

LOCATION: Land between Sweets Way and Oakleigh Road North,
London, N20
REFERENCE: B/04309/14
WARD: Totteridge

Received: 08 August 2014
Accepted: 08 August 2014
Expiry: 10 November 2014

APPLICANT: Annington Property Limited

PROPOSAL: Demolition of all existing buildings and outline planning permission (with all matters other than access and layout reserved) for new residential dwellings (Use Class C3), comprising up to 201 houses and up to 87 flats (up to 288 new dwellings in total), and a community building (Use Class D1) providing up to 255 sqm floorspace. The provision of pedestrian and vehicular site access from Sweets Way and pedestrian only from Oakleigh Road North.

APPLICATION SUMMARY

The application is for the erection of 288 residential units and a community building (Use Class D1) providing up to 255 sqm Floorspace. The application follows the refusal of an earlier application in January 2014 for the erection of 360 dwellings and new community building along with a new site access from Oakleigh Road North (Reference B/02710/13). This application was refused for a variety of reasons including design and layout concerns, the relationship to neighbouring residential properties, insufficient information submitted in support of the application, the absence of affordable housing and the failure to make sufficient contributions through a S106 agreement.

The current application has made a number of changes to the proposal following the refusal of the previous application. The main changes include the reduction in the site area for which permission is sought along with the number of units, an increase in the affordable housing proposed to 20%, layout amendments to improve the relationship to surrounding properties and reductions in the number of car parking spaces and the number of trees proposed to be removed.

The amended scheme would achieve a high standard of design, which will ensure that this high density development would have an acceptable visual impact in relation to its surroundings. Strong controls are in place to ensure that the buildings are constructed to a high standard of detailing. The layout of the proposal would ensure a legible network of quiet residential streets and would enhance the setting of the surrounding streets, whilst providing high quality homes for future residents, with appropriate amenity space provision.

A high standard of landscaping is proposed and the scheme also incorporates areas of public amenity space, to incorporate children's play space. The development would result in the limited removal of the existing trees from the site. However, it is considered that the replacement planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

The development would provide an appropriate mix of unit sizes and tenures and would deliver 20% affordable housing by unit number, which is considered to be the maximum level possible, having regard to the viability of the development. This has been verified by an independent consultant.

The scheme provides an appropriate level of car parking on site, in accordance with Barnet's parking standards. A contribution has been secured towards improvements to local bus stops and traffic junctions in the vicinity of the site. Alongside this, Travel Plans will encourage users of the site to use more sustainable modes of transport and further mitigation will be secured by condition to control details of construction, delivery and servicing and car parking management.

The application includes a number of measures to achieve a good standard in respect of sustainable design and construction. The new homes would meet Code for Sustainable Homes Level 4. There are also requirements for appropriate biodiversity mitigation and enhancement measures which are ensured through the conditions recommended.

A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of residential environment, does not cause any unacceptable harm to the amenities of neighbouring occupiers or biodiversity, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal, such as from sources of land contamination or surface water flood risk.

All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies and adequately addresses the previous reasons for the refusal of planning application B/02710/13. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to referral to the GLA and the satisfactory completion of the Section 106 Agreement, approval subject to conditions is recommended.

Recommendation 1

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

Recommendation 2

Subject to Recommendation 1 above, the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes of seeking to secure the following:

- i. Legal Professional Costs Recovery
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.
- ii. Enforceability
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
- iii. Affordable Housing
Provision of 59 affordable housing units (including full nomination rights on these units) on the site in accordance with the following mix:-
 - Affordable Rented
 - 6 x 1 bed, 2 person flats
 - 9 x 2 bed, 3 person flats
 - 4 x 2 bed, 4 person houses
 - 10 x 3 bed, 5 person houses
 - 4 x 4 bed, 6 person houses
 - Intermediate Housing
 - 12 x 1 bed, 2 person flats
 - 8 x 2 bed, 3 person flats
 - 6 x 2 bed, 4 person houses
- iv. Viability Review
A review process when the development is complete to assess whether revenues generated by the sale of the private residential units are sufficient to provide a financial contribution towards the provision of additional affordable housing in the London Borough of Barnet.
- v. Notting Hill Housing Construction Training Initiative
To enter into a formal agreement with the Notting Hill Housing Trust to include provision for the following:-
 - (a) The agreed number of trainee places to be provided on the site of the Affordable Housing Scheme and the duration of each placement;
 - (b) A commitment by the Owners to pay a percentage of the build costs in respect of the Affordable Housing Scheme such payment to cover general running costs such as trainees' fees fares and tools;
 - (c) A commitment by the Owners to pay a "provisional sum" expressed as a percentage of the build costs in respect of the Affordable Housing Scheme to cover trainees' wages.
- vi. Apprenticeships
The applicant shall secure the provision of a minimum of 11 apprenticeships (or alternative graduate scheme to be agreed) including costs of wages and training to be delivered in line with the National Apprenticeship Service Framework.

vii. Highway Works and Travel Plan

(a) The following contributions and commitments associated with the Travel Plans (TP) are sought under a Section 106 Agreement

- Travel Plan monitoring for strategic level residential TP of £15,000 for the residential development
- Residential welcome packs

(b) Other Required Section 106 Contributions

(i) A total contribution Capped at £50,000 will be required consisting of £10,000 towards a feasibility study and £40,000 towards implementation of measures identified in the feasibility study for improvements at the junction of Totteridge Lane/ 1000 High Road/ Oakleigh Road North

(ii) A Contribution of £10,000 will be required for identified improvements to bus stops.

The section 106 Agreement should include a commitment for the following:

Signalisation of Friern Barnet Lane/ A1000 junction and modifications to junction Stopping up public highways under Town and Country Act 1990

(c) The following proposed highway works shall be carried out under S278 of the Highways Act 1980 and to be concluded in S106 Agreement.

(i) Signalisation of Friern Barnet Lane and required associated works on the public highways.

viii. Transfer of the Community Use Building Land

The transfer of the freehold interest of the Community Hub Land to the Council;

ix. Community Use Building

The provision of a permanent Community Use building on the Community Use Land within the site. The Community Use Building shall provide for multi functional spaces to a specification and configuration to be agreed with the Council. The Community Hub Building shall have a gross external floorspace of at least 255m² and shall be built and fitted out at a cost to the Developer not exceeding (unless otherwise agreed by the Developer) the sum of £550,000 BCIS index linked to a timescale to be agreed with the Local Planning Authority.

x. Monitoring of the Section 106 Agreement

A contribution of £3,000 index linked towards the monitoring and management of the S106 planning obligations.

Recommendation 3:

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Assistant Director of Planning and Building Control approve the planning application reference B/04309/14 under delegated powers and grant planning permission subject to the following conditions and any changes to the wording of the conditions considered necessary by the Assistant Director - Planning and Building Control:

Conditions**Approved Plans**

1. No development shall take place unless in accordance with the following Approved Parameter Plans and substantially in accordance with the supporting documents:

Parameter Plans:

Site Location Plan – 931-005
Site Layout Parameter Plan - 931-006B
Maximum Storey Heights Parameter Plan - 931-007B
Housing Mix Parameter Plan - 931-008B
Parking Parameter Plan – 931-009B
Landscape Parameter Plan – A102-LA04E

Supporting Documents:

Design and Access Statement Rev A October 2014
Supplementary Advice on Schedule of Accommodation Breakdown by Character Zones September 2014
Addendum Flood Risk Assessment and Drainage Strategy August 2014
Noise and Air Quality Addendum August 2014
Addendum Transport Assessment and Travel Plan August 2014
Arboricultural Impact Assessment Report dated 05/08/2014
Energy Assessment dated 06/08/2014
Sustainability Statement August 2014
Archaeological Desk Based Assessment August 2014
Land Quality Assessment dated 06/08/2014
Statement of Community Involvement August 2014
Desk Study, Extended Phase 1 Habitat Survey and Bat Inspection June 2013
Stage 2 Bat Survey June 2013
Bat Surveys September 2014

Reason:

For the avoidance of doubt and to ensure the development accords with the outline permission and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

Timing of Submission of Reserved Matters

2. Applications for the approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason:

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

Time Limit on Implementation

3. 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.

Reserved Matters – compliance with approved plans

4. Reserved matters applications pursuant to this permission shall be made in accordance with the following approved parameter plans and substantially in accordance with the supporting documents:

Parameter Plans:

Site Location Plan – 931-005

Site Layout Parameter Plan - 931-006B

Maximum Storey Heights Parameter Plan - 931-007B

Housing Mix Parameter Plan - 931-008B

Parking Parameter Plan – 931-009B

Landscape Parameter Plan – A102-LA04E

Supporting Documents:

Design and Access Statement Rev A October 2014

Supplementary Advice on Schedule of Accommodation Breakdown by Character Zones September 2014

Addendum Flood Risk Assessment and Drainage Strategy August 2014

Noise and Air Quality Addendum August 2014

Addendum Transport Assessment and Travel Plan August 2014

Arboricultural Impact Assessment Report dated 05/08/2014

Energy Assessment dated 06/08/2014

Sustainability Statement August 2014

Archaeological Desk Based Assessment August 2014

Land Quality Assessment dated 06/08/2014

Desk Study, Extended Phase 1 Habitat Survey and Bat Inspection June 2013

Stage 2 Bat Survey June 2013

Reason:

For the avoidance of doubt and to ensure the development accords with the outline permission and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

Reserved Matters

5. Details of the design, external appearance and landscaping, (hereinafter called "the reserved matters"), shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason:

To ensure a satisfactory development.

Phasing Details

6. No development shall take place until a detailed Phasing and Implementation Strategy setting out the order and timing of development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:

To ensure that the development is carried out in an appropriate sequence and does not adversely affect neighbouring amenity or highway conditions in the vicinity of the site in accordance with Policy CS9 of Core Strategy (Adopted) September 2012 and Policies DM01, DM04 and DM17 of Development Management Policies (Adopted) September 2012.

Maximum Number of Residential Units

7. The maximum number of residential units to be developed on the application site shall not exceed 288.

Reason:

In order to ensure that the development is built to a satisfactory density and to safeguard the character and visual amenities of the site and the surrounding area, and to ensure that the phasing of development is satisfactory in terms of highway safety and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policies CS5 and CS9 of Core Strategy (Adopted) September 2012 and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

Maximum Floorspace

8. The maximum Gross Internal Residential Floor Area (GIA to be developed on the application site), shall not exceed 28,721 sq.m as confirmed on parameter plan 931-008B.

Reason:

To safeguard the character and visual amenities of the site and the surrounding area, and to ensure that the phasing of development is satisfactory in terms of highway safety and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policies CS5 and CS9 of Core Strategy (Adopted) September 2012 and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

Maximum Floorspace by Character Zone

9. The maximum Gross Internal Residential Floor Area (GIA to be developed on the application site), for each Character Zone shall not exceed the figures illustrated in the submitted document '*Supplementary Advice on Schedule of Accommodation: Breakdown by Character Zone September 2014*'

Reason:

To safeguard the character and visual amenities of the site and the surrounding area, and to ensure that the phasing of development is satisfactory in terms of highway safety and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policies CS5 and CS9 of Core Strategy (Adopted) September 2012 and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

Lifetime Homes

10. All 288 of the new residential units (use class C3) within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan.

Code for Sustainable Homes Level 4

11. All 288 residential units (use class C3) within the development hereby permitted shall all be constructed to achieve not less than Code Level 4 in accordance with the Code for Sustainable Homes (or the equivalent standard in such measure of sustainability for house design which may replace that scheme).

i) Prior to occupation of any residential unit within the phase a design

stage assessment demonstrating that not less than Code Level 4 would be achieved for each of the dwellings shall be submitted to and approved by the LPA;

12. No later than 4 months after final occupation of any phase, the Final Code Certificate certifying that not less than Code Level 4 has been achieved for each of the dwellings shall be submitted to and approved by the LPA.

Reason:

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

Internal Space Standards

13. All 288 residential units (use class C3) within the development hereby permitted shall all be constructed to achieve the minimum internal space standards set out in Table 3.3 of the London Plan (2011).

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.5 of the London Plan (2011).

Wheelchair Homes

14. A minimum of 10% of the residential dwellings within the development hereby approved shall be built to wheelchair housing standards or easily adaptable for residents who are wheelchair users.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2011).

Total Car Parking Spaces

15. The maximum number of car parking spaces to be provided on the application site shall not exceed 448 spaces.

Reason:

To ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Car Parking Spaces per Phase

16. Prior to the commencement of any phase, details of the number, location and layout of car parking spaces within that phase shall be

submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be provided in accordance with the approved details prior to occupation and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Electric Vehicle Charging Points

17. Prior to the commencement of any phases details of proposed Electric Vehicle Charging Points shall be submitted to and approved in writing by the Local Planning Authority. This must achieve a minimum of 20% active charging points and a further 20% passive charging points which shall be installed across the site in accordance with the approved details prior to occupation and maintained thereafter.

Reason:

To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

Car Parking Management Plan

18. Prior to the occupation of the 1st dwelling, a Car Parking Management Plan to serve the residential development shall be submitted to and approved in writing by the Local Planning Authority. This should include:

- i. The location and layout of car parking spaces,
- ii. The allocation of car parking spaces and any associated charges;
- iii. Details of any on site parking controls;
- iv. The enforcement of unauthorised parking; and
- v. Disabled driver parking spaces

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason:

To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Cycle Parking

19. Prior to the commencement of development, details for the provision of cycle parking and storage facilities to serve the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details and maintained for the life of the development.

Reason:

In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Residential Travel Plan

20. Three months prior to the first occupation of residential dwellings within the development hereby approved, a strategic level Residential Travel Plan that meets the most recent Transport for London criteria as detailed in the document 'Travel Planning for new development in London incorporating deliveries and servicing' shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be TRAVL and ATTrBuTE compliant. The document shall set out the development's transport policy to incorporate measures to reduce trips by the private car especially single occupancy and single passenger journeys and encourage non car modes such as walking, cycling and public transport and to reduce, consolidate or eliminate delivery trips. The Travel Plan should include the appointment of a suitably qualified and experienced Travel Plan Champion, SMART targets and a clear action plan for implementing the measures. The Travel Plan should be updated and resubmitted for approval 3 months prior to occupation of each phase of the development and then from first occupation of the final unit reviewed in years 1, 3, and 5 in accordance with the targets set out in the Plan.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies Core Strategy (adopted) 2012 CS9 and Development Management Policies (adopted) 2012 DM17.

Refuse and Recycling Details

21. Prior to the commencement of development, other than for ground works, site preparation or remediation, details of the following shall be submitted to and approved in writing by the Local Planning Authority:
- i. enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins and/or other refuse storage containers where applicable;
 - ii. a satisfactory point of collection; and
 - iii. details of any collection arrangements.

The refuse and recycling facilities shall be provided in full accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason:

To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

Waiver of Liability and Indemnity

22. Prior to the first occupation of the development a Waiver of Liability and Indemnity Agreement in relation to the non-adopted roads within the relevant phase shall be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

Reason:

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

Hours of Construction

23. No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days unless in accordance with previously agreed emergency procedures for deviation.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

Demolition, Construction and Traffic Management Plan

24. No site works or works including demolition shall commence unless and until a Demolition, Construction and Traffic Management Plan to serve the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details. The Demolition, Construction and Traffic Management Plan shall include, but not be limited to, the following information:

- i. details of the routing of demolition and construction vehicles to the site and access and egress arrangements within the site including details of signage, monitoring and enforcement;
- ii. site preparation, demolition and construction stages of the development;
- iii. details of any temporary road closures required in relation to the demolition and construction of the development;
- iv. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- v. details showing how all vehicles associated with the demolition and construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- vi. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from demolition and construction works;
- vii. Measures to monitor vibration from demolition and construction activities on the site;
- viii. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- ix. noise mitigation measures for all plant and processors;
- x. details of contractors compound and car parking arrangements;
- xi. screening and hoarding details;
- xii. delivery and collection times for construction purposes;
- xiii. Details of interim car parking management arrangements for the duration of demolition and construction stages;
- xiv. Temporary access arrangements for pedestrians, vehicles and cyclists;
- xv. Details of a community liaison contact for the duration of all works associated with the development including complaints procedures and complaint response procedures.
- xvi. Prior notice and agreement procedures for works outside agreed limits and hours.
- xvii. Membership of the Considerate Contractors Scheme.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

Street Lighting

25. Prior to the commencement of development, details of street lighting to be provided within the relevant phase shall be submitted to and agreed by the Local Planning Authority. The development shall be implemented in accordance with the details as approved.

Reason:

In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Vehicular Access Points and Estate Roads

26. The applicant should submit a scheme showing details of the proposed internal roads layout for approval, including layout and ramp gradient details for internal roads and access to car parks, details of swept paths and turning movements for Heavy Goods Vehicles and Refuse Collection vehicles entering and navigating the site and that Heavy Goods Vehicles and Refuse Collection vehicles can turn around within the internal roads.

Reason:

To ensure the safe form of access to the development to conform to London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Materials for External Surfaces of Buildings

27. Prior to the commencement of development, other than for ground works, site preparation or remediation, details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas within the relevant phase shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved and maintained for the lifetime of the development.

Reason:

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

Levels

28. Prior to the commencement of each phase, details of the levels of the proposed buildings, roads, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be

implemented in accordance with such details as so approved before the dwellings approved are occupied within the relevant phase.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

Scheme of Hard and Soft Landscaping

29. Prior to the commencement of each phase, a detailed scheme of hard and soft landscaping to serve the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping submitted shall include but not be limited to the following:
- the position of any existing trees and hedges to be retained or removed and the crown spread of each retained tree;
 - details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
 - existing site contours and details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the recommended protective distance referred to in BS5837: 2012.
 - details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green and brown roofs, green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;
 - means of planting, staking and tying of trees, including tree guards, and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;
 - details of all proposed hard landscape works, including proposed materials, samples and details of special techniques to minimise damage to retained trees and details of techniques to be used to provide conditions appropriate for new plantings;
 - timing of planting;
 - details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

Children's Play Space

30. Prior to the commencement of development, details of appropriate facilities for children and toddler play within each phase shall be submitted to and approved in writing by the local planning authority. The play facilities shall be provided in accordance with the approved details prior to the occupation of the relevant phase.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

Tree Protective Fencing

31. Prior to the commencement of each phase, temporary fencing shall have been erected around existing trees which are to be retained within the relevant phase in accordance with details to be submitted and agreed in writing by the Local Planning Authority. These details shall include protection to any retained tree outside of the phase boundary that may be affected by construction access and associated works. The details shall conform with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations. This fencing shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

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

Services in Relation to Trees

32. Prior to the commencement of each phase details of the location, extent and depth of all excavations for drainage and other services in relation to trees within the relevant phase shall be submitted to and approved in writing by the Local Planning Authority and the development carried out in accordance with the details as approved.

Reason:

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

Method Statement – Trees

33. Prior to the commencement of each phase a dimensioned tree protection plan and method statement detailing precautions to minimise

damage to trees to be retained in accordance with Section 6.1 of British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations* shall be submitted to and approved in writing by the LPA and the development shall be carried out in accordance with such approval in relation to the relevant phase.

Reason:

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

Landscaping – Implementation

34. All work comprised in the approved scheme of hard and soft landscaping for each phase (submitted under condition 30) shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building or completion of the construction of the development, whichever is sooner.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

Landscaping – Maintenance

35. Any existing tree or hedge shown to be retained within each phase or trees, hedges or shrubs to be planted as part of the approved landscaping scheme for each relevant phase (as submitted under condition 30) 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 and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

Biodiversity Enhancements

36. Prior to the commencement of each phase, details comprising a scheme of measures to enhance and promote biodiversity within the relevant phase shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats and birds. The approved scheme of measures shall

be implemented in full in accordance with the approved details before the first occupation of the relevant phase.

Reason:

To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan.

Detailed Surface Water Drainage Scheme

37. The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed flood risk assessment (FRA) 'Sweets Way Whetstone, Addendum Flood Risk Assessment and Drainage Strategy, Report No. 14-104-02, August 2014' has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity. in line with Barnet Local Plan policies CS13 and DM04 and policies 5.3, 5.11. 5.13 and 5.14 of the London Plan. The inclusion of green roofs and dry ponds will improve habitat and amenity in line with policies CS7, DM01, DM16 of the Barnet Local Plan policy 7.19 of the London Plan.

Contaminated Land – Method Statement

38. Prior to the commencement of any development:
- (a) A contaminated land desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until these details are approved in writing by the Local Planning Authority.
 - (b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

- a risk assessment to be undertaken;
- refinement of the Conceptual Model; and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority prior to the commencement of the development in the relevant phase.

- (c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring to be carried out shall be submitted to and approved in writing by the Local Planning Authority prior to that remediation being carried out on site.

The Method Statement should contain a detailed breakdown of the proposed remediation strategy for the relevant phase and the anticipated timescales for completion. The method statement should identify the timing and sequence of the required remediation works within the phase and where relevant, set out in consultation with the Local Planning Authority, at what stages the verification report(s) (as required by condition 50) will be submitted to the Local Planning Authority for their approval.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety and to comply with policy DM04 of the Barnet Local Plan.

Contaminated Land – Remediation

39. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement for the relevant phase approved under condition 39 shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority. The verification report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme for the relevant phase as detailed within the previously approved method statement (condition 39, part c). No dwelling shall be occupied until the relevant land has been remediated in accordance with the approved method statement, and this has been approved by the Local Planning Authority.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety and to comply with policy DM04 of the Barnet Local Plan.

Ventilation and Extraction Equipment - Details Required

40. Prior to the commencement of each phase, details of all extraction and ventilation equipment and any other plant to be installed within the relevant phase shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented in accordance with the approved details before the first occupation of the site.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

Noise from Site Plant

41. The level of noise emitted from any plant installed as part of the development hereby approved, including plant to serve the community use building, shall meet a Rating level of at least 5dB(A) below the background level (in accordance with BS4142), as measured from any point 1 metre outside the window of any room of any noise sensitive neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any noise sensitive room of any neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

Privacy Measures between Units

42. Notwithstanding the details shown on the plans submitted and otherwise hereby approved none of the buildings in each phase of the development hereby permitted shall be occupied until details are submitted to the Local Planning Authority and approved in writing demonstrating how satisfactory privacy can be achieved between units.

Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the approved details for that phase and specifications and shall be permanently retained as such thereafter.

Reason:

To safeguard the privacy and amenities of the future occupiers of the proposed residential dwellings and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan.

Energy and Sustainability

43. Prior to the commencement of each phase, a detailed Energy Strategy incorporating full details of the photovoltaic panels, including quantum, to be installed in the relevant phase and measures to achieve carbon dioxide reductions in accordance with the previously submitted site-wide Energy Statement dated June 2014 for the development shall be submitted to and approved in writing by the Local Planning Authority. The photovoltaic systems detailed in the information provided shall be fully installed and operational prior to first occupation and shall thereafter be maintained in accordance with the approved details.

Reason:

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

Estate Management Plan

44. Prior to the first occupation of the development hereby permitted, an Estate Management Plan detailing how the public and communal areas of the development shall be maintained by the applicant or nominated management company, shall be submitted to and approved in writing by the local planning authority. The plan shall be implemented before the building hereby permitted is occupied and maintained thereafter.

Reason:

To ensure the satisfactory management and appearance of the development.

BREEAM Standard for Non Residential

45. The Proposed Community Use Building hereby approved shall achieve BREEAM 'Very Good' level of environmental performance. Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason:

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

Removal of Permitted Development Rights to Houses

46. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the houses hereby approved shall not be extended in any manner whatsoever without the prior specific permission of the Local Planning Authority.

Reason:

To ensure that the development does not prejudice the character of the

locality and the enjoyment by existing and/or neighbouring occupiers of their properties in accordance with policies DM01 and DM02 of the Barnet Local Plan.

Crime Prevention Strategy

47. A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

Acoustic Fencing

48. A scheme for acoustic fencing along the boundary of the development with Lawsons Timber Yard shall be submitted in writing and approved by the LPA prior to the commencement of the development hereby permitted. This scheme shall be fully implemented before the development hereby permitted is brought into use.

Reason:

To ensure that the amenities of occupiers are not prejudiced by industrial/commercial noise in the immediate surroundings in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

Noise Mitigation – Residential Properties

49. Prior to the commencement of development within this phase, details of proposed noise mitigation measures to properties adjacent to the boundary with Lawsons Timber Yard shall be submitted to and approved in writing by the Local Planning Authority.

A scheme of proposed noise mitigation measures that meets the design criteria in the Report by Sinclair Knight Metz dated 19 June 2013 shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.

Reason:

To ensure that the amenities of occupiers are not prejudiced by noise from traffic and industry in the immediate surroundings in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

Restricted Use – Community Use Building

50. The Use Class D1 building within the development hereby approved shall only be used for the purposes of a community centre and children's centre and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to ensure that the proposal does not significantly affect the amenities of neighbouring residents or the safety and freeflow of traffic and pedestrians in the vicinity of the site in accordance with policies DM01, DM13 and DM17 of the Barnet Local plan.

Community Hub Hours of Opening

51. The Class D1 community use building within the development hereby approved shall not be open before 8.00am or after 10.30pm from Monday to Sunday.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM13 of the Barnet Local plan.

Daylight, Sunlight and Overshadowing Assessment

52. A daylight and sunlight assessment and overshadowing assessment in accordance with the relevant BRE Guidelines shall be submitted to the Local Planning Authority with any future reserved matters application.

Reason:

To safeguard the amenities of existing and future occupiers of the development in accordance with policies DM01 and DM02 of the Barnet Local Plan.

Informatives

1. Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle route on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement. Turning facilities for refuse collection vehicles must be provided within the site for vehicles entering the development from both vehicle accesses.

2. 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.
3. The applicant is advised that Friern Barnet Lane, Oakleigh Road North and A1000 High Rd are Traffic Sensitive Road; deliveries during the construction period should not take place between 8:00-9:30 am and 4:30 -6:30 pm Mon-Fri. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
4. The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
5. For construction works adjacent to the public highways, the applicant must contact the Council on 0208 359 2000 for any necessary Highways Licenses.
6. In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:
 - a) A clearly labelled drainage layout plan showing pipe networks and any attenuation areas or storage locations. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
 - b) Confirmation of the critical storm duration.
 - c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
 - d) Where on site attenuation is achieved through ponds, swales, geocellular storage or other similar methods, calculations showing the volume of these are also required.
 - e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
 - f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the "Planning Practice Guidance: Flood Risk and Coastal Change": Flood Risk and Coastal Change'. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

If you have any questions please contact the Environment Agency 0203 263 8054 or email me at northlondonplanning@environment-agency.gov.uk, quoting reference NE/2014/121067/02L1.

7. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

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

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

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

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

Relief or Exemption from CIL

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

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

1. Charity

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

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

2. Residential Annexes or Extension

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

3. Self Build

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

Visit

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

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 the development proposed is in broad accordance with the above policies. The application has therefore been recommended for approval 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)

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.

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.

The most relevant planning history relates to a planning application for the redevelopment of Sweets Way was submitted in 2013 under planning application reference B/02710/13 for the *'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.'*

The application was refused planning permission on the 20th January 2014 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.'*

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. In 2014 a resolution to grant subject to the completion of a S106 agreement has been made for the redevelopment of both the former BP Garage (1412 to 1420 High Road) to provide 22 residential units and 2 retail units and Planning Permission has been granted at Northway House (1379 High Road) to provide 145 new dwellings (Use Class C3), 1978.5 square metres (NIA) of flexible Use Class B1a (office) floorspace, 324 square meters (NIA) of "open" Use Class D1 floorspace (education and community uses)

These sites are therefore relevant committed developments in the Whetstone area.

1.3 Public Consultations and Views Expressed

First Consultation August 2014

Public Consultation

1105 local properties and a number of other relevant bodies and elected representatives were consulted on the application by letter and email in August 2014. The application was also advertised on site and in the local press at that time.

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

39 responses objecting to the proposal were received from residents and businesses. **1** 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.
- Too much car parking is proposed
- 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 given proximity to existing nursery and school.
- Removal of access to Oakleigh Road will increase impact on Friern Barnet Lane as all traffic will enter and exit in this direction
- Surrounding road network does not have capacity for the additional vehicles the development would generate.
- Proposal would create a rat run from Oakleigh Road North to Friern Barnet Lane.

Officer Response: The proposal has been assessed by the highways department and by Transport for London who considered the proposal acceptable. The transport impact of the proposal will be mitigated by the proposed S106 works. Further responses are contained in the relevant appraisal sections.

Design and Character:

- Proposal is overly dense and represents an overdevelopment of the site.
- Scale and height of the proposed buildings is excessive particularly the proposed 5 storey apartment block.
- 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 reduction in existing open space while increasing number of units.

Officer Response: The scale of the buildings and density proposed including the proposed apartment block is considered appropriate for this location and would be in keeping with the emerging character of the area. Further responses are contained in the relevant appraisal sections.

Trees:

- Proposed loss of existing mature trees protected by TPO's on the site is unacceptable.
- Replacement planting proposed as part of the scheme is inadequate.
- Loss of Boundary Trees in south east of the site will impact visual amenities when viewed from surrounding areas.

Officer Response: The number of retained trees is significant increased over the previously refused scheme, it is accepted that any redevelopment scheme would involve some loss of trees, and the current proposal which retains the most significant trees down the centre of the site is considered acceptable. The number of trees proposed to be planted has been increased following further negotiations between the applicant and the Council with additional trees proposed along the western and northern boundaries. Further responses are contained in the relevant appraisal sections.

Amenities of neighbouring occupiers and users:

- Development would cause unacceptable loss of light and overshadowing.
- Apartment Block too high and will cause loss of light and overlooking
- Development would cause unacceptable overlooking and loss of privacy.
- Location of car parking adjacent to adjoining residential curtilages will affect amenity.
- 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.
- Proposal would increase air pollution in the area.

Officer Response: The height of the apartment block is considered acceptable in this location. The impact on daylight and sunlight to neighbours would be acceptable. There would be no unacceptable overlooking of neighbours as a result of the proposal. It is not considered that the proposal would significantly increase air pollution. Given the predominately residential use of the site it is not considered that significant problems of noise and disturbance will occur. The proposal would provide policy compliant levels of public open space. Further responses are contained in the relevant appraisal sections.

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.

Officer Response: The relationship to Lawsons Timber Yard has been considered and subject to appropriate conditions securing noise mitigation measures and an acoustic fence, is considered acceptable. Garden depths and back to back distances are now considered acceptable. Further responses are contained in the relevant appraisal sections.

Other objections:

- 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. Private housing proposed too expensive for local people.
- Lack of Space for Refuse and Recycling Storage.
- Lack of information regarding proposed Community centre which could affect amenities and traffic.
- Community Centre should be central to site and increased in size.
- The schemes impact on biodiversity, including nesting birds, insects etc. and is unacceptable.
- Impact on property values.

Officer Response: The impact on local services will be mitigated by the proposed Cil payments. The proposal will include the provision of affordable housing which will provide accommodation to local residents. Issues concerning refuse and recycling storage is a matter for detailed assessment at reserved matters stage and is covered by condition. Natural England have not objected to the scheme and ecological enhancements are proposed as part of the application and as such it is not considered that the proposal would adversely impact biodiversity on the site. Further responses are contained in the relevant appraisal sections.

Comments from Elected Representatives

The Rt. Hon. Mrs Theresa Villiers MP:

Requested that the representations made by the Barrydene Phase 11 Residents Association in Oakleigh Road North, and two other local residents objecting to the proposal (summarised above), be carefully considered and taken into account before a decision on the application is made.

Has also stated that she also opposes the application as it presently stands and that while improvements have been made, further changes are still needed.

Officer Response: The objection is noted, however it is considered that the changes which have been raised satisfactorily address the previous reasons for refusal and the scheme is considered acceptable.

Comments from Local Associations and Societies

Barrydene Phase 11 Residents Association:

- Height of proposed apartment too high and will result in overlooking of adjoining properties.
- Density of development excessive and not in keeping with existing estate or area.
- Insufficient space for storage of various refuse bins
- Account needs to be taken of other committed and proposed developments in locality
- Some dwellings are too close to each other and will lack privacy.
- Loss of Mature Trees

Officer Response: The scale of the buildings and density proposed is considered appropriate for this location and would be in keeping with the emerging character of the area. The transport impact of the proposal will be mitigated by the proposed S106 works. The impact on local services will be mitigated by the proposed Cil payments. No new access onto Oakleigh Road is proposed under the current application.

Totteridge Residents' Association:

- Density of Development is similar to refused scheme.
- Significant number of residential schemes in vicinity of site which will cumulatively affect roads and other infrastructure.
- Concern regarding new access onto Oakleigh Road.

Officer Response: The scale of the buildings and density proposed is considered appropriate for this location and would be in keeping with the emerging character of the area. The transport impact of the proposal will be mitigated by the proposed S106 works. The impact on local services will be mitigated by the proposed Cil payments. No new access onto Oakleigh Road is proposed under the current application.

Second Consultation November 2014

Following the submission of revised information a further round of consultation (including letters, emails and site and press notices) was carried out in November 2014. In summary the changes made at this time included:

- Amendments to Affordable Housing Mix and location;
- Additional Information regarding amenity standards and overlooking distances, privacy measures and light calculations;
- Amendments to Landscaping including additional trees on northern and western boundary;
- Amendment to location of path in north eastern corner to avoid impact of RPZ of tree.

Public Consultation

1105 local properties and a number of other relevant bodies and elected representatives were consulted on the application by letter and email in August 2014. The application was also advertised on site and in the local press at that time.

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

5 responses objecting to the proposal were received from residents.

Comments from Residents and Businesses

The comments made in objection to the application are summarised below:

- Quantity of Development in Area
- Health impacts of Construction
- Impact on Local Services
- Future Volume of Traffic
- Proximity of development to trees on boundary with Lawsons, and proposal has failed to adequately address its relationship to this neighbouring use.

Officer Response: The scale of the buildings and density proposed is considered appropriate for this location and would be in keeping with the emerging character of the area. The transport impact of the proposal will be mitigated by the proposed S106 works. The impact on local services will be mitigated by the proposed CIL payments. Any health impacts from construction will be limited by safeguards contained in attached conditions. The relationship of the development to retained trees has been assessed and considered acceptable. The relationship to Lawsons Timber Yard has been considered and subject to appropriate conditions is considered acceptable. Further responses are contained in the relevant appraisal sections.

Consultation Responses from Statutory Consultees and Other Bodies

Greater London Authority (GLA):

The application is due to be reported to the Mayor on the 16th December. The Stage 1 response and consideration thereof will be reported in the Addendum at the Committee Meeting.

Transport for London (TfL):

Have responded to the consultation and advised that the current parking levels are within the maximum London Plan standards although further

justification regarding the level of provision needs to be provided given the high PTAL level of the site.. 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 advised that any development should aim to achieve Secured by Design Accreditation and be subject to discussions between the developer and the Metropolitan Police Service.

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 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 advising that they do not wish to make any comments on the current application, instead referring to standing advice.

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.

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 raised no objection in principle to the application, considering that the quantity of parking proposed is at an acceptable level and that the proposal would not adversely affect highway conditions on surrounding roads subject to appropriate conditions and 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.

Housing Officer:

No objection to revised affordable housing mix, providing this is confirmed by means of an independent review. A viability review clause should also be included in any S106 agreement to take account of any future uplift in values.

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.

Children's Service

Comments provided on existing Sure Start Facility and necessary features for proposed replacement Community Centre.

Trees Team:

The Trees Team have welcomed the reduction in the number of trees proposed for removal, however concern has been expressed that the location of the proposed houses and areas of hard surfacing may result in further reductions. It is also recommended that a path in the north eastern corner of the site is re-routed to avoid impact on the RPZ of a retained tree in this location and that additional tree planting is provided along the western and northern boundaries of the site. No objection in principle raised to the trees proposed to be removed subject to satisfactorily replacement planting.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site covers an area of land approximately 6.28 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 142 dwellings (Use Class C3) within the redline site boundary. 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.

A community building is 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 201 houses (all Use Class C3).
- Construction of up to 87 flats (all Use Class C3).
- Construction of a new community building (Use Class D1) providing up

to 255m² of floorspace.

Parameter Plans and Other Submission Documents

All matters other than access and layout into and within the site (so including 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 (931-006B):

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

Maximum Storey Heights Parameter Plan (931-007B):

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 (931-008B):

This plan defines the buildings within the site as proposed which will 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 (931-009B):

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 (A120-LA04 Rev E):

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.

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. They are 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. 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.

The flats proposed are predominately sited in a five storey apartment building located on the north western corner of the site (the exception to this are two single 'flats over garage' structures proposed).

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 Sweets Way (to the south). Pedestrian only access would also be possible to the north of the site at Oakleigh Road North and to the east of the site at Domville Close.

The Parking Parameter Plan submitted identifies that the scheme would provide a total of 448 car parking spaces. 357 of these would be provided as parking for the houses proposed. 87 of the car parking spaces would be provided for the flats proposed, with 50 of these delivered at a basement level beneath the proposed apartment block. The car parking for the scheme also includes 2 car club parking spaces. 48 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 201 houses and up to 87 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 (23572m² and 5241m² respectively). Supplementary 'advice' in the Design and Access Statement Addendum sets out the following potential mix of dwelling types:

Houses:

- 10 x two bedroom four person houses
- 9 x three bedroom four person houses
- 67 x three bedroom five person houses
- 2 x four bedroom five person houses
- 57 x four bedroom six person houses
- 39 x four bedroom seven person houses
- 17 x five bedroom eight person houses

Flats:

- 36 x one bedroom two person flats
- 36 x two bedroom three person flats
- 15 x two bedroom four person flats

This dwelling mix 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 as amended proposes 59 affordable units of which 33 will be affordable rent and 26 shared ownership representing approximately 20% affordable provision by unit (18.5% by Floor Space). The level of provision is supported by a viability appraisal.

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 255m², with an indication that this accommodation will be provided over 2 floors.

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 260 new trees of which 160 trees will be located in public areas of open space and 100 tree in rear gardens.

The Arboricultural Impact Assessment Report (AIA) submitted with the scheme assesses the impact of the proposed development on 224 trees in and around the application site. Using the approach set out in national guidance on this matter (British Standard 5837:2012) 116 fall into category B; 40 fall into category B/c; 67 fall into category C; and 1 is assessed as category U. The AIA identifies that the principle primary impact of the scheme would be the felling of 94 of the assessed trees. This includes the loss of 72 of

the 156 category B and B/c trees. The AIA also notes that there would be impacts on a further 84 existing trees, which are proposed to be retained.

Main Changes from Refused Application B/02710/13

The following is a summary of the main changes that have been made to the proposals following the refusal of the previous application in January 2014:

- Reduction in site area from 6.7 to 6.28 hectares, by removing the section fronting Oakleigh Road North at the north of the site;
- Reduction in Total Units from 360 to 288 while increasing the amount of houses from 189 to 201;
- Increase in Affordable Housing from zero to 20%;
- Removal of proposed new access road to Oakleigh Road North;
- Alterations to site layout to improve separation with properties in Domville Close and to provide a policy compliant quantity of garden space for the proposed houses and better estate layout and for landscaping purposes;
- Reduction in number of parking spaces proposed from 572 to 444;
- Reduction in number of trees to be removed from 146 to 96.

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 to 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.

The broad principle of redeveloping the existing 142 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 191m² of floorspace for purposes falling within Class D1 of the Use Class Order which would be lost through the development proposed. This is currently located at the northern end of the site behind Oakleigh Road North and is currently in use as a Sure Start Children's Centre with ancillary community uses such as parenting classes and counselling services for domestic violence.

The application form submitted states that the proposal includes the provision of 191m² of new floorspace for purposes falling within Class D1. However the description of development and other supporting documents including the parameter plans indicate that the replacement community building will measure 255 m² in area arranged over 2 stories. The building is proposed on the south eastern corner of the site fronting and accessed directly from Sweets Way adjoining Queenswell Junior School to the east.

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.

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.

Several of the comments from neighbouring residents have raised concerns regarding the lack of detail of the proposed community use and its location on the periphery of the development. In relation to the proposed siting it is noted that the position of the building is the same as that proposed under the previously refused application (reference B/02710/13) and the position of the new community building adjoining the school would allow the potential for future crossover activities between these uses and is considered acceptable. In relation to the concern regarding the lack of details, it is noted that this is an outline application and that the detailed design of the building would need to be provided in any future reserved matters application for this building.

In relation to the proposed use it is currently intended that the existing Sure Start Children's Centre will occupy the site. Discussions with the operator of the Centre indicates that the range of activities is likely to be similar to the existing community building with activities predominately restricted to weekdays and evenings along with some daytime activities at weekends including potential children's parties for young children. Suitable conditions are suggested to be attached to any approval restricting the range of activities which can be carried out as well as restrictions on hours of operations in order to safeguard neighbouring residential amenity.

While the detailed design is a matter for the reserved matters stage the applicant has provided an illustrative floor plan indicating how the building could be set out.

These indicative plans have been discussed with the operator of the existing Sure Start Centre, and while the eventual centre would need further alterations i.e. increasing the size of the proposed disabled toilet to accommodating a changing table, additional meeting rooms and a dedicated outdoor area, it is considered that the proposed building could within the parameter sought, provide for an equivalent or superior facility to the existing one and is therefore considered in accordance with Policy DM13.

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 201 houses in total):

- 10 x two bedroom four person houses
- 9 x three bedroom four person houses
- 67 x three bedroom five person houses
- 2 x four bedroom five person houses
- 57 x four bedroom six person houses
- 39 x four bedroom seven person houses
- 17 x five bedroom eight person houses

Flats (up to 87 flats in total):

- 36 x one bedroom two person flats
- 36 x two bedroom three person flats
- 15 x two bedroom four 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 i.e. 3 and 4 bed houses and officers recognise that this is a positive element of the proposal.

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 6.28ha the 288 dwellings proposed would equate to a density of approximately 46 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 1392 habitable rooms. On this basis the scheme would have a density of 222 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 the density range is in accordance with the relevant density matrix illustrated in Table 3.2 in the London Plan, it also needs to be recognised that in order for a density to be considered appropriate, other factors also need to be taken into account including the need for higher density development to be of high quality design and to comply with relevant standards including floorspace and amenity standards and other relevant policies.

In terms of potential controls 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 5 'Character Areas', 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 5 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.

Officers consider that the level of information identified above provides sufficient 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).

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. Conditions are suggested requiring that all new dwellings proposed at the reserved matter stage are 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 and layout 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 are relatively tight, with some instances of relatively narrow streets with three and two and a half storeys plus roof buildings located along their length. Nevertheless, 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 and layout 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 both private space in the form of balconies along with shared amenity courtyards for the proposed flats.

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.

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 1125m² 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 (225) 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. Suitable conditions are attached to ensure that sufficient amenity space is delivered for the flats proposed (using the Barnet approach to calculating amenity space) at the reserved matters stage.

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 flows:

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

The previous application B/02710/13 was refused in part due to the failure of the scheme to provide private gardens in compliance with the aforementioned standards.

In relation to the current application as illustrated on the submitted parameter plans, design and access statement and supplementary plans, all of the proposed houses contain private rear gardens in accordance with or in excess to Barnet's amenity space standards. As such it is considered that the previous reason for refusal has been satisfactory addressed and the application is considered acceptable in this regard.

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 2117.3m² 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 and subject to conditions to ensure that sufficient space is provided for play and informal recreation at the reserved matters stage, the proposal is considered acceptable.

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 and layout 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, location 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, there are several areas across the scheme where overlooking distances across proposed residential roads will be less than 21m. All of the proposed properties maintain at least 21m between rear elevations and 10.5m to rear gardens.

Privacy at the rear is normally seen as more critical than front to front overlooking over a public highway. Account also needs to be taken of the prevailing form and pattern of development in the immediate locality. The applicant has also included a plan showing current overlooking distances in the wider estate, where some properties are only 8-9m apart.

The applicant has also submitted supplementary information identifying those houses where the front to front separation distance is less than 21m, with several instances of separation distances of 12- 13m. The applicant has illustrated measures which can be implemented to safeguard privacy including the use of high level windows and utilising indirect side views. While some of these solutions may result in other problems such as reducing outlook from habitable room windows, it is considered that the measures illustrated by the applicant provides sufficient comfort that houses can be adequately be designed to achieve suitable privacy levels. The detailed design of which will need to be outlined in full in any future reserved matters application.

Daylight and sunlight

As the application is for outline planning permission with all matters other than access and layout 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 and layout 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.

The applicant has illustrated on the submitted parameter plans, that a 3m high acoustic fence will be erected along the western boundary of the site with Lawson's Timber Merchants, which follows earlier discussions in the consideration of planning application B/02710/13.

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 by the attachment of suitable conditions to ensure that appropriate mitigation is provided. 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 have adequately addressed the previous reasons for refusal, with adequate amenity spaces being provided for all units, adequate rear to rear distance separations and sufficient evidence of privacy measures to ensure adequate levels of privacy in instances where front to front distances are below 21. Officers therefore consider the application to be acceptable in these respects.

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 and layout 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 in the event of the approval of the application. 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.

The current application has addressed several of the concerns which the Council had concerning the layout of the previously refused scheme (reference B/02710/13), in regards to the provision of adequate amenity space, privacy distances within and outside the site, and the impact on trees (discussed below).

It is considered 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).

It is noted that the apartment block (on the north western corner of the site) is of a scale at the maximum which would be acceptable from a character perspective. However, subject to the detailed design of this building (and its landscaping) being of a suitably high standard these aspects of the proposal are found, on balance, to be acceptable.

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 and layout 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.

The previously refused application (Reference B/02710/13) proposed a terrace of three houses facing an existing terrace of four houses in Domville Close (number 10 to 16) at distances of approximately 15m apart. This distance was considered unacceptable and the application was refused in part due to concerns over the impact of overlooking both from the proposed dwellings to 12 and 14 Domville Close and from 12 and 14 Domville Close and the future occupiers of the site.

The current application has significantly altered the layout of the development in this portion of the site so that the proposed dwellings facing numbers 12 and 14 Domville Close are located over 26m away. It is therefore considered that the two previous reasons for refusal based on the relationship between these properties has been satisfactorily addressed.

There are also several other instances where distance separations are less than the relevant 21m distance such as on the south of the site where several dwellings are located between 17 and 18m from properties located on the southern side of Sweets Way facing across the street. However in this instance it is considered that measures could be incorporated to safeguard privacy such as through 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. However in these cases they generally concern the side elevations of proposed properties where there are only likely to be secondary or non-habitable windows and subject to conditions being attached requiring any windows on these elevations to be either high level or fixed with obscure glazing, it is not considered that the amenities of adjoining occupiers would be significantly affected.

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 and layout 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 has provided a section through of five locations, of which one is on the northern boundary with Whetstone Close and four points on the eastern boundary with Domville Close and Darcy Close. The submitted sections show that the proposed development would not breach a 25 degree line drawn at 2m from rear habitable rooms of affected properties. Advice in the Building Research Establishment (BRE) Publication '*Site layout planning for daylight and sunlight: a guide to good practice*' is that if a development passes the 25 degree test then the levels of daylight to the affected property would not be significantly affected and there is no need to conduct further tests. This is on the basis of the maximum height parameters sought for approval (on the Maximum Storey Heights Parameter Plan), which have been revised from the previously refused application (Reference B/02710/13) as well as the existing position of adjoining properties. On this basis it is not considered that the current proposal would significantly affect levels of daylight to adjoining properties to a degree to warrant the refusal of the application. In relation to Sunlight, BRE guidance is that this only needs to be considered where a development is sited within 90 degrees of due south. The only point of development affected by this is the properties in Whetstone Close to the north. In this instance the properties adjoining this property are two storey in height and clear views are maintained to the east beyond the proposed houses. As such it is not considered that levels of sunlight would be significantly affected to the degree to warrant the refusal of the application.

It is therefore considered that the previous reason for refusal relating to the provision of insufficient evidence concerning the impact of the proposed development on daylight and sunlight to adjoining occupiers has been adequately addressed in the current application and the current proposal is considered acceptable in this regard.

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 and layout 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 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 in relation to possible concerns over noise and disturbance from the new community building proposed, these matters 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 are also suggested to ensure that the construction of the development itself would 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 including a requirement that works are only carried out within certain hours and in accordance with a Construction Management and Logistics Plan that details of which need to be agreed with the Local Planning Authority.

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.

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 previously refused application (Reference B/02710/13) proposed zero affordable housing on the site. This was on the basis of a submitted viability report which was independently evaluated by Deloitte Real Estate who concluded that the proposal could provide an element of affordable housing while still remaining viable. The application was subsequently refused in part due to the failure of the scheme to provide affordable housing.

The current application as submitted proposed 23% affordable housing, with the following unit mix:

Affordable Rent (48.5%)

10 x 1 bed flats

8 x 2 bed flats

14 x 2 bed houses

Total = 32 (48.5%)

Intermediate Housing (51.5%)

8 x 1 bed flats

9 x 2 bed flats

11 x 3 bed houses

6 X 4 bed houses

Total = 34 (51.5%)

Following discussions with the Council's Housing Officer, the proposed affordable housing mix was altered by the applicant to provide a policy compliant unit mix, i.e. including 3 and 4 bed units for rent, and predominately restricting intermediate housing to 1 and 2 bed units. As a result of this change the proposed affordable housing level was reduced to 20% of total provision with the following unit mix:

Affordable Rent (56%)

6 x 1 bed, 2 person flats

9 x 2 bed, 3 person flats

4 x 2 bed, 4 person houses

10 x 3 bed, 5 person houses

4 x 4 bed, 6 person houses

Total = 33

Intermediate Housing (44%)

12 x 1 bed, 2 person flats
8 x 2 bed, 3 person flats
6 x 2 bed, 4 person houses
Total = 26

Both of the proposed mixes have been independently reviewed by Deloitte who also reviewed the previously refused application. Deloitte have advised that they concur with the viability appraisal findings and consider that application cannot provide additional affordable housing and remain viable.

While the proposed unit mix does not strictly accord with Local Plan Policy DM10 which requires a 60:40 split. Policy DM10 advises that this needs to be considered on a case by case basis and the adopted Affordable Housing SPD advises that in cases where the size of units differs significantly between tenures, then it may be more appropriate to calculate the habitable room or floor space percentage in order to assess compliance. In this instance due to the larger size of the affordable rented properties, the revised affordable housing offer would constitute 63% of the total when calculated by floor area which is in compliance with Policy DM10.

In light of these findings, it is considered that the proposed level and mix of affordable housing is considered acceptable on the bases that it is the maximum viable and addresses the previous reason for refusal in this regard. The lower level of provision is considered preferable to achieving a higher figure with a housing mix that does not meet local need.

The revised affordable housing mix is to be secured by means of a S106 agreement. In line with comments from the Housing Officer it is also considered that a viability review clause is included in the Section 106 agreement for the development to account for any future uplift in values over the life of the project.

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 213 trees with a further 11 trees located within close proximity to the site boundary along with 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 224 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 116 fall into category B; 40 fall into category B/c; 67 fall into category C; and 1 is assessed as category U which is unsuitable for retention.

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 current proposals would impact upon 178 trees to some extent although in many of these cases it is anticipated that measures can be taken to ensure that trees are unaffected. The principle primary impact of the scheme would be the felling of 94 of the assessed trees. This includes the loss of 48 of the category B, 24 category B/C and 22 Category C trees.

The number of trees proposed to be removed is significantly reduced the previous application (Reference B/02710/13), which proposed the removal of 145 trees (of which 75 were category B trees). In addition to this approximately 260 trees are proposed to be planted in mitigation for the trees removed, of which 160 will be located in the proposed public open spaces and 100 in private residential gardens.

The plans have been examined by the Council's Arboricultural Officer who while welcoming the reduction in the number of trees to be removed expressed a number of concerns and requested amendments.

The applicant has responded to the Council's comments and as a result has re-sited the proposed access path in the north east corner of the site and has also increased the amount of tree planting along the western and northern boundaries of the site. In relation to concerns relating to the proximity of houses and pathways to some of the trees in the central avenue, the applicant's arboricultural consultant has advised that they are satisfied that the verges in which the trees are located will provide them with adequate soil volume for continued growth in the future and with satisfactory tree protection measures will be safeguarded throughout the development. In relation to the comment relating to future pressure to fell, the applicant notes that the trees in question are covered by TPO's and will require the Council's approval for any

future tree works.

The changes which have been made are welcomed, as is the reduction in the number of trees proposed to be removed over the previous scheme. While it is acknowledged that some of the proposed houses and areas of hardsurfacing are proposed within close proximity to retained trees it is considered that these matters can be satisfactorily addressed by the attachment of appropriate safeguarding conditions requiring details of foundations and tree protection measures to be submitted in support of any future reserved matters application. It is therefore considered that the previous reason for refusal based on the loss of trees and the impact on the visual amenities of the area, has been satisfactorily addressed in the current application.

Biodiversity matters

Natural England have responded to the consultation and have advised that they do not wish to make comments on the current application, instead referring to standing advice.

Notwithstanding this the application has submitted a detailed stage 2 bat survey along with an updated survey post submission which has found no evidence of bats roosting in the site, although evidence was found of bats foraging in the area. The bat survey outlines suggested enhancements to be incorporated in the redevelopment proposals including the use of bat boxes and appropriate landscaping. Subject to suitable conditions to secure measures to enhance the biodiversity of the site along with measure to ensure that suitable measures were taken to prevent unacceptable impacts on nesting birds during the construction phase of the development, it is considered that the proposal would be adequate in respect of biodiversity and nature conservation matters subject to 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	34	Barnet to Walthamstow Central
North (stops west and east of proposed site access)	51	Arnos Grove to Edgware
Oakleigh Road	125	Finchley Central to Winchmore Hill
North and A1000 High Rd		
A1000 High Road	234	Barnet to Highgate Wood
	263	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 and enhanced under the proposal and the proposal would maintain satisfactory 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

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.

This equates to parking provision for the proposed units ranging between 307 – 469 parking spaces to meet the parking standards set out in the DMP approved September 2012 which depends on the Public Transport Accessibility Level (PTAL) Score for the site and other policy considerations. The application proposes (on the Parking Parameter Plan) a total of 446 parking spaces for the residential element of the proposal. In addition to the proposed 446 residential parking spaces, two additional spaces are included within the site layout that will be reserved for any car club operator that wishes to implement a car club scheme.

The previous application (Reference B/02710/13) proposed 572 car parking spaces albeit for a greater number of units and was refused in part due to concerns regarding the level of parking proposed.

In view of several factors including the varying PTAL score; local car ownership; 1.29 cars per household in Totteridge Ward where the site is located; parking pressure in the vicinity of the site; a possible car club and absence of waiting restrictions in several sections of the surrounding road network, a parking provision towards but not at the top end of the range of Barnet's Maximum Standards is considered appropriate. The proposed residential parking provision of 444 parking spaces, is in accordance with the DMP parking standards, and is considered acceptable and it is considered that the previous reason for refusal has been satisfactorily addressed.

Conditions are suggested requiring the inclusion of car parking as per the submitted drawings. The proposed car parking layout should include disabled parking provision and 20% of the total parking spaces will need to be equipped with Electric Vehicle Charging Points (EVCP) and 20% with passive provision for the future conversion should be provided in accordance with the London Plan requirements

A condition is also suggested requiring that prior to first occupation of any units a Car Parking Management Plan should be provided and approved by the Planning Authority. The Car Park Management Plan should include details of the proposed monitoring of EVCP and disabled parking spaces, to inform when additional spaces are required to be brought into operation.

Cycle Parking Provision

The proposal includes reserved space for provision of cycle parking for the flats in accordance with London Plan Cycle Parking Standards which specifies 1 cycle parking for 1 or 2 bedroom units and 2 cycle parking spaces for 3 or more bedroom units plus one space per 40 units for visitors, which equates to a total of 89 cycle parking spaces associated with the flats. The applicant is advised that suitable covered cycle parking should also be provided for the proposed houses. A condition is attached requiring the provision of these spaces prior to occupation.

Internal site layout

The submitted drawings show details of the proposed internal highways layout. The proposed internal road layout provides minimum carriageway

widths of 4.8m in the main internal carriageways, which is the minimum recommended carriageway width by Manual for Streets (MfS) to allow a car and Heavy Goods Vehicle to pass & re-pass. A condition is suggested requiring further details of the proposed internal roads layout and construction details. The proposed road layout does not meet the requirements for adoption as Public Highways and the Council will not consider these roads for adoption.

A Condition is included requiring the submission of additional details including swept paths reflecting the size of vehicles used by the council, showing that refuse vehicles can turn around within the site.

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 Rd North/ A5109 Totteridge Lane signalised junction
- A1000 High Rd/ Friern Barnet Lane priority junction
- Friern Barnet Lane / Sweets Way existing site access
- A109 Oakleigh Road North/ Oakleigh Park North priority junction

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 from the adjacent estate 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 and includes reference to the previously refused scheme as well as the current application. 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	
All mode trips (288 units)	40	156	196	89	60	149	

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	
Car Trips (288 units)	17	66	83	37	25	62	

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.

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

Analysis carried out by the applicant's transport consultant has identified that the development will impact on the A1000 High Road / Friern Barnet Lane priority junction, which is known to already experience significant queuing on Friern Barnet Lane during 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 a future baseline which takes into account the background traffic growth, and the additional traffic movements associated with the development would make this situation worse.

The signalisation of the junction has been identified as an appropriate solution which would mitigate the impact of the development traffic, improve the operation of the junction under the future baseline scenario and improve pedestrian connectivity and safety.

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.

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.

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.

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 facilitates 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.

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. It is also noted that in the consideration of the previous planning application (Ref: B/05674/13), TfL made a similar request for funding for wayfinding signage and it was considered in the officer committee report that insufficient justification had been provided for this contribution and was considered unjustified based on the information provided and was not included as a reason for the refusal of the application.

No additional information regarding the proposed wayfinding contribution has been provided by TfL and in such circumstances it is not appropriate to require such a contribution in relation to the current application.

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.

The application is in outline form only and does not contain detailed measures concerning the design of units or the external environment. Nevertheless the Design and Access Statement submitted in support of the application advises that level access will be provided to all dwellings with any necessary gradients limited to 1 in 20, 100% of dwellings will be built to lifetime homes standards

and 10% will be built to wheelchair adaptable standard.

Subject to the attachment of appropriate conditions requiring details to be submitted concerning the creation of an inclusive environment, the proposal is considered acceptable.

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 40% reduction in carbon dioxide emissions (as it was submitted after 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

A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include measures to reduce thermal bridging. The demand for cooling will be

minimised through cross ventilation. The applicant is not proposing to use active cooling. The applicant is proposing to meet Part L 2013 by efficiency measures alone.

The applicant has carried out an investigation and there are no existing or planned district heating networks within the vicinity of the proposed development, although the site is on the edge of a district heating opportunity area. Due to the low heat density of the development and the low potential for district heating development in future the applicant is not proposing to install a site heat network. This is accepted in this instance.

The applicant has investigated the feasibility of CHP; however, due the intermittent nature of the heat load, combined heat and power (CHP) is not proposed. This is accepted in this instance.

The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install enough solar PV to meet the 35% carbon reduction target on site. Approximately 353kWp of solar PV (3,088 sq.m.) are likely to be required. A roof plan showing the proposed location of the panels has been provided. Further information should be provided on the estimate of suitable roof area, to confirm that enough PV can be accommodated on site, including total roof area, total roof area at different orientations, efficiency loss associated with sub-optimal orientation, etc. A reduction in regulated CO₂ emissions of 158 tonnes per annum (35%) will be achieved through this third element of the energy hierarchy ('Be Green').

The carbon dioxide savings meet the target set within Policy 5.2 of the London Plan; however further information needs to be provided before compliance with London Plan energy policy can be verified. Furthermore, as limited information has been provided on the design and specification, the commitment to meet Part L 2013 carbon and fabric targets by efficiency measures alone should be conditioned as should the commitment to meet a 35% carbon reduction from on-site PV.

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.

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).

A subsequent screening opinion was submitted concurrently with the current application under reference B/04384/14. A screening opinion was issued on the 25th September 2014 advising that an Environmental Impact Assessment was not required in conjunction with the current application.

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.

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. It is also noted that in the consideration of the previous planning application (Ref: B/05674/13), TfL made a similar request for funding for wayfinding signage and it was considered in the officer committee report that insufficient justification had been provided for this contribution and was considered unjustified based on the information provided and was not included as a reason for the refusal of the application.

No additional information regarding the proposed wayfinding contribution has been provided by TfL and in such circumstances it is not appropriate to require such a contribution in relation to the current application.

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.
- 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 £6000 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.

The calculation of the Barnet CIL payment is 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).

The calculation of the Mayoral CIL payment is 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 grant 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 any 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 considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

The proposal satisfactorily addresses the reasons of refusal for the previous application (Ref: B/02710/13) for the redevelopment of the site, through the layout amendments and reductions in the scale of development. The proposal provides much needed affordable housing at the maximum level which can be achieved due to site viability. The reduction in site parking and the reductions in the number of trees to be removed, satisfactorily resolve previous objections in these regards subject to the attachment of appropriate conditions. The impact of the proposal on the surrounding highway network is satisfactorily mitigated through the proposed S106 contributions. The proposal also provides a policy compliant quantity of amenity space and makes contributions to education and libraries through Barnet CIL contributions.

For the reasons set out in the previous sections of this report it is concluded that the proposed development generally and taken overall accords with the relevant development plan policies and constitutes a sustainable form of

development. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to no Direction being received from the Mayor of London and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** subject to conditions is recommended, as set out in the recommendations section at the beginning 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).

B/02710/13 '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.' REFUSED JANUARY 2014.

B/04384/14. 'Environmental impact assessment screening opinion' ENVIRONMENTAL STATEMENT NOT REQUIRED (September 2014).

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).

B/05370/14 'Section 73 material amendment application to vary condition 1 (Approved Plans), condition 5 (Compliance with Approved Plans) and condition 34 (Restricted Use Office/Community Building) pursuant to planning permission B/03068/11 dated 29/03/2012 for '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)'. APPLICATION UNDER CONSIDERATION.

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.' PLANNING COMMITTEE RESOLUTION TO GRANT SUBJECT TO COMPLETION OF

S106 AGREEMENT (October 2014).

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.' WITHDRAWN (July 2014)

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.' APPROVED SUBJECT TO CONDITIONS (July 2014)

APPENDIX 2: PROPOSED SITE LAYOUT PLAN



APPENDIX 3: SITE LOCATION PLAN

