

**LOCATION:** 124-128 Granville Road, London, NW2 2LD  
**REFERENCE:** F/03325/11 **Received:** 08 August 2011  
**Accepted:** 09 August 2011  
**WARD(S):** Childs Hill **Expiry:** 08 November 2011  
**Final Revisions:**  
**APPLICANT:** F E Powell & M T Proudlock  
**PROPOSAL:** Demolition of existing B1 building. Erection of a new 4 storey building to accommodate 12no self-contained flats including amenity space and 7no parking spaces to the rear.  
(OUTLINE)

**RECOMMENDATION: Approve Subject to Unilateral Undertaking**

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Education Facilities (excl. libraries) £32,598.00**  
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £1,668.00**  
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £9,406.00**  
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £2,183.70**  
Contribution towards the Council's costs in monitoring the obligations of the agreement.

**RECOMMENDATION II:**

That upon completion of the agreement the Assistant Director of Planning and Development Management approve the planning application reference: F/03325/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: E[-]100, E[-]100 Rev: D, E[-]101, E[-]101 Rev: E, E[-]102, E[-]201 Rev:D, a letter from Dutch and Dutch and a Design and Access statement.  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 2 Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.  
Reason:  
To ensure a satisfactory appearance to the development.
- 3 Plans and particulars of the reserved matters referred to in Condition 2 above, relating to the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

- Reason:  
To ensure a satisfactory appearance to the development.
- 4 Application for the approval of the reserved matters must be made before the expiration of three years from the date of this permission.
- Reason:  
To comply with Section 92 of the Town and Country Planning Act, 1990.
- 5 The development to which this permission relates must be begun not later than two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- Reason:  
To comply with Section 92 of the Town and Country Planning Act, 1990.
- 6 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
- Reason:  
To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.
- 7 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
- Reason:  
To safeguard the visual amenities of the locality.
- 8 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
- Reason:  
To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway.
- 9 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.
- Reason:  
To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

- 10 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

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

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

Reason:

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

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

Reason:

To ensure that the development is sustainable and complies with policy GSD of the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

- 13 Before the development hereby permitted is occupied the proposed parking spaces within the parking area as shown in Drawing No. P[-]100 Rev: A submitted with the planning application shall be provided and the access to the parking spaces will be maintained at all time.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with Policies M8 and M14 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

- 14 A Construction Management Plan must be submitted to and approved by the Local Planning Authority. This document following approval must be complied with.

Reason: In the interests of highway safety in accordance with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

- 15 Before the building hereby permitted is occupied the proposed window(s) in the side elevations facing 122 and 130 Granville Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

#### **INFORMATIVE(S):**

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

The Mayor's London Plan: July 2011: 3.5, 5.3, 5.4, 6.13 and 7.6.

Adopted Barnet Unitary Development Plan (2006): GSD, GBEnv1, GBEnv2, GBEnv5, GParking, GH1, GH2, GEMP1, GEMP4, ENV12, ENV13, EMP2, EMP7 D1, D2, D3, D4, D5, D8, D9, D11, M4, M8, M11, M12, M13, M14, H16, H17, H18, H21, CS2, CS8, IMP1 and IMP2.

Core Strategy (Submission version) 2011: CS4 and CS5.

Development Management Policies (Submission version)2011: DM01, DM02, DM08 and DM17.

ii) The proposal is acceptable for the following reason(s): - Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions the proposal would be in accordance with the Council's policies and guidelines, are appropriately designed, would not prejudice highway safety or convenience and would not cause unacceptable harm to the amenities of the area or any neighbouring properties. The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

- 2 In case if any modification is proposed or required to the existing access off the public highway then it will be subject to a detailed investigation by the Crossover Team in Environment and Operations Directorate. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of any existing street furniture. This would need to be done by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on public highway from the Environment and Operations Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London

N11 1NP.

- 3 Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.
- 4 Refuse collection points should be located within 10 metres of the Public Highway, otherwise, unobstructed access needs to be provided to the refuse vehicle on the day of the collection. The development access needs to be designed and constructed to allow refuse vehicles to access the site. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 5 Your attention is drawn to the fact that this decision is subject to a section 106 Planning Obligation.
- 6 The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £32,597.60.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief or Charitable Relief applies to your development then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil)

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

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

If you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please contact us: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

### **RECOMMENDATION III**

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 31st May 2012 the Acting Assistant Director of Planning and Development Management REFUSE the application ref: F/03325/11 under delegated powers for the following reasons:

The proposed development does not include a formal undertaking to meet the costs of extra education, libraries, health and social care facilities and associated monitoring costs arising as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet supplementary Planning Documents - Contributions to Education (2008), Libraries (2008), Health (2009) and Monitoring (2007) and policies CS8, CS2, CS13, IMP1 and IMP2 of the Adopted Unitary Development Plan (2006).

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

The Mayor's London Plan: July 2011: 3.5, 5.3, 5.4, 6.13 and 7.6.

Relevant Unitary Development Plan Policies: GSD, GBEnv1, GBEnv2, GBEnv5, GParking, GH1, GH2, GEMP1, GEMP4, ENV12, ENV13, EMP2, EMP7 D1, D2, D3, D4, D5, D8, D9, D11, M4, M8, M11, M12, M13, M14, H16, H17, H18, CS2, CS8, IMP1, IMP2

### Core Strategy (Submission version) 2011

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS4 and CS5

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for

day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM14 and DM17.

Relevant Planning History:

**Application:** Planning  
**Validated:** 27/05/2008  
**Status:** DEC  
**Summary:** APL  
**Description:** Replacement of existing B1 unit with new mixed use 4 storey building comprising B1 use on ground and part first floor (349 sq.m) and a total of 7 residential units on first, second and third floors.

**Number:** F/01657/08  
**Type:** APF  
**Date:** 05/12/2008  
**Case Officer:** Fabien Gaudin

**Application:** Planning  
**Validated:** 18/06/2010  
**Status:** DEC  
**Summary:** REF  
**Description:** Demolition of existing B1 building. Erection of a new 4 storey building comprising B1 use on ground floor and a total of 9 flats on the first second and third floors. (Outline)

**Number:** F/01703/10  
**Type:** APO  
**Date:** 13/08/2010  
**Case Officer:** David Campbell

**Application:** Planning  
**Validated:** 30/04/2010  
**Status:** DEC  
**Summary:** AP  
**Description:** Submission of details of conditions 2 (Levels), 3 (Materials) and 5 (Refuse) pursuant to planning permission reference F/01657/08 dated 05/12/2008.

**Number:** F/01710/10  
**Type:** CON  
**Date:** 27/08/2010  
**Case Officer:** David Campbell

**Application:** Planning  
**Validated:** 03/09/2010  
**Status:** DEC  
**Summary:** APC  
**Description:** Demolition of existing B1 building. Erection of a new 4 storey building comprising B1 use on ground floor and a total of 9 flats on the first, second and third floors. (OUTLINE)

**Number:** F/03585/10  
**Type:** APO  
**Date:** 29/10/2010  
**Case Officer:** David Campbell

Consultations and Views Expressed:

Neighbours Consulted:	272	Replies: 7
Neighbours Wishing To Speak	1	

The objections raised may be summarised as follows:

- Parking/ Increase in congestion
- The postcode is wrong
- Granville Road is built up enough already
- Overlooking
- Developments on other sites could not be constructed.
- Increase in density.

### Internal /Other Consultations:

- Thames Water Devt Control - No objections.
- Traffic & Development - No objections.
- Property Services (valuers) - No objections.

Date of Site Notice: 25 August 2011

## **2. PLANNING APPRAISAL**

Site Description and Surroundings: The application site is located on Granville Road within Childs Hill ward. Granville Road is a mixed street comprising Victorian terraces at the lower end, light industrial units in the centre and blocks of flats at the upper end.

The application site has been cleared, but was previously occupied by a two storey building used by a construction company for office space and storage. There is an existing access through to a parking area at the rear of the building.

To the rear the site adjoins the boundary of Childs Hill Park. To the south the site adjoins 122 Granville Road, a commercial premises that shares the same front building line as the existing building at 124-128 Granville Road. The other adjacent site (130 Granville Road) is set back from the front of the application site by 14 metres.

Proposal: The application is for the demolition of the existing B1 building. Erection of a new 4 storey building to accommodate 12no self-contained flats including amenity space and 7no parking spaces to the rear. This is an outline application with only appearance, layout and scale being considered. Access and landscaping are reserved.

The existing premises were previously used as a construction company headquarters and building depot with a mix of office space and storage of building equipment with 7 staff and a number of temporary tenants.

7 parking spaces are provided. Parking spaces will be allocated to 2/3 bedroom units. No parking is provided for the one bedroom units. One of the spaces will be designed for disabled use.

### Planning Considerations:

#### Existing Employment Use

The site has a current employment use. Council Policy seeks to protect employment sites and generally resists their re-development for non-employment uses. There is currently 358 square metres of B1 floor space, a letter from Dutch and Dutch Estate Agents has been submitted with the application which states that it is unlikely that the office space could be let out.

Policy GEMP4 says:



The council will seek to retain land that meets strategic requirements for small, medium and large scale industrial users. If there is no realistic prospect of the re-use of a site purely for employment purposes, mixed use development for employment and housing will be a priority.

Policy EMP2 says:

The other sites apart from those listed in Table 10.2 that are used, or have last been used, for class B1, B2, B8 or similar industrial uses, the council will not grant planning permission to redevelop or change them to non-industrial or non-business uses. Exception will only be made where there is no realistic prospect of re-use in the short, medium and long term, or of redevelopment for industrial purposes. In these cases, the priority for re-use will be a mixture of small business units with residential uses.

Council Policies seek to retain employment generating land within the borough; *"...where there is a reasonable prospect of productive use, there will be a similar protection afforded against loss to non-industrial and non-business use. This protection will apply to slightly less desirable sites that could, or do, provide affordable premises for small firms and growing business sectors. Such a site may be redeveloped or re-used if there is no interest expressed in its use as an industrial site in its current form for a period of at least 18 months, and it has been actively marketed for such re-use or redevelopment..."*. The applicants have submitted marketing details for the site which demonstrate that a marketing exercise has been carried out without success. It is considered that given that other flats have already been approved on site, it is not considered that there would be any harm in allowing additional residential units at the expense of office space given the location of the site and the size of the unit available. It is also not considered that the loss of the office space will significantly harm job opportunities in the local area. It is also considered that the scheme as a whole will be more viable, and that the site would benefit more for more residential units than offices which would potentially be left unoccupied. Every case is site specific and it is considered that the overall delivery of the scheme and specific circumstances of the scheme render the additional residential units acceptable. It may not always be acceptable to accept the loss of employment floorspace but at the same time each application has to be assessed on its own merits.

Paragraph 51 of the NPPF states, 'Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.'

In this case, the applicants have submitted a feasibility report for the B1 units, which the council's Property Services Team have confirmed demonstrates there is no market for a B1 use in this area. The loss of employment is therefore considered to be acceptable.

Design

National, regional and local guidance have policies that seek to promote the redevelopment of Brownfield sites for residential use providing they are acceptable in terms of character and will not harm the amenities of future occupants or any of the adjoining uses. Policies such as H2, H16 and H17 relate to this in the Unitary development Plan and indicate that the Council will seek to provide additional homes providing that certain criteria has been conformed to. The various aspects of the application have been broken down and discussed below.

The NPPF has been adopted since the grant of the previous consent. The relevant sections are as follows:

Paragraph 49 of the NPPF states that “Housing applications should be considered in the context of the presumption in favour of sustainable development”.

The government consider that “there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – ... by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation
- a social role – ... by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment ... ”

In paragraph 21, the government encourages the effective use of land by reusing land that has been previously developed (brownfield land).

Paragraph 56 states “the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.

It is considered that the application complies with the above sections of the NPPF.

Policy H16 of the adopted *Unitary Development Plan* is a housing policy which states that new residential developments should harmonise with and respect the character of the area within which they are situated and should:

- Be well laid out in terms of access, car parking and landscaping;
- Provide and preserve adequate daylight, outlook and residential amenity;
- Provide a safe and secure residential environment;
- Maintain privacy and prevent overlooking; and
- Provide adequate levels of private garden or amenity space.

Policy GBEnv1 of the adopted *Unitary Development Plan* is a general policy stating

that the Council will protect and enhance the quality and character of the Borough's built and natural environment.

Policy GBEEnv2 of the adopted *Unitary Development Plan* is a general policy including the statement that the Council will require high quality design in all new development in order to enhance the quality of the Borough's built and open environment, to utilise environmentally friendly methods of construction, to improve amenity, to respect and improve the quality of environment of existing and future residents.

Policy D1 of the adopted *Unitary Development Plan* is a Design policy stating that the all new developments should represent high quality design.

Policy D2 of the adopted *Unitary Development Plan* is a Design policy stating that the Council will encourage development proposals which are based on an understanding of local characteristics, preserve or enhance local character and respect the appearance, scale, bulk, height and pattern of surrounding buildings, surrounding street and movement patterns and the overall character and quality of the area.

The proposed development would be higher than the previous building, but due to the mixed nature of the area in terms of type and size of buildings, it is not considered to be unacceptable. The top floor has been set back to help reduce the impact of the additional mass and bulk. The building is also set back from the foot way to allow for a small area of landscaping and bin storage.

The footprint of the proposed building is in keeping with the existing consent and is considered to be acceptable. The bulk, siting, scale and general proportions of the proposed building would be in character with the surroundings and sit comfortably within the site. The proposal is not considered to cause harm to the character and appearance of the street scene or wider area. The external appearance of the building is similar to the scheme which has been previously approved.

#### Proposed Residential Units

All the flats comply with the London Plan's space standards and as such the layout is considered to be acceptable. Private amenity space is provided in the form of balconies and parking is located at the rear of the site.

Refuse and re-cycling storage is to be provided at the front of the site. A condition is attached to this decision requesting further details of refuse and re-cycling enclosures to be submitted to the Local Planning Authority for approval.

A condition has also been attached to ensure the soundproofing between the units is sufficient to prevent loss of amenity in terms of noise between the flats.

There are therefore no objections on these grounds.

#### Neighbouring Amenity

Policy H17 of the Adopted Unitary Development Plan (2006) requires a minimum distance of 21 metres in new developments between facing windows to habitable rooms to avoid overlooking - the proposed buildings accord with this policy. To the rear the site faces Childs Hill Park and to the front a car park for Beech Court. Habitable windows are proposed to the side elevations and again these comply with the policy.

Balconies are proposed for all the flats. It is recognised that this type of development can often be unacceptable due to facilitating overlooking, however, in this instance due to the location of the proposed building with no neighbours to the front or rear and commercial premises to either side, the balconies are considered to be acceptable.

Policy D5 of the adopted *Unitary Development Plan* is a Design policy states that new developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users. It is considered that given the commercial nature of the surrounding uses, the application is acceptable in terms of policy D5 also.

#### Amenity Space

Council Policy H18 refers to amenity space standards. For flats the requirement is 5 square metres of space per habitable room. All the proposed residential units each benefit from amenity space in the form of private balconies which exceed the required area. Although the preference is for usable space in the form of a garden, the Adopted UDP (2006) states in relation to amenity space provision for flats "*...where there is no significant overlooking, garden space may be substituted for in the form of balconies*".

It should also be noted that the site is within very close proximity of additional public amenity space - Childs Hill Park. Adequate amenity space is considered to be provided.

#### Parking/ Access

Parking provision of between 7 to 15.5 parking spaces is required to meet the Parking Standards as set out in the UDP 2006. The parking provision is at the lower end of the range however, taking into consideration the following:

- The site is located within walking distance of town centre and local amenities
- The site is within a PTAL Score of 3 and within walking distance of public transport facility such as Golders Green bus station and underground train station.

There are no objections from the council's Traffic and Development Team. The application is therefore considered to be acceptable on parking and access grounds.

#### Sustainability

Sustainable development is a key priority of Central Government and the Council.

Any new major residential development in Barnet is expected to meet Code Level 4 of the Sustainable Homes. A condition has been attached to ensure that this is the case.

### Affordable Housing

Policy H8 on Affordable Housing Commuted Payments, states, 'on sites which are suitable for the provision of an element of affordable housing, the council may exceptionally accept the provision off-site housing, or a commuted payment instead of such provision.'

Development Management Policy DM08, on affordable housing contributions states, that 'subject to viability a more flexible approach to affordable housing delivery will be permitted where the number of additional units is between 10 and 15 units. All new development providing 15 or more units will be required to achieve on-site, subject to viability, a minimum of 30% affordable housing. Further details on financial contributions in lieu of on site provision will be provided in a Supplementary Planning Document.'

The applicants have submitted a Viability report which states that affordable housing both on site or in the form of a commuted sum is not viable for the site. This has been confirmed as acceptable by the council's Property Services team. No contribution towards affordable Housing is therefore being sought for the application.

### Section 106 Contributions

The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

Government Circular 05/05 and the Council's adopted SPD for section 106 related planning obligations is applicable for this site in respect of the following areas:

Under Policy CS8 of the Adopted UDP (2006) the council will seek to secure a financial contribution through a Section 106 Agreement for future education needs generated by the development in the Borough. The financial sum is dependant on the number and type of units proposed and is calculated in line with the council's Supplementary Planning Document on Contributions to Education. A sum of £32,598 would satisfy this requirement.

Policy CS2 of the Adopted UDP (2006) states that the council will seek to enter into planning obligations, where appropriate, in conjunction with new developments, to secure the provision of community and religious facilities. A contribution will be sought for the provision of library services in the borough in line with the council's Supplementary Planning Document on Contributions to Library Services. A sum of £1,668 would satisfy this requirement.

Policy CS13 of the Adopted UDP (2006) states that the council will seek to enter into planning obligations, where appropriate, in conjunction with new developments, to secure the provision of healthcare facilities. A contribution will be sought for the

provision of healthcare services in the borough in line with the council's Supplementary Planning Document on Contributions to Health Facilities from Development. A sum of £9,408 would satisfy this requirement.

The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore seeks the payment of a financial obligation towards the costs of undertaking the work relating to securing the planning obligations. The amount of contribution being sought would depend upon the final scheme. In February 2006 Cabinet approved a Supplementary Planning Document (SPD) for Planning Obligations. A sum of £2,183.70 would satisfy the monitoring requirement.

The total amount payable would therefore be £45,857.70 which is to be secured by a unilateral undertaking.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

The grounds of objection have been addressed below:

- The council's Traffic and Development Team have no objections in terms of parking
- The Local Planning Authority is not able to change the postcode
- Granville Road is considered to be able to accommodate a development of this scale, in addition to the ones which exist already.
- The adjoining properties are in commercial use, so it is not considered the application could be refused on the grounds of overlooking.
- Future developments on other sites are not a material consideration. The application must be determined on its own merits.
- It is not considered that the increase in density is harmful or inappropriate.

### **4. EQUALITIES AND DIVERSITY ISSUES**

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

### **5. CONCLUSION**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions the proposal would be in accordance with the Council's policies and guidelines, are appropriately designed, would not prejudice highway safety or convenience and would not cause unacceptable harm to the amenities of the area or any neighbouring properties. The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

It is therefore recommended that the application be **APPROVED**.

