. However, the submission states that the applicant is prepared to take a chance on the basis of current high demand for housing and market conditions.

In their stage 1 response the GLA identify the lack of any affordable housing in the scheme as a concern.

The Council commissioned Deloitte Real Estate to independently review the viability report provided and examine its findings. Following extensive engagement with the applicant Deloitte have concluded that they are unable to recommend the applicant's position to the Council.

Key differences in the stances adopted include Deloitte's view that:

- The applicant's opinion of the sales values for the proposed units is too low and based on a single scheme a significant distance from the application site.
- The applicant's opinion of the sales values for the existing units on the site are too high and based on very limited evidence.
- The applicant's assumption that all of the gross rent used in the Current Use Value can be 'valued' and that no allowance needs to be made for bad debts, voids and maintenance and management costs is incorrect.
- The applicant's assumption on the number of existing units which could be sold each month is unrealistic.

Having considered all the evidence available at the time of writing (including the applicant's original submission and the information that they have provided subsequently) Deloitte have advised that the proposal could viably deliver 33% affordable housing (with a policy compliant mix of tenures). In reaching this conclusion Deloitte have made allowance for an appropriate return for the applicant. They have also taken account of the fact that there is an 'opportunity cost' associated with the development, because the applicant is demolishing existing properties which provide a rental income.

In light of these findings the absence of a secured contribution to the delivery of affordable housing in the borough is not considered to be justified or compliant with development plan policy. The application is therefore considered to be unacceptable in this regard.

3.8 Trees, Landscaping and Biodiversity:

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.

Policy DM01 also states that trees should be safeguarded. When protected trees are to be felled the council will require replanting with trees of an appropriate size and species where appropriate.

In terms of landscaping the application site currently contains over 200 trees and areas of grassland, shrubs, hedging, hard landscaped surface and private rear gardens (to the existing houses). The trees on the site are covered by a Tree Preservation Order (Reference Number TRE/BA/86). The Arboricultural Impact Assessment Report (AIA) submitted with the application assesses the impact of the proposed development on 230 trees in and around the site. Using the approach set out in national guidance on this matter (British Standard 5837:2012) 1 of the assessed trees 1 falls into category A; 126 fall into category B; 40 fall into category B/c; 59 fall into category C; and 4 are assessed as category U.

The trees on the site are prominent, contain a good mix of species and age ranges and a number of them are of a significant size. As such they make a significant positive contribution to public amenity. The trees are visible from around the site and contribute to the character of the area, where they create a green enclave behind the High Road. The trees are also visible above and between the buildings from Oakleigh Road North, High Road, Greenside Close, Darcy Close, Attfield Close, Domville Close and Millsom Close. At

present the trees provide significant screening, both within the site and between the site and surrounding residential housing. They also tie the Sweets Way estate into the wider surrounding residential area, in which trees form a significant part of the character.

The AIA identifies that the principle primary impact of the scheme would be the felling of 145 of the assessed trees. This includes the loss of 118 (approximately 71%) of the 166 category B and B/c trees. The AIA also notes that there would be impacts on a further 30 existing trees. A substantial number of the affected trees are large mature specimens which contribute significantly to the area. It would take a considerable number of years for any replacement mitigation planting to achieve such stature and this many never be possible given the constraints that would be imposed by the proposed form of development. It is also felt that, if retained, large mature trees could provide a sense of scale to some of the taller elements of the built form proposed.

In addition to the direct loss of trees there are concerns that a number of the trees shown as 'retained' are likely to be affected by proposed construction in very close proximity to them resulting from the development. For example features such as driveways, parking bays, roads, paths are identified as having varying levels of impact on category A, B and B/c trees (ranging from low to high) without adequate allowance having been made for construction working space and the impact of existing site constraints on likely root protection areas. The suggested no-dig construction may also not be feasible for certain roads in the development and there has been no allowance made for services. Should (as would seem plausible) trees get damaged, with the resultant affects on their health and appearance, it may be very difficult to resist further pressure to treat or remove them. This is especially the case where trees are in proximity to built form and roadways. The AIA also notes that crown reductions may be required to mitigate shading impacts.

Whilst it is acknowledged that some of the arboricultural impacts of the proposal may be difficult to fully assess at this stage (being an application for outline planning permission), it needs to be recognised that if an outline planning permission is granted (subject to reserved matters and other potential conditions) significant tree implications are inevitable. More than 60% of the trees surveyed are shown as direct losses, with more than 75% likely to be adversely affected in some way by the proposal. In this respect it is considered noteworthy that the AIA submitted identifies that "with suitable mitigation and supervision the scheme is viable, but would be better still if some reductions in impact could be made wherever practicable."

The AIA states that "The cumulative loss of these trees will be mitigated both by new landscaping proposals and the delivery of a successful scheme. The retention of the boundary trees also means that the potential impact on the wider landscape will be largely screened from public viewing. Thus the proposed felling is justified as rationalising the site interior, in recognition of the fact that the existing layout is not altogether suitable for 21st century needs. We appreciate that sympathetic schemes should seek to consider the existing tree constraints, but consideration is just that, not an overriding presumption of absolute retention. New landscaping can provide opportunities for a more integrated tree scheme in the long run, where preservation of the site interior may simply deliver short-term benefit. The illustrative landscape

masterplan currently identifying areas for approximately 170 new trees. Some semi-mature tree planting will be required for more immediate canopy replacement.”

The suggestion that the cumulative loss would be mitigated by new landscaping and delivery of a successful scheme are both challenged. The shortcomings of other aspects of the scheme (i.e. the failure of delivery of a successful scheme) are addressed elsewhere in this report. However, the following points are of note in respect of the illustrative landscaping submitted.

More than 40 of the proposed trees are shown to be immediately adjacent to car parking spaces and less than 7m from the front of proposed new dwellings. Where they are surrounded by hard surface and close to buildings there will be significant constraints on the potential size, form, and species of tree that would stand a realistic chance of survival. In such locations there is also likely to be significant pressure for future treatment (in the event of establishment and growth). Similarly some 37 of the proposed trees are shown to be on podium decks. Trees in these locations will be considerably restricted in the potential size, form, and species of tree that would stand any realistic chance. The same is true of 6 proposed trees which are shown surrounded by hard surfacing in the ‘formal shared surface public square’. None of the proposed new tree planting is shown in residential rear gardens where there would be much more available soil rooting volume.

The proposal would result in direct loss of more than 60% of trees surveyed, with more than 75% of trees surveyed being adversely affected in some way (all of which are covered by a Tree Preservation Order). The direct loss of 71% of the category B and B/c trees (118 of 166) and primary impacts identified to affect 175 of the 230 trees surveyed is considered to be a significant negative impact of the development proposed. Officers find that such tree impacts are excessive and unjustified and that the new planting proposed would fail to provide adequate mitigation for such impacts. Where tree impacts are of the scale and nature identified it is not considered that it would be sufficient or appropriate to seek to address the matter through the imposition of tree and landscaping conditions. The tree impacts of the development proposed are found not to be compliant with the objectives of development plan policy and the application is considered to be unacceptable in this regard.

Biodiversity matters

Natural England have responded to the consultation and have not raised any objections to the proposal. They have also confirmed that on the basis of the information available the proposal would not be likely to affect any statutory protected sites or landscapes or bats (which are a statutory protected species).

Natural England have identified that the application may provide opportunities to incorporate design features which are beneficial to biodiversity, including bats and birds, and that the Council should consider securing measures to enhance the biodiversity of the site if it is minded to grant permission for the application. Were the proposal not found to be unacceptable in other regards conditions would have been used to secure design features which benefited biodiversity. Although it was not raised as an issue by Natural England the

existing site contains areas which could provide suitable habitats for nesting birds. As such conditions would also have been used to ensure that suitable measures were taken to prevent unacceptable impacts on nesting birds during the construction phase of the development (if the scheme had not been found unacceptable).

Notwithstanding officers concerns about the loss of trees of special amenity value at the site (see earlier section of this report), it is considered that the proposal would be adequate in respect of biodiversity and nature conservation matters subject to controls which could have been imposed through the use of appropriate conditions.

3.9 Transport, parking and highways matters:

Policy context

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

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. Schemes are also required to implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Existing highway conditions

The application site is presently accessible by vehicles from Sweets Way. Sweets Way currently forms a simple priority junction with Friern Barnet Lane to the south of the site. Sweets Way also provides access to Queenswell Infant and Nursery School, Greenside Close and several private roads to the east of the site's boundary (which serve approximately 100 additional residential dwellings outside the application boundary to which no changes are proposed as part of this application). The site is located in close proximity to town centre amenities, such as a post office, local bars, restaurants and a range of other retail facilities.

The site is bound to the north by Oakleigh Road North and to the west by buildings with a mix of uses that front the High Road (the A1000 which is part of the Strategic Road Network (SRN)). Friern Barnet Lane, Oakleigh Road North and the A1000 High Road are all bus routes. There is presently no vehicular access into the site from Oakleigh Road North or from the A1000.

Currently the site is only linked to the A1000 and Oakleigh Road North by solely pedestrian routes.

Waiting restrictions currently operate on parts of the highway network surrounding the site. However, at present there are no Control Parking Zones in the application site itself. Unrestricted parking is available in several sections of the site and the surrounding public highways network.

Public transport accessibility

The Public Transport Accessibility Level (PTAL) of a site is used to assess the extent and ease of access to public transport facilities. Using this measures the range of accessibility levels is defined as low accessibility (PTAL 1 or 2), medium accessibility (PTAL 3 or 4) or high accessibility (PTAL 5 or 6). The Public Transport Accessibility Level for most of the site is 3, which is a medium accessibility level.

More specifically, most of the area along the northern boundary of the site has an accessibility index (AI) of approximately 14.5 (AI's between 10.01 and 15.00 equate to a PTAL of 3). Therefore this area is within the higher end of the PTAL 3 range. A small area along the northern boundary of the site immediately adjacent to the pedestrian access link to the A1000 has a PTAL score of 4. The element of the development containing flats and many of the smaller units proposed is mainly within the area along the northern boundary of the site, where the AI's are higher.

Totteridge and Whetstone Underground station is located 700 metres from the centre of the site, providing services on the Northern Line between High Barnet and Morden via Central London.

Oakleigh Park National Rail Station provides access to First Capital Connect Services between Welwyn Garden City and Moorgate/Kings Cross. The station is located within 1300 m walk from the site (which is outside the walking distance threshold adopted within PTAL assessments).

Several Bus Routes operate in the vicinity of the site. These are summarised below:

<u>Bus Stop</u>	<u>Bus Service</u>	<u>Route</u>
Oakleigh Road North (stops west and east of proposed site access)	34 51	Barnet to Walthamstow Central Arnos Grove to Edgware
Oakleigh Road North and A1000 High Rd	125	Finchley Central to Winchmore Hill
A1000 High Road	234 263	Barnet to Highgate Wood Barnet Hospital to Holloway
Friern Barnet Lane	234	Barnet to Highgate Wood
Friern Barnet Lane and A1000 High Rd	383	Barnet to Woodside Park

Officers and TfL have both concluded that the proposal would be unlikely to have a detrimental impact on the public transport network.

Pedestrian routes and facilities

The site has existing pedestrian access routes from the High Road, Oakleigh Road North and Sweets Way. These would be retained under the proposal and a new access from Oakleigh Road North formed. This new route would reduce the walking distance to bus stops located to the east of the site.

A Pedestrian Environment Review System (PERS) audit has been carried out for the area surrounding the application site. The assessments carried out identified bus stops requiring improvements in close proximity to the site and also potential improvements to signage in the vicinity of the site.

Parking assessment

The Maximum Parking Standards set out in policy DM17 of the Barnet Development Management Policies Document are as follows:

Four or more bedroom units - 2.0 to 1.5 parking spaces per unit
Two and three bedroom units - 1.5 to 1.0 parking spaces per unit
One bedroom units - 1.0 to less than 1.0 parking space per unit

Using the maximum standards set out in policy DM17 the development proposed generates a car parking provision of somewhere between 367.5 and 569.5 car parking spaces. Paragraph 18.8.2 of the Barnet Development Management Policies Document recommends applying flexible standards for residential developments which take into consideration the level of public transport accessibility (PTAL), local parking stress (including the level of on-street parking control), local population density, car ownership in surrounding areas and the nature of the location (for example the proximity of town centre facilities).

In general terms for higher PTAL scores the parking requirement would be expected to be at the lower end of the range. For lower PTAL scores parking provision at the higher end of the range would be required. As identified earlier in this report the PTAL for the site is mainly 3 (with part of the site scoring as a very high level 3), with a small part of the site having a PTAL of 4. This equates to a medium accessibility. The site is not within a Controlled Parking Zone and the roads surrounding the proposed development experience high levels of parking.

The application proposes (on the Parking Parameter Plan) to provide 570 car parking spaces for the residential element of the scheme. Although this is an application for outline planning permission this element of the scheme would be accepted under the parameter plans sought for approval. 2 further car parking spaces are also shown reserved for any car club operator that wishes to implement a car club scheme on the site. While the proposed residential parking provision is (rounding up) within the maximum range that policy DM17 would identify for the site it is not considered that providing such a high number of car parking spaces is appropriate in this instance.

Taking into account the sites close proximity to Totteridge and Whetstone Underground Station, several bus routes and the sites overall medium Public

Transport Accessibility Level, the proposed parking provision is found to be excessive. The existing levels of traffic congestion in the area would also suggest that car parking numbers should be reduced, as the proposed level of parking provision could have an adverse impact on the operation of the highway network.

TfL have stated that the parking provision proposed in the application is well in excess of the range sought under London Plan policy 6.13 "Parking". Under London Plan standards the maximum range would be between 413 and 513 spaces (these comments were made when the scheme included 1 extra dwelling). However, due to traffic congestion in the area, TfL would recommend that parking numbers are reduced to the lower end of the range.

Given the sites PTAL (medium accessibility), local levels of car ownership (1.29 cars per household in Totteridge Ward where the site is located), parking pressures in the vicinity of the site, the possible provision of a car club, the absence of waiting restrictions in several sections of the surrounding road network and the proximity of Whetstone Town Centre a parking provision towards but not at the top end of the maximum range identified in policy DM17 would be considered appropriate by officers.

In order to reflect the particular circumstances of the proposed development at this location (as described in the previous paragraph) it is considered appropriate that the car parking is reduced to a maximum of 511 spaces. This would equate to a provision of 1 space for each of the 1 and 2 bedroom units, 1.5 spaces per 3 bedroom unit and 2 spaces for each 4 and 5 bedroom unit.

TfL have also recommended that the applicant fund the consultation, assessment and potential introduction of a controlled parking zone (CPZ) in the area to discourage overspill parking. However the council is not currently considering introducing parking restriction measures, such as Controlled Parking Zone, in this area. This position was taken into consideration when assessing the appropriate level of parking provision for the proposal (as set out above).

Although they are not actually numbered on the Parking Parameter Plan the proposed class D1 use is shown as having 3 parking spaces. This is considered to be an adequate amount.

If the application were not found to be unacceptable conditions would have been used to control a range of aspects of the parking facilities provided for on the site. This would include elements such as the delivery of (an acceptable number of) parking spaces, the provision of suitable levels of electric vehicle charging points and disabled standard parking spaces and the provision of a car parking management plan.

Cycle Parking Provision

571 cycle spaces are proposed as part of the development, including 10 cycle parking spaces for residential visitors. The number of cycle parking spaces is in accordance with London Plan Cycle Parking Standards and in this respect the application is deemed to be adequate. If the application were not found to be unacceptable conditions would have been used to control a range of aspects of the cycle parking facilities provided for on the site

Internal site layout

Access is not a matter which has been reserved for subsequent determination and the submission shows details of the proposed internal highways layout. The internal road layout shown provides minimum carriageway widths of 4.8m in the main internal carriageways. This is the minimum recommended carriageway width in Manual for Streets to allow a car and Heavy Goods Vehicle to pass. While the internal road layout is considered to be adequate for planning purposes in broad terms (from a transport perspective) the roads do not meet the requirements for adoption as a Public Highway and the Council would not consider these roads for adoption. To prevent the site being used as a through route while still allowing it to provide access for emergency vehicles it is proposed that movable (and lockable) barriers be used.

TfL initially requested that internal roads be widened in order to allow two Heavy Goods Vehicles (HGV's) to pass each other. However, given the nature (mainly residential) of the proposal it is not considered that widening the internal roads to allow these movements is necessary. Intense HGV movements are not expected as part of the proposal.

If the application were not found to be unacceptable conditions would have been used to control a range of aspects of the internal roads within the site. This would have included details of the barriers to be installed (and the management of these features) and the refuse and recycling facilities provided at the site.

Proposed vehicular access points

The vehicle access strategy proposed includes the retention of the existing Sweets Way vehicular access and the introduction of an additional vehicular access from the Oakleigh Road North, in the form of a simple priority junction. Following the introduction of barriers, to prevent the use of the site as a through route (which would have been ensured through conditions), the proposed access onto Oakleigh Road North would provide vehicular access for 93 new dwellings. Vehicular access for the remainder of the development would be through the existing access from Sweets Way.

The new site access has been located to achieve a reasonable junction spacing (45m) from the Oakleigh Park North junction and a Road Safety Audit and a swept path analysis have been carried out (for a large refuse vehicle) for the junction. Subject to the carrying out of detailed design work (including the provision of suitable road safety mitigation measures), the new junction is found to be acceptable.

As the works for this are taking place partially off the application site itself and are necessary for the application to be found acceptable a planning obligation is the most appropriate means of securing the delivery of them. In the absence of a means (such as a planning obligation) to secure the delivery of these works the application is found to be unacceptable in this respect.

Local highway traffic conditions

The Transport Assessment (TA) submitted has carried out an analysis of the following junctions which are likely to be affected or form part of by the proposed development:

- A1000 High Road / A109 Oakleigh Road North / A5109 Totteridge Lane signalized junction.
- A1000 High Road / Friern Barnet Lane priority junction.
- Friern Barnet Lane / Sweets Way existing site access.
- A109 Oakleigh Road North / Oakleigh Park North priority junction.
- Proposed new site access from A109 Oakleigh Road North.

The analysis carried out found that at present:

- The A1000 High Road / A 109 Oakleigh Road North / A5109 Totteridge Lane signalized junction is operating close to capacity on the A1000 High Road South arm during the AM peak, with all other approaches exceeding practical capacity during this period. During the PM peak the A1000 and A5109 operate above capacity and Oakleigh Road North operates within theoretical capacity.
- The A1000 High Road / Friern Barnet Lane priority junction currently operates over the practical capacity during both peak periods.
- There are no concerns over capacity or queuing at either the Friern Barnet Lane / Sweets Way priority junction or the A109 Oakleigh Road North / Oakleigh Park North priority junction.

Trip Generation

The trip generation associated with the existing 150 residential dwellings on the site (and the further additional 100 dwellings which access the wider road network through the site) has been based on TRAVL database calculations. This method was used as survey counts were not found to be representative of the current traffic generated by the existing residential development due to the presence of other vehicle movements at this location not associated with the dwellings.

An assessment has been carried out in the TA to estimate the number of additional multimodal trips expected to be generated by the proposals and identify their distribution profile. The impact analysis has been based on the proposed residential units with no additional trip generation or traffic impact associated with any relocated community facility. This is considered acceptable by officers as the new community facility (which replaces existing facilities similar in size) would not be expected to have a significant impact on trip generation.

The development traffic profile was added to the baseline traffic flow scenario with the traffic associated with the existing 150 dwellings on the site (which are to be demolished) removed in order to calculate the net impact of the development proposed.

The all mode trip generation for the proposal has been calculated based on the TRAVL database. This is summarised below:

All Mode Trip Generation Rate and Trips

	AM Peak			PM Peak		
	IN	OUT	TOTAL	IN	OUT	TOTAL
All mode Trip Rate	0.14	0.54	0.67	0.31	0.21	0.53
All Mode Trips (361 units)	49	194	243	114	78	191

Applying the census 2011 data regarding Method of Journey to Work for the average of Totteridge, Oakleigh and Woodhouse wards the anticipated car trip assessment with the proposed development is summarised below:

	Car Trip Rate					
	AM Peak			PM Peak		
	IN	OUT	TOTAL	IN	OUT	TOTAL
Car Trip Rate	0.06	0.23	0.28	0.13	0.09	0.22
Car Trips (361 units)	21	82	102	48	33	80

The total number of car trips generated by the residential development proposals has been distributed from each access point based on residents' census data.

It should be noted that the analysis set out here has been carried out on the basis of the original submission made, which included one additional dwelling when compared to the submission under consideration here. However, it is not considered that this change to the scheme would have any significant impact on the conclusions drawn.

Junction capacity analysis with the proposed development

A1000 High Road / Oakleigh Road North / Totteridge Lane Junction:

The TA states that with existing saturation flows and cycle times maintained and the green times optimised the impact of the development at this junction can be mitigated with the signal optimisation.

Officers find that this junction is operating above capacity and to allow further development to progress in the area (such as that proposed) would require mitigation measures. A contribution of up to £50,000 is therefore sought towards junction improvement measures. This sum would comprise £10,000 towards a feasibility study for the works and £40,000 towards the implementation of measures identified in the feasibility study. Subject to the provision of this mitigation officers find the impact of the scheme on this junction to be acceptable. TfL have confirmed that they support this position.

As these works would be taking place off site, involve the payment of a financial contribution and are necessary for the application to be found acceptable a planning obligation is the most appropriate means of securing the delivery of them. In the absence of a means (such as a planning obligation) to secure the delivery of these works the application is found to be unacceptable in this respect.

Friern Barnet Lane / A1000 High Road Junction (with proposed signalization):

Analysis carried out by the applicant's transport consultant has identified that the development would impact adversely on the A1000 High Road / Friern Barnet Lane priority junction, which is known to already experience significant queuing on Friern Barnet Lane during the AM and PM peak periods (as well as at other times of a typical day). These queues form due to the volume of through traffic on the A1000 High Road preventing traffic from Friern Barnet Lane entering the junction. The analysis has identified that the performance of this junction is expected to worsen under future baseline scenarios, taking into account background traffic growth. The additional traffic movements

associated with the proposed development would exacerbate this situation and potential additional traffic generation from other development sites which may come forward in the future would also be expected to increase pressure at this junction.

The signalisation of the junction has been proposed as a solution which would mitigate the impact of the traffic associated with the development, improve the operation of the junction under the future baseline scenario and improve pedestrian connectivity and safety.

Predicted traffic movements for a signalised junction option are detailed on in the TA submitted. The modelling work carried out for this indicates that with signalisation the junction would operate within capacity. More specifically the results show the Friern Barnet Lane approach operating with 13% and 22% spare capacity and queues of between 15 and 11 vehicles in the AM and PM peak hours respectively. On the A1000 the predicted queues are of 14 (AM) and 19 (PM) vehicles southbound and 26 (AM) and 18 (PM) vehicles northbound. Most of the movements on the A1000 have a degree of saturation below 80%. Expected average delay per arriving vehicle results for the signalised junction compared to those for the existing priority junction operation show a small increase of up to 31 seconds on the High Road and a considerable decrease in delay time of up to 421 seconds in the Friern Barnet Lane approach. Officers conclude that the proposed signalisation of this junction would provide a substantial improvement in its operation.

The proposed signals would include staggered pedestrian crossings on both Friern Barnet Lane and the southern arm of the A1000 High Road. The next adjacent set of crossing facilities on the A1000 are located some 200m to the north at the crossroads, or a zebra crossing facility 160m to the south. Pedestrians currently undertake unsafe crossing movements over the 15m wide A1000 High Road, particularly when trying to access the northbound bus stop (there is currently only a 1.2m wide informal kerbed central margin offering some degree of pedestrian refuge). The proposed pedestrian crossing facilities should increase the safety of pedestrians crossing at this location and the scheme is found to be acceptable from this perspective.

Officers conclude that, subject to the carrying out of detailed design work (including the provision of suitable road safety mitigation measures), the proposed signalization of this junction is acceptable. As the works for this are taking place off the application site itself and are necessary for the application to be found acceptable a planning obligation is the most appropriate means of securing the delivery of them. In the absence of a means (such as a planning obligation) to secure the delivery of these works the application is found to be unacceptable in this respect.

Friern Barnet Lane / Sweets Way Junction:

The TA submitted with the application finds that the Friern Barnet Lane / Sweets Way priority junction continues to operate within capacity with the proposed development. Officers accept these findings.

A109 Oakleigh Road North/ Oakleigh Park North Junction:

The TA submitted with the application finds that the Oakleigh Road North / Oakleigh Park North junction continues to operate within capacity with the

proposed development. Officers accept these findings.

Proposed A109 Oakleigh Road North / New Northern site access Junction:

The development proposes the introduction of an additional access for the site in the form of a simple priority junction onto Oakleigh Road North. The TA submitted with the application finds that there are no concerns with capacity or queuing at this proposed junction. Officers accept these findings.

Travel plan and construction management plan

A Framework Travel Plan is included in the documentation submitted with the application. This is welcomed by Officers and TfL. However, a fully policy compliant Travel Plan that seeks to reduce reliance on the use of the private car and promotes sustainable means of transport would be required for the application to be found acceptable and compliant with development plan policy in this respect. It is considered that a planning obligation is the most appropriate means of securing the delivery of this important mitigation. To enable the Council to monitor the scheme to ensure the development is making reasonable endeavours to meet travel related sustainability objectives, in accordance with development plan policies, a contribution of £15000 is required towards the monitoring of the Travel Plan. As it relates to the provision of a financial sum a planning obligation is the most appropriate means of securing the delivery of this.

In the absence of a sufficiently enforceable means to secure the delivery of the Travel Plan and the associated monitoring contribution the application is found to be unacceptable in these respects.

If the scheme was not found to be unacceptable a Construction Management and Logistics Plan would need to be prepared and implemented in respect of the development, to mitigate any adverse impacts from construction traffic on the road network surrounding the site. The delivery of this would have been secured through the use of a condition.

Financial contributions requested by Transport for London

The nature of the development, which would include a community facility and also be likely to contain a number of wheelchair accessible dwellings, is such that it is anticipated to directly increase the number of wheelchair users within the local area who may wish to utilise the public transport system. The assessments carried out as part of the submission include a Pedestrian Environment Review System (PERS) audit. This identified that none of the six bus stops nearest the site included raised kerbs. New buses are required to be capable of deploying a ramp, giving a 1:8 or 12 percent (7 degree gradient), onto a kerb of at least 125mm in height (a raised kerb). This requirement is referenced within TfL's Accessible Bus Stop Design Guidance, the implementation of which is promoted within London Plan policy 6.7. The PERS audit also notes that the nearest London Underground station (Totteridge and Whetstone) does not benefit from step free access.

In light of these circumstances TfL has requested a contribution of £10000 towards upgrading bus stop facilities in the vicinity of the site. This would involve implementing raised kerbs to the sufficient heights for deficient bus stops. Raised kerbs allow the bus ramps described above to function

appropriately and ensure that mobility impaired users can access the bus system with dignity. This obligation is also sought in accordance with policy DM17 of the Barnet Development Management Policies document, which states that development should provide improved and fully accessible interchange facilities where necessary. As it relates to the provision of a financial sum a planning obligation is the most appropriate means of securing the delivery of these works. In the absence of a means (such as a planning obligation) to secure the delivery of this the application is found to be unacceptable in this respect.

TfL have also requested a contribution of £15000 towards the provision of a Legible London sign as part of the application. Legible London is a pedestrian wayfinding system designed to encourage walking. While it is recognised that the provision of such signage is extremely beneficial and to be commended, at the time of writing it is not considered that TfL have provided an explanation as to why it is necessary for the development to be found acceptable in this instance. In such circumstances it is not appropriate to refuse the application on the basis of the absence of a means to ensure such a contribution is delivered. Should TfL provide further explanation as to why this contribution is appropriate the Council would be willing to revise its position on this matter.

3.10 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.

It is noted that the GLA have expressed concerns (see section 1.3 of this report) that the applicant has not provided details of how the development would integrate inclusive design principles, deliver easy access throughout the development and example wheelchair accessible units. Officers fully accept that the limited information provided in the submission in respect of creating inclusive environments for all is not a positive aspect of the submission made.

However, given the outline nature of the consent sought it is considered that these and other matters related to the creation of accessible environments for all members of the community could reasonably be dealt with through the use of conditions, if the scheme were not found to be unacceptable in other regards. This would include conditions covering issues such as the delivery of:

- All new dwellings to the relevant Lifetime Homes standards.
- At least 10% of the new dwellings to wheelchair accessible standards (or be easily adaptable to meet such requirements).
- At least 10% of the proposed car parking spaces as disabled standard spaces.
- Appropriate levels, surfaces and landscaping across the site.
- A suitable inclusive design approach for the new community building proposed.

On balance in the specific circumstances of this application officers find that the limited information provided in respect of matters relating to the creation of accessible environments for all would not constitute a justifiable reason to

refuse planning permission, as it could be adequately addressed through the use of conditions.

3.11 Contaminated land and water quality issues:

The Council's Environmental Health Service has confirmed that any potential concerns they have regarding contaminated land issues at the site could be adequately addressed through the use of conditions. The Environment Agency has also confirmed that any concerns they have in respect of contaminated land issues and potential impacts on water quality arising from the sites redevelopment could adequately be addressed through the use of conditions.

Having evaluated the information submitted, it is considered that the application, as could be controlled through the use of conditions, would be adequate and compliant with development plan policy in respect of contaminated land and water quality matters.

3.12 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 London Fire and Emergency Planning Authority and Metropolitan Police Service have not raised any objection to the proposal or requested that conditions are placed upon any grant of consent. The Metropolitan Police Service have commented that they would wish to see the applicant seek advice on designing out crime at the site as proposed at the earliest appropriate opportunity. Conditions would be used to ensure that an appropriate strategy for designing out crime was in place and implemented for the development, were the proposal not found to be unacceptable in other regards. Subject to such controls the application would be adequate in respect of creating a safe and secure environment for people to live and work in that reduce opportunities for crime and fear of crime.

3.13 Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding. However, as the area that the site covers exceeds 1 hectare a Flood Risk Assessment has been submitted as part of the application. The Environment Agency has responded to the consultation and has not raised any objection to the proposal. However, they have requested that conditions be placed on any consent to ensure that surface water is managed appropriately and does not increase flood risk. Officers conclude that the conditions recommended by the Environment Agency would adequately address potential concerns that the proposal could result in an increased risk of flooding at the site. The application is therefore found to be adequate in this regard.

Thames Water has responded to the consultation and not raised any objections to the proposal or requested that conditions are placed on any grant of consent.

Were the submission not found to be unacceptable in other regards conditions would have been used to ensure that the development included appropriate

drainage infrastructure and make certain that suitable water efficiency measures were provided in the scheme to minimise water usage. Both businesses potentially supplying water to the development (Affinity and Thames Water) have been consulted on the application and neither has raised any objections to the development in relation to water supply matters (or on any other grounds).

3.14 Energy, climate change 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

This development would be required to achieve a 25% reduction in carbon dioxide emissions (as it was submitted before October 2013) when compared to a building constructed to comply with 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 Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

Proposals are expected to comply with the guidance set out in the council's Sustainable Design and Construction SPD in respect of the level of the 'Code for Sustainable Homes' which is achieved and the standard under the Building Research Establishment Environmental Assessment Method (BREEAM) that is met (for the non-residential elements). The council's Sustainable Design and Construction SPD requires that developments of the nature proposed commit to a 'Code Level 4' or above against the Code for Sustainable Homes for their residential elements and achieve BREEAM 'Very Good' or above for their non-residential elements.

Carbon dioxide emissions

Having reviewed the Energy Assessment submitted with the application the GLA have stated (in their stage 1 response) that while the applicant has broadly followed the energy hierarchy to reduce CO₂ emissions they believe further detail should be provided on:

- How the demand for cooling will be minimised.
- Whether there are any existing or planned district heating networks and give consideration to a site heat network supplied from a single energy centre.
- Which renewable energy option will be taken and provide layout drawings showing the distribution of roof mounted solar PV and/or solar thermal panels throughout the proposed development.

The applicant has provided a response to this which states that:

- It is unlikely that the units would require cooling and measures to minimise demand for cooling have not been proposed as they tend to increase heating and lighting demands by more than they reduce cooling demand.
- There is not a district heating system nearby and the development is not within a focus area for such systems or in an area of high thermal demand. They conclude that there is not sufficient heat density from the development (which will be built to a high standard to reduce thermal demand) to recommend such a scheme.
- They would suggest the final renewable energy option to be used for the site is determined at a later date and that different buildings may employ different approaches, as the exact size and locations of systems cannot be determined yet. They also suggest there would be more than sufficient roof area to allow for the technologies required.

It is unfortunate the submission made does not include further detail on the relevant aspects of minimising carbon dioxide emissions. However, given the outline nature of the application, it is considered that the responses which have been provided are sufficient in this instance. It is concluded that the proposal, as could be controlled through the use of suitable conditions (were the application not found to be unacceptable in other regards), would be compliant with the objectives of development plan policy on mitigating climate change and minimising carbon dioxide emissions.

Examples of the types of conditions envisaged would include requirements to achieve the relevant levels of CO₂ emission reductions (the Energy Statement submitted has indicated that this is possible) in a way which accords with the Mayoral energy hierarchy and the provision of full details on how these reductions will be achieved and what on-site renewable energy technologies will be used (including details of the expected reductions in CO₂ emissions that would result).

Matters relating to transport are addressed separately in section 3.9 of this report.

Other aspects of sustainable construction

A Sustainability Statement has been submitted with the application. This identifies a number of sustainable construction features that the proposal could incorporate to mitigate and adapt to climate change, conserve resources and minimise pollution. These include elements such as measures to reduce water consumption, the provision of appropriate waste facilities, the inclusion of energy efficiency measures and the provision of wheelchair accessible housing.

The Sustainability Statement also includes a commitment to achieving Code for Sustainable Homes Level 4 for the residential elements of the proposal and BREEAM 'Very Good' for the non-residential elements of the development. Given the outline nature of the application it is considered that the details provided in the submission are adequate in this regard and that, subject to the imposition of suitable conditions, the application would result in

a development which reaches an appropriate standard in respect of sustainable construction matters.

Examples of the types of condition envisaged would include requirements for the different parts of the development to achieve suitable standards under the Code for Sustainable Homes and BREEAM measures and the requirement for Reserved Matters applications to be accompanied by pre-assessments which demonstrate how the relevant Code for Sustainable Homes and BREEAM standards would be met.

3.15 Archaeological Impacts:

English Heritage Archaeology have responded to the consultation and confirmed that there is no archaeological interest in the site. This is due to the lack of recorded archaeological remains in this location and likely disturbance from previous development of the land. They therefore recommend that any requirement for an assessment of the archaeological interest of this site can be waived. Officers accept this assessment and find the proposal acceptable in this regard.

3.16 Environmental Impact Assessment Regulations:

The development for which consent is sought is not considered to be of a description identified in Schedule 1 of the Regulations (Town and Country Planning (Environmental Impact Assessment) Regulations 2011). However, the development is considered to be of a description identified in column 1 of Schedule 2 of the Regulations. The development described in the submission is deemed to fall within the description of 'urban development projects'. The site identified in the plans accompanying the application is not considered to be in or partly in a sensitive area as defined in Regulation 2. As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is that the area of development exceeds 0.5 hectares. The area of development identified in the information submitted exceeds this threshold. The proposal is therefore Schedule 2 development.

The characteristics, location and the impacts of the development proposed are described in significant detail in other sections of this report and so are not repeated here. Having considered the characteristics of the development, the location of the development and the characteristics of the potential impacts of the proposal (the criteria set out in Schedule 3 of the Regulations) it is concluded that in each of these respects and taken in totality the proposal would not be likely to give rise to significant effects on the environment in the sense intended by the Regulations. The proposal is not situated in (or partially within) a particularly environmentally sensitive or vulnerable location and is not a development with unusually complex or potentially hazardous environmental effects. This is considered to support the conclusion that the proposal would not be likely to give rise to significant effects on the environment in the sense intended by the Regulations.

Taking account of the criteria set out in Schedule 3 of the Regulations and all other relevant factors it is considered that the development described in the information accompanying the application would not be likely to have significant effects on the environment, in the sense intended by the Regulations. Therefore an Environmental Impact Assessment is not

necessary and an Environmental Statement, in line with the Regulations, is not required to be submitted with the application.

An application (reference H/02048/12) for a Screening Opinion in 2012 found that a proposal for more dwellings on the site than the current application has sought (comprising 407 new dwellings) would not require an Environmental Impact Assessment (and that Environmental Statement, in line with the Regulations, was not required to be submitted with the application for planning permission for that proposal).

3.17 Planning obligation matters:

Policy CS15 of the Barnet Local Plan states that where appropriate the Council will use planning obligations to support the delivery of infrastructure, facilities and services to meet the needs generated by development and mitigate the impact of development.

At present no means (such as a legal agreement) has been provided by the applicant to secure the delivery of the planning obligations identified by the Local Planning Authority as necessary for the application to be found acceptable and compliant with development plan policy (which comprises all those items identified under the headings below, except the item relating to wayfinding and signage). In the absence of a means to secure these items the scheme is considered to be inadequate in these respects. Specific planning obligations are discussed in detail under the headings below.

Affordable Housing

Matters relating to affordable housing are addressed in section 3.7 of this report.

Enhancement to local bus stop facilities

The nature of the development, which would include a community facility and also be likely to contain a number of wheelchair accessible dwellings, is anticipated to directly increase the number of wheelchair users within the local area who may wish to utilise the public transport system. The assessments carried out as part of the submission include a Pedestrian Environment Review System (PERS) audit. This identified that none of the six bus stops nearest the site included raised kerbs. New buses are required to be capable of deploying a ramp, giving a 1:8 or 12 percent (7 degree gradient), onto a kerb of at least 125mm in height (a raised kerb). This requirement is referenced within TfL's Accessible Bus Stop Design Guidance, the implementation of which is promoted within London Plan policy 6.7. The PERS audit also notes that the nearest London Underground station (Totteridge and Whetstone) does not benefit from step free access.

In light of these circumstances TfL has requested contribution of £10000 towards upgrading bus stop facilities in the vicinity of the site. This would involve implementing raised kerbs to the sufficient heights for deficient bus stops. Raised kerbs allow the bus ramps described above to function appropriately and ensure that mobility impaired users can access the bus system with dignity. This obligation is also sought in accordance with policy DM17 of the Barnet Development Management Policies document, which states that development should provide improved and fully accessible interchange facilities where necessary. As it relates to the provision of a

financial sum a planning obligation is the most appropriate means of securing the delivery of these works.

Travel Plan and Travel Plan monitoring

In accordance with development plan policy the applicant is required to enter into a Travel Plan for the development which seeks to reduce reliance on the use of the private car and promotes sustainable means of transport. It is considered that a planning obligation is the most appropriate means of securing the delivery of this important mitigation.

To enable the Council to monitor the scheme to ensure the development is making reasonable endeavours to meet travel related sustainability objectives, in accordance with development plan policies, a contribution of £15000 is required towards the monitoring of the Travel Plan. As it relates to the provision of a financial sum a planning obligation is the most appropriate means of securing the delivery of this.

Wayfinding and signage

TfL have requested a contribution of £15000 towards the provision of a Legible London sign as part of the application. Legible London is a pedestrian wayfinding system designed to encourage walking. While it is recognised that the provision of such signage is extremely beneficial and to be commended, at the time of writing it is not considered that TfL have provided an explanation as to why it is necessary for the development to be found acceptable in this instance. In such circumstances it is not appropriate to refuse the application on the basis of the absence of a means to ensure such a contribution is delivered. Should TfL provide further explanation as to why this contribution is appropriate the Council would be willing to revise its position on this matter.

Highway works associated with the development

A number of key works to the highway are proposed as part of the submission. These are needed to provide the development with suitable access and mitigate its transport impacts. The works include:

- Delivery of the signalisation of the Friern Barnet and A1000 junction.
- The formation of a new access from the site on to Oakleigh Road North.
- Modifications to the A1000, Oakleigh Road North and Totteridge Lane junction (requiring a financial contribution of £50000).

These works are discussed in further detail in section 3.9 of this report.

As the works are taking place either entirely or partially off the application site and, in one case, involve the payment of a financial contribution it is considered that a planning obligation is the most appropriate means of securing their delivery.

Monitoring of the Section 106 Agreement

The planning obligations associated with a planning application are a key part of the way in which it mitigates its impacts and provides the infrastructure needed for it to take place. Ensuring the delivery of this takes considerable time and resources. As the Council is party to a large number of planning obligations, significant resources are required to project manage and ensure the implementation of schemes funded by planning obligation agreements.

The Council therefore requires the payment of a sum of £1800 towards the costs of undertaking the work relating to securing the delivery of the planning obligations identified here. This figure is calculated using the approach set out in Barnet's adopted Supplementary Planning Document for Planning Obligations. As it relates to the provision of a financial sum a planning obligation is the most appropriate means of securing the delivery of this item.

3.18 Barnet Community Infrastructure Levy

The Community Infrastructure Levy (CIL) potentially applies to all 'chargeable development'. This is defined as development of one or more additional units or development seeking an increase to existing floor space greater than 100 square metres.

Barnet Council is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in The London Borough of Barnet. Barnet Council adopted a CIL charge on 1st May 2013. This set a rate of £135 per square metre on residential and retail development within the borough. All other uses and undercroft car parking areas are exempt from this charge.

If an outline planning permission was to be granted for the development proposed it would be liable for charge under the Barnet CIL. The calculation of the Barnet CIL payment would be based on the floor areas of the residential elements of the development (except for any potential undercroft car parking areas). As the application is in outline form any Barnet CIL charges would be made on a phase-by-phase basis. Once received any payments made under the Barnet CIL would be potentially available to deliver infrastructure (for example new educational facilities) needed to support the development proposed.

3.19 Mayoral Community Infrastructure Levy

The Community Infrastructure Levy (CIL) potentially applies to all 'chargeable development'. This is defined as development of one or more additional units or development seeking an increase to existing floor space greater than 100 square metres.

The Mayor of London is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in Greater London. The Mayor of London adopted a CIL charge on 1st April 2012. This set a rate of £35 per square metre on all forms of development in Barnet, except that which is for education and health purposes (which are exempt from this charge).

If an outline planning permission was to be granted for the development proposed it would be liable for charge under the Mayoral CIL. The calculation of the Mayoral CIL payment would be carried out on the basis of the floor areas of the residential and other elements of the development (except for potential education and health uses in the scheme). As the application is in outline form any Mayoral CIL charges would be made on a phase-by-phase basis.

4. EQUALITIES AND DIVERSITY ISSUES

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

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

For the purposes of this obligation the term “protected characteristic” includes:

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

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to refuse planning permission for the proposed development would not conflict with the Council’s statutory duty under this legislation, the Council’s Equalities Policy or the commitments set out in Barnet’s Equality Scheme.

5. COMMENTS ON GROUNDS OF OBJECTIONS

The objections raised are all considered in the appraisal and analysis set out in the relevant parts of the report.

6. CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine an application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within The Mayor’s London Plan and the Barnet Local Plan, as well as other relevant guidance and material planning considerations, have been carefully considered and taken into account by officers in their assessment of this application.

For the reasons identified in the reasons for refusal set out at the start of this report and explained in further detail in the planning considerations section of the main body of the report it is found that the proposed development fails to comply with a number of important development plan policies and planning guidance documents. As there are no material planning considerations which are sufficient to overcome these conflicts with development plan policy and guidance it is considered that there are material planning considerations which justify the refusal of planning permission.

The application is therefore recommended for REFUSAL for the reasons set out at the start of this report.

APPENDIX 1: KEY PLANNING HISTORY FOR THE SITE

Sweets Way, Whetstone

B/02627/12 'Environmental impact assessment screening opinion'
ENVIRONMENTAL STATEMENT NOT REQUIRED (August 2012).

Whetstone Community Centre 171 Sweets Way, Whetstone

N14537A/06 'Single storey side extension to community centre to provide a creche' APPROVE SUBJECT TO CONDITIONS (2006).

N14537/05 'Single storey side extension to community centre to provide a creche' APPROVE SUBJECT TO CONDITIONS (2005).

1230 High Road, Whetstone

N01078X/06 '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.' APPROVED SUBJECT TO CONDITIONS (February 2007).

B/02471/11 '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.' APPROVED SUBJECT TO CONDITIONS (February 2012).

B/02684/12 '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.' APPROVED SUBJECT TO CONDITIONS (February 2013).

B/02128/13 '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.' WITHDRAWN (September 2013).

Lawsons, 1208 High Road, Whetstone

N00986M 'Demolition of existing workshop and saw mill and construction of new covered sawmill and timber store and additional free standing external racking.' APPROVED SUBJECT TO CONDITIONS (November 1997).

N00986N 'Noise attenuation measures for covered store pursuant to condition 2 of planning permission N00986M dated 11.11.97.' APPROVED (AUGUST 1998).

N00986P 'Details of noise report and noise attenuation scheme pursuant to condition 2 of planning permission ref: N00986M dated 11.11.97 for new sawmill and store.' APPROVED (DECEMBER 1998).

N00986Q 'Installation of wood fuel fired heating system incorporating external flue to existing warehouse.' APPROVED SUBJECT TO CONDITIONS (February 1999).

Queenswell Schools, Sweets Way, Whetstone

N01346W/00 'Demolition of existing Infant and Nursery School. Erection of new part single part two storey Infant and Nursery School with associated car parking, landscaping and mini football pitch, protective fencing and means of enclosure.' APPROVED SUBJECT TO CONDITIONS (January 2001).

N01346Z/01 'Alterations and extensions to form 6 new classrooms to Junior School. Demolition of 3 blocks of demountable classrooms and amended parking layout.' APPROVED SUBJECT TO CONDITIONS (February 2002).

Land off High Road/Chandos Avenue and the Brethren Meeting Hall and Well Grove School, Well Grove, Whetstone

B/03068/11 'Demolition of existing buildings and redevelopment comprising of 70no dwellings (62no houses and 8no flats). Erection of 512sqm building for use class D1 purposes (Non-Residential Institution). Provision of associated car parking, landscaping and open space. Use of existing accesses from High Road and Well Grove (OUTLINE APPLICATION).' APPROVED SUBJECT TO CONDITIONS (March 2012).

Former BP Petrol Filling Station, 1412 to 1420 High Road, Whetstone

N16024/08 'Demolition of former petrol filling station forecourt shop building, and erection of a seven storey mixed use building, comprising class A1, A2, A3 and B1 commercial floorspace at ground floor and 40 residential units on upper floors with associated car parking at basement level.' REFUSED (May 2008).

B/01561/13 'Mixed use redevelopment of former petrol station to erect a six-story building to provide 22 self-contained units and 2 retail units at ground floor level. Provision of basement car and cycle parking.' APPLICATION UNDER CONSIDERATION.

Northway House, 1379 High Road, Whetstone

B/03173/12 'Environmental impact assessment screening opinion' ENVIRONMENTAL STATEMENT NOT REQUIRED (September 2012).

B/00421/13 'The extension, refurbishment, alteration and change of use of Northway House to provide for a residential led mixed use development comprising a total of 191 new dwellings (use class C3); 340 square metres of retail (use class A1 or A3) floorspace; 190 square metres of flexible education or community use (use class D1) floorspace; 618 square metres of office (use class B1) floorspace; together with ancillary reception floorspace and associated landscaping, car parking and access.' APPLICATION UNDER CONSIDERATION.

B/02148/13 'Application for determination as to whether the prior approval of the Local Planning Authority is required for the change of use of the existing office floorspace (Use Class B1 (a)) to a residential use (Use Class C3), comprising 95 dwellings.' NOT PERMITTED DEVELOPMENT AND THE PRIOR APPROVAL PROCESS IS NOT APPLICABLE (July 2013).

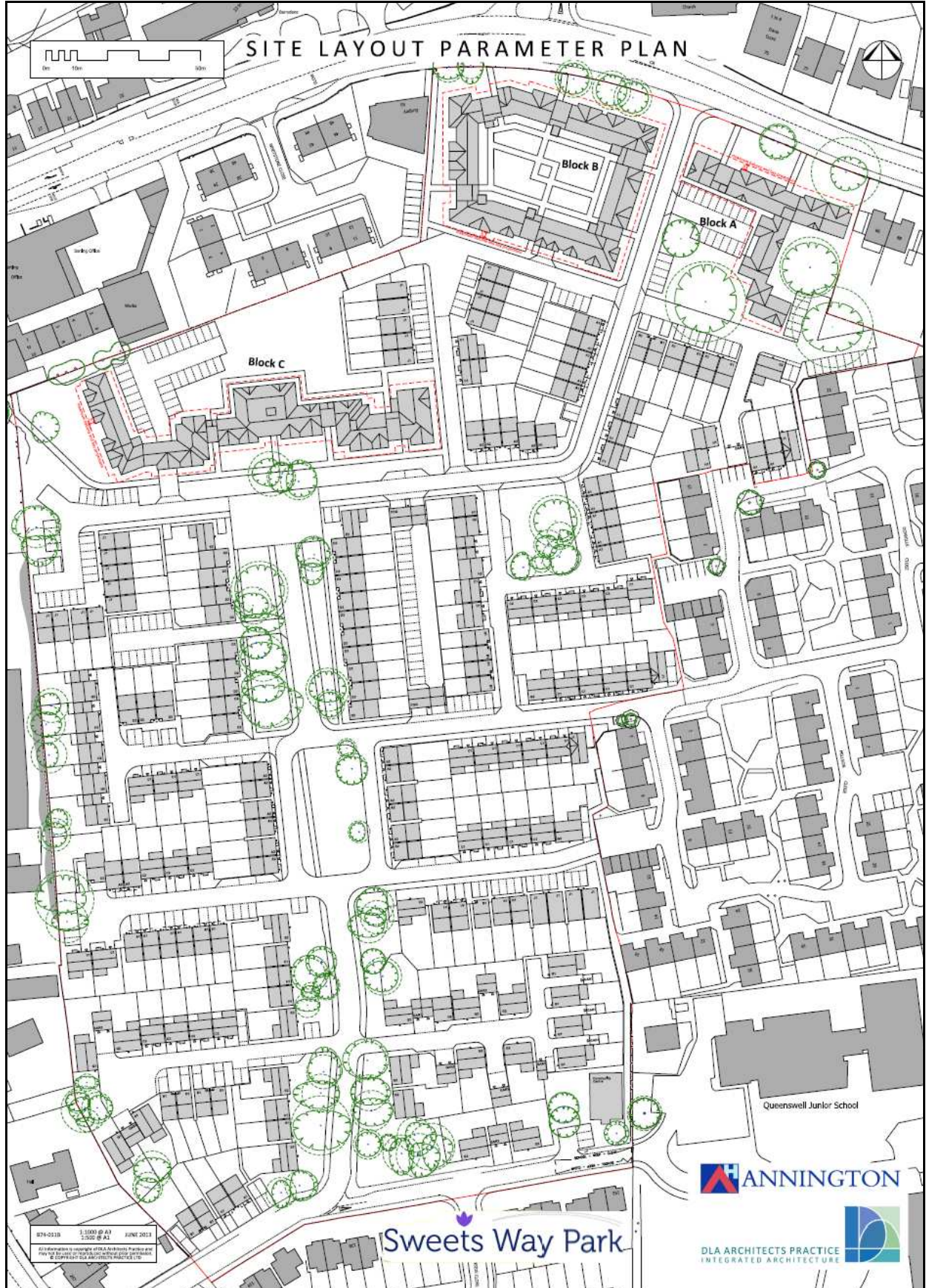
B/02158/13 'Application for determination as to whether the prior approval of the Local Planning Authority is required for the change of use of the existing office floorspace (Use Class B1 (a)) to a residential use (Use Class C3), comprising 95 dwellings.' NOT PERMITTED DEVELOPMENT AND THE PRIOR APPROVAL PROCESS IS NOT APPLICABLE (July 2013).

B/03322/13 'Application for determination as to whether the prior approval of the Local Planning Authority is required for the change of use of the existing office floorspace (Use Class B1 (a)) to a residential use (Use Class C3), comprising 74 dwellings.' NOT PERMITTED DEVELOPMENT AND THE PRIOR APPROVAL PROCESS IS NOT APPLICABLE (September 2013).

B/03490/13 'Application for determination as to whether the prior approval of the Local Planning Authority is required for the change of use of the existing office floorspace (Use Class B1 (a)) on the eighth floor of the building to a residential use (Use Class C3), comprising 4 dwellings' NOT PERMITTED DEVELOPMENT AND THE PRIOR APPROVAL PROCESS IS NOT APPLICABLE (September 2013).

B/05674/13 'The extension, refurbishment, alteration and change of use of Northway House to provide for a residential led mixed use development comprising a total of 145 new dwellings (use class C3); 2,045 square metres of floorspace for business use (use class B1) or non-residential institutional use (use class D1); together with ancillary reception floorspace and associated landscaping, car parking and access.' APPLICATION UNDER CONSIDERATION.

APPENDIX 2: PROPOSED SITE LAYOUT PLAN



APPENDIX 3: INFORMATIVES

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals the Local Planning Authority has produced planning policies and written guidance. These are all available on the Council's website. A pre-application advice service is also offered. In this instance the applicant sought formal pre-application advice, which was provided.

During the processing of the application there was significant engagement with the applicant to try and achieve an acceptable proposal. Unfortunately amendments to overcome important planning concerns with the application were not submitted. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through its pre-application advice service.

2. National Grid has advised that they have gas apparatus in proximity to the site. The applicant is therefore advised to contact National Grid at the earliest opportunity to discuss this matter with them directly. The National Grid Plant Protection Team can be contacted at on 0800 688 588 and at plantprotection@nationalgrid.com or at Plant Protection, National Grid, Block 1 Floor 1, Brick Kiln Street, Hinckley LE10 0NA.

3. The plans and documents accompanying this application are:

874-010; 874-011B; 874-012C; 874-013B; 874-014E; 2205-LA-01 Revision D; VN40291-DG-0005; VN40291-DG-0006; Design and Access Statement; Design and Access Statement Addendum; 874-024; Planning Statement; Letter from PPML Consulting dated 28th June 2013; Email from Ian Hudson of Annington Developments dated 1st November 2013 entitled 'Sweetest Way, Whetstone'; Sweets Way – Post Planning Application Submission Revisions Note; Transport Assessment; Travel Plan; Email from SKM responding to TfL Comments dated 22nd October 2013; Arboricultural Impact Assessment Report (and associated plans); Supporting Information Relating to Existing and Proposed Trees Reference 2205-FN07a; Illustrative Landscape and Public Realm Strategy with Drawing Number 2205-LA-02 Revision D; Archaeological Desk Based Assessment; Desk Study; Extended Phase 1 Habitat Survey and Bat Inspection; Stage 2 Bat Survey; Flood Risk Assessment; Letter from SKM dated 30th August 2013 proposing a revised drainage strategy; Surface Water Conceptual Drainage Layout Drawing Number VN40291-ECC-SK-0001 Revision E; Accommodating SUDs into the Amenity and Play Space Strategy 2005-FN06a; Drawing 2100-LA-03; Noise Assessment; Air Quality Assessment; Land Quality Assessment; Sustainability Statement; Energy Assessment; Energy Technical Note; Statement of Community Involvement; Viability Report

APPENDIX 4: SITE LOCATION PLAN

