

**LOCATION:** Northway House, 1379 High Road, Whetstone, N20

**REFERENCE:** B/05378/14

**Received:** 17/10/2014

**Accepted:** 27/10/2014

**WARD:** Totteridge

**Expiry:** 16/01/2015

**APPLICANT:** Redrow Homes Ltd - London Division

**PROPOSAL:** The extension, refurbishment, alteration and change of use of Northway House to provide for a residential led mixed use development comprising a total of 149 new dwellings (Use Class C3), 1978.5 square metres (NIA) of flexible Use Class B1a (office) floor space, 324 square meters (NIA) of "open" Use Class D1 floor space (education and community uses), together with ancillary reception floor space and associated landscaping, car parking and access.

## **APPLICATION SUMMARY**

The current application follows a previously approved residential led mixed use development scheme that was approved on 26 July 2014 under application reference B/05674/13. The current application differs to the previously approved scheme as the applicant has undertaken a review of the internal layout of the building to maximise the use of space. The layout, scale and siting of the buildings would remain unaltered but the proposal would result in minor external alterations to the new build element at the rear of the site and the internal re-arrangement of floor space would result in the provision of an additional four residential units when compared to approved application B/05674/13. The total number of units proposed is now 149 compared to 145 in the previous application.

Strong controls are in place to ensure that the extension, alteration and refurbishment works are constructed to a high standard of detailing and would have an acceptable visual impact in relation to its surroundings. The layout of the proposed units would provide high quality homes for future residents with appropriate amenity space provision.

A high standard of landscaping is proposed and the scheme also incorporates an area of shared amenity space, to incorporate children's play space.

The development would provide an appropriate mix of unit sizes. The application proposes 2 of the additional 4 residential units to be provided as affordable housing bringing the total number of affordable units to 11. All of the affordable units are offered as shared ownership units. This equates to 7% affordable housing by unit number as a proportion of the overall development 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 the form of 171 car parking spaces and 215 cycle parking spaces, of which 158 car parking spaces and 189 cycle parking spaces would serve the residential

aspect of the scheme. A travel Plan 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. Alongside this, contributions has been agreed towards the monitoring of a travel plan, modifications to waiting restrictions and a travel plan incentive fund for future residents.

The application includes a number of measures to achieve a good standard in respect of sustainable design and construction. All of the dwellings in the new build element of the development would achieve 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. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, the application is recommended for approval subject to conditions.

## **RECOMMENDATION**

### **Approve the application subject to:**

#### **Recommendation 1**

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:

(a) Legal Professional Costs Recovery

Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.

(b) Enforceability

All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

(c) Affordable Housing – On Site

The provision within the development of 11 Intermediate (Shared Ownership) affordable housing units comprising:

- 5 x one bedroom two person flats
- 4 x two bedroom four person flat
- 2 x three bedroom five person flats

(d) Affordable Housing – Review Mechanism

If the development is not substantially implemented within 12 months of the date when the period under which the application is potentially challengeable under judicial review proceedings has passed (or 12 months after the date on which any judicial review is resolved) subject to a subsequent re-appraisal of the viability of the development a financial contribution towards the provision of affordable housing within the London Borough of Barnet limited to a maximum of the equivalent value of 33% of the units proposed.

(e) Identification of Adjoining Occupiers

The applicant will ensure that the marketing materials given to each purchaser or potential purchaser of a dwelling in the scheme hereby approved (which will include anyone taking an interest by way of a lease) will contain information about the location of the businesses at 1 to 4 Downland Close Whetstone and 1411 High Road, Whetstone and the lease of each dwelling in the scheme hereby approved will contain information about the location of the same businesses.

(f) Formation of Suitable Site Access

That the applicant shall submit an Access Works Plan and have this document approved in writing by the Local Planning Authority before the development hereby permitted is first occupied or brought into use. The Access Works Plan shall provide full details of the works proposed to the High Road and any relevant adjoining land to facilitate the formation of the two vehicular access points proposed as part of the development hereby granted consent. This shall include (but not be limited to) details of:

- The design of the two proposed access points.
- All means of enclosure proposed for the access points.
- The measures to be put in place to ensure that the southern access point is used solely for emergency vehicle access.
- Alterations to street lighting columns.
- Alterations to signage.
- Any other changes to street furniture proposed.
- Any alterations to waiting restrictions and road markings.
- Any changes to the adjacent bus stop and bus stop cage.

The works shown in the approved Access Works Plan shall be completed in their entirety before the development is first occupied or brought into use.

(g) Modification of Waiting Restrictions

A contribution of up to **£3,500** towards modifications to waiting restrictions at the entrance to the proposed new emergency access.

(h) Travel Plan

A requirement that the applicant shall enter into Travel Plans that seek to reduce reliance on the use of the private car, promote sustainable means of transport and include the appointment of an appropriately qualified Travel Plan Champion. The following Travel Plans of this nature shall be entered into:

- A Full Residential Travel Plan that is ATTrBuTE and TRAVL compliant and that will have a lifespan of 5 years after first occupation of the final unit.
- A Travel Plan Statement that is ATTrBuTE and itrace compliant and that will have a lifespan of at least 5 years.

In addition to these plans, should the non-residential part of the development incorporate a nursery or education use then a Nursery or Education Travel Plan (that meets the appropriate Transport for London criteria) shall be entered into and this shall have a lifespan of at least 5 years.

(i) Travel Plan Incentives

The Strategic Level Residential Travel Plan (required under item (f) above) shall include financial incentives to a total value of **£44,700** (equivalent to £300 per unit) such that upon the first occupation of each new residential unit, regardless of tenure, the occupier shall be given a voucher to a minimum value of £300 per dwelling. The voucher provided shall allow the occupier to purchase two of the following Travel Plan incentives up to a limit of £150 per incentive:

- Subsidised membership of and credit for a Car Club.
- Credit on an Oyster Card travel pass.
- A bike voucher.

(j) Travel Plan Monitoring

A contribution of **£10,000** index linked towards the monitoring of the Travel Plans for the development.

(k) Employment and Training

The delivery of not less than four apprenticeships connected with the construction and operational phases of the development for residents of Barnet. Of the four apprenticeships, two must be at not less than a Level 2 or 3 (as defined in the National Apprenticeship Service Framework or any subsequent scheme which replaces this) and two must be at not less than a Level 4 (as defined in the National Apprenticeship Service Framework any subsequent scheme which replaces this) or an appropriate equivalent graduate scheme.

(l) Monitoring of the Section 106 Agreement

A contribution of **£5,280** index linked towards the monitoring and management of the S106 planning obligations.

**Recommendation 2:**

That upon completion of the agreement specified in Recommendation 1, the Assistant Director – Development Management and Building Control approve the planning application reference B/05378/14 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 - Development Management and Building Control:

**COMMENCEMENT**

- 1 This development must be commenced within three years from the date of this permission.

**Reason:**

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

**PLANS OF THE DEVELOPEMNT**

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

1599\_0100, 1599\_0191, 1599\_0192, 1599\_0193, 1599\_0290,  
1599\_0291, 1599\_0292, 1599\_0104, 1599\_0107, 1599\_0108,  
1599\_0109, 1599\_0110, 1599\_0111, 1599\_0112, 1599\_0113,  
1599\_0114, 1599\_0115, 1599\_0116, 1599\_0117, 1599\_0118,  
1599\_0119, 1599\_0155, 1599\_0159, 1599\_0169, 1599\_0200,  
1599\_0201, 1599\_0202, 1599\_0203, 1599\_0250, 1599\_0155 and  
1599\_0159

**Reason:**

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the 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.

**MATERIALS**

- 3 Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not commence (other than for Ground works and Site Preparation Works) unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed building at the site shall have been submitted to and approved in writing by the Local Planning Authority. The Development shall thereafter be implemented in full accordance with such details and samples as so approved before the Development is first occupied or brought into use.

**Reason:**

To safeguard the character and visual amenities of the site and wider area and to ensure that the development 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.

### **SITE LEVELS**

- 4 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence unless and until 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 shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with such details as so approved before the dwellings and non-residential uses otherwise hereby approved are first occupied or brought into use.

**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.

### **MEASURES TO ENSURE PRIVACY**

- 5 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the building hereby granted consent shall not be occupied or brought into use unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all the windows and other openings in the proposed building that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the manner and design in which these windows and openings are to be implemented. Before the building hereby approved is occupied or brought into use the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

**Reason:**

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

- 6 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the building hereby granted consent shall not be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of all privacy screens and panels to be fixed to the proposed building. Before the building hereby approved is occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason:

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

- 7 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 insertion of windows, rooflights and external doors in the building hereby approved, other than those shown in the approved plans, shall not be undertaken without the prior receipt of express specific planning permission in writing from the Local Planning Authority.

Reason:

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

## **REFUSE AND RECYCLING**

- 8 Notwithstanding the details submitted with the application and otherwise hereby approved, before the development hereby permitted is brought into use or occupied the following information shall be submitted to and approved in writing by the Local Planning Authority:

- i. A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider.
- ii. Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable.
- iii. Plans showing satisfactory points of collection for refuse and recycling.

The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

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.

## **ACCESSIBILITY**

- 9 Before the development hereby permitted commences (other than for Ground works and Site Preparation Works) details setting out how each of

the 149 new residential dwellings (use class C3) within the development will be constructed to meet and achieve the relevant criteria of the 'Lifetime Homes' standard (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme) shall be submitted to and approved in writing by the Local Planning Authority. The details provided shall include sufficient information to fully demonstrate how each of the new dwellings will be constructed to achieve the 'Lifetime Homes' standard. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

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 and policy DM02 of the Barnet Local Plan.

- 10 Before the development hereby permitted commences (other than for Ground works and Site Preparation Works) details of the location within the development and specification of the 15 dwellings (Use Class C3) to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority. The specification provided for the 15 dwellings shall include sufficient particulars to demonstrate how they will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

Reason:

To ensure that the development is accessible for all members of the community and to comply with policies 3.8 and 7.2 of the London Plan and policy DM02 of the Barnet Local Plan.

- 11 Before the development hereby permitted is commenced (other than for Ground works and Site Preparation Works) a scheme detailing the provisions to be made to deliver inclusive access for all members of the community into and around the communal parts of the development (residential and non-residential elements) and the non-residential (Use Class B1 and D1 only) parts of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the scheme approved under this condition prior to the first occupation of the development.

Reason:

To ensure that the development is accessible for all members of the community and to comply with policies 3.8 and 7.2 of the London Plan and policy DM02 of the Barnet Local Plan.

## **NO TELECOMUNICATIONS EQUIPMENT**

- 12 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 following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

- The installation of any structures or apparatus for purposes relating to telecommunications on any part the roof of the buildings hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

Reason:

To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policies CS5 and DM01 Barnet Local Plan.

## **CONTAMINATED LAND**

### **13      Part 1**

Before development commences other than for investigative work:

- a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and any 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 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.

- 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 shall be submitted to, and approved in writing by, the Local Planning Authority prior to that

remediation being carried out on site.

### Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement 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 before the development is occupied.

### Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policies DM04 of the Adopted Barnet Development Management Policies Document (2012), CSNPPF of the Adopted Barnet Core Strategy (2012) and 5.21 of the London Plan.

## **BIODIVERSITY**

- 14 Prior to the commencement of the development (other than for Ground works and Site Preparation Works) details comprising a scheme of measures to enhance and promote biodiversity at the site as redeveloped 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, birds and the implementation and management of the soft landscaped areas on the site. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development.

### Reason:

To ensure that the development represents 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.

- 15 Prior to the commencement of the development or the carrying out of any site clearance works, details comprising a scheme of measures to be put in place to ensure that the clearance of the site and construction of the development hereby approved is compliant with development plan policy and legislation on the protection of breeding birds, common toads and reptiles shall be submitted the Local Planning Authority and approved in writing. The site clearance works and construction of the approved development shall be carried out in full accordance with the scheme of measures approved under this condition.

### Reason:

To ensure that the development 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 policy 7.19 of the London Plan.

## **SUSTAINABILITY**

- 16 The 52 new build residential dwellings (use class C3) in the main western extension element of the proposed development hereby permitted shall all be constructed to achieve not less than a standard of '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). None of the 52 new build dwellings in the main western extension element of the proposed development shall be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a Code Level 4 has been achieved (using this methodology) for these properties and this certification has been submitted to the Local Planning Authority.

**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.

- 17 The 97 new residential dwellings (use class C3) proposed in the mainly retained and converted element of the development hereby permitted shall all be constructed to achieve not less than a standard of 'Excellent' when assessed against the Building Research Establishment Environmental Assessment Method (BREEAM) Domestic Refurbishment 2012 scheme (or the equivalent standard in such measure of sustainability for house design which may replace that scheme). None of the 97 new dwellings in the mainly retained and converted element of proposed development shall be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a standard of 'Excellent' has been achieved (using this methodology) for these properties and this certification has been submitted to the Local Planning Authority.

**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.

- 18 The non-residential units (use classes B1 and D1) within the development hereby permitted shall all be constructed to achieve not less than a standard of 'Excellent' when assessed against a suitable and up to date (not prior to 2011) scheme under the Building Research Establishment Environmental Assessment Method (BREEAM). No non-residential unit within the development shall be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a standard of 'Excellent' has been achieved (under the relevant BREEAM methodology) for the unit concerned and this certification has been submitted to the Local Planning Authority.

**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.

- 19 Prior to the commencement of the development (other than for Groundworks and Site Preparation Works) hereby approved an Energy Strategy detailing in full the measures that the scheme will incorporate to comply with the objectives of development plan policies on climate change mitigation and reducing carbon dioxide emissions shall have been submitted to and approved in writing by the Local Planning Authority. The Energy Strategy submitted under this condition shall include measures to demonstrate how the:

- New build element of the development (which includes 48 new dwellings) would achieve an improvement of not less than 40% in carbon dioxide emissions when compared to a building constructed to comply with the 2010 Building Regulations.
- Development as a whole would achieve an improvement of 28.6% in carbon dioxide emissions when compared to a building constructed to comply with the 2010 Building Regulations.

All the measures identified in the approved Energy Strategy shall be implemented in full prior to the first occupation of the development.

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.

## **WATER AND DRAINAGE**

- 20 The development hereby permitted shall not commence (other than for Ground works and Site Preparation Works) unless and until a Water Infrastructure and Drainage Strategy detailing all on and off site water infrastructure and drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning. The information provided in the Water Infrastructure and Drainage Strategy submitted shall include (but not be limited to) full plans, specifications and other relevant details (including impacts on surface water run off and discharge rates from the site) of the proposed:

- 1390m<sup>2</sup> of green roof.
- Swales
- Filter drains

No foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the water infrastructure and drainage works and Sustainable Urban Drainage System features identified in the approved Water Infrastructure and Drainage Strategy have been implemented in their entirety.

Reason:

To ensure that the development provides appropriate drainage infrastructure and to comply with policy CS13 of the Barnet Local Plan and policies 5.13 and 5.14 of the London Plan.

- 21 The residential dwellings (Use Class C3) and non-residential uses (Use Classes B1a and D1) hereby approved shall have 100% of the water

supplied to them by the mains water infrastructure provided through a water meter or water meters.

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

- 22 The only toilets to be installed in the development hereby approved shall be dual flush (6 to 4 litres) toilets and all taps fitted in the development shall be spray or flow restricted taps.

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

- 23 Before the residential dwellings (Use Class C3) hereby permitted are first occupied details of the water efficiency measures to be installed in them to ensure that they achieve a water usage standard of not more than 105 litres per head per day shall be submitted to and approved in writing by the Local Planning Authority. The details provided shall include sufficient particulars to demonstrate how the water usage standard of not more than 105 litres per head per day shall be achieved. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the residential dwellings.

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

## **NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION**

- 24 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.

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.

- 25 Prior to the commencement of the development hereby permitted (other than for Ground works and Site Preparation Works) a Scheme of Air Pollution Mitigation Measures to be provided in the development to protect the amenities of future and neighbouring occupiers shall have been submitted to the Local Planning Authority and approved in writing. The approved Scheme of Air Pollution Mitigation Measures shall be implemented in its entirety before the first occupation of the development.

Reason:

To ensure that the amenities of future and neighbouring occupiers are protected in accordance with policy DM04 of the Barnet Local Plan and policies 5.3 and 7.14 of the London Plan.

- 26 Prior to the commencement of the development (other than for Ground works and Site Preparation Works) a full scheme of the measures to be incorporated in the development to mitigate the impact of noise from road traffic on the A1000 (High Road) and Downland Close, the activities of the commercial units neighbouring the site and any other relevant sources of noise on the future occupiers of the new dwellings in the development shall be submitted to the Local Planning Authority and approved in writing. The scheme of measures submitted shall ensure that the levels of noise as measured within habitable rooms of the new dwellings hereby approved shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am and the submission made shall include sufficient details and information to adequately demonstrate how these standards would be met. The development shall be implemented in full accordance with the approved scheme of noise mitigation measures in its entirety before the first occupation of the development.

Reason:

To ensure that the amenities of the occupiers of the development are not prejudiced by noise and to accord with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

- 27 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, prior to the first occupation of the development hereby permitted details of all acoustic walls, fencing and other barriers to be erected on the site shall have been submitted to the Local Planning Authority and approved in writing. Prior to the first occupation of the development the acoustic walls, fencing and other barriers shown in the approved details shall be erected and installed in their entirety and be maintained as such in perpetuity thereafter.

Reason:

To ensure that the amenities of the occupiers of the development are not prejudiced by noise and to accord with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

- 28 Prior to the commencement of the development (other than for Ground works and Site Preparation Works) a Scheme of Sound Insulation Measures shall be submitted to and approved in writing by the Local Planning Authority. The Scheme of Sound Insulation Measures submitted shall set out how the development would be constructed so as to provide sufficient air borne and structure borne sound insulation against internally generated noise and vibration. The sound insulation used in this respect shall ensure that the levels of noise generated from the B1(a) and D1 uses hereby approved as measured within habitable rooms of the new dwellings in the development shall be no higher than 35dB (A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am. The development shall be constructed in full accordance with the approved Scheme of Sound Insulation Measures prior to its first occupation.

Reason:

To ensure that the amenities of the occupiers of the development are not

prejudiced by noise and vibration and to accord with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

- 29 Before the development hereby permitted commences (other than for Ground works and Site Preparation Works), a report shall be carried out by a competent acoustic consultant, submitted to the Local Planning Authority and approved in writing which clearly sets out and assesses the likely noise impacts from all the ventilation and extraction plant to be installed as part of the development and the mitigation measures proposed to be used to reduce the noise impacts arising from the ventilation and extraction plant to be installed to acceptable levels. The report submitted shall include all calculations and baseline data and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The mitigation measures proposed to reduce the noise impacts arising from the ventilation and extraction plant set out in the report approved under this condition shall be implemented in their entirety before the development is occupied.

Reason:

To ensure that the amenities of neighbouring properties are protected from noise from the development in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

- 30 Before the development hereby permitted commences (other than for Ground works and Site Preparation Works) on site details of all extraction and ventilation equipment to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. Extraction and ventilation equipment shall be installed at the site in full accordance with the details approved under this condition 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.

- 31 The level of noise emitted from the plant installed as part of the development hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

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

- 32 The Class D1 (community and education) uses hereby approved shall not be open to customers or staff before 6:30am or after 8pm from Monday to

Friday, or before 8am or after 8pm on Saturdays and not at all on Sundays, Bank Holidays and Public Holidays.

Reason:

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

**REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO EXTEND**

- 33 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 building hereby permitted shall not be extended in any manner whatsoever without the prior receipt of express specific planning permission in writing from the Local Planning Authority.

Reason:

To ensure that the development does not prejudice the character of the locality, the amenities of future occupiers of the dwellings proposed and the enjoyment by neighbouring occupiers of their properties in accordance with policies CS5, DM01 and DM02 of the Barnet Local Plan.

**DETAILS OF ARCHITECTURAL FEATURES**

- 34 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence (other than for Ground works and Site Preparation Works) unless and until details (necessary details specified in brackets) of the following features and elements of the scheme have been submitted to the Local Planning Authority and approved in writing:
- Brick bonding and brick and stone detailing (annotated plans at a scale of not less than 1:20).
  - External windows, balconies, winter gardens, doors, metal screens and balustrading (annotated plans at a scale of not less than 1:10).
  - The curtain wall glazing system (annotated plans at a scale of not less than 1:20).
  - Depth of window reveals (annotated plans at a scale of not less than 1:20).
  - Glazed staircase (annotated plans at a scale of not less than 1:20).
  - Rainwater goods (annotated plans at a scale of not less than 1:10).
  - Privacy screens (annotated plans at a scale of not less than 1:10).
  - Any means to be used for enclosing the basement car parking areas (annotated plans at a scale of not less than 1:20).
  - All means of enclosure proposed for the sites pedestrian and vehicular access points (annotated plans at a scale of not less than 1:10).
- The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the development 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.

## **TRANSPORT**

- 35 Before the development hereby permitted is occupied the car parking spaces shown on plan numbers 1599\_0155 and 1599\_0159 shall be provided in the development and shall not be used for any purpose other than the parking and turning of vehicles in connection with the development hereby approved.

**Reason:**

To ensure that 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 policies CS9 and DM17 of the Barnet Local Plan.

- 36 Before the development hereby permitted is occupied a Car Parking Management Plan detailing the allocation of car parking spaces, all on-site parking controls and charges and enforcement measures to be put in place to deal with any unauthorised parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be managed in accordance with the approved Car Parking Management Plan from the first occupation of the building and in perpetuity thereafter.

**Reason:**

To ensure that parking is provided and managed at the development in the interests of highway and pedestrian safety and the free flow of traffic in the area and in accordance with policies CS9 and DM17 of the Barnet Local Plan.

- 37 Prior to the commencement of the development hereby approved a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this Plan. This Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. 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;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;

- vi. 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;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details setting out how the High Road (A1000) will not be used for any loading and unloading associated with the implementation of the development;
- xi. Details of a community liaison contact for the duration of all works associated with the development.

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.

- 38 Before the first occupation of any of the new dwellings (Use Class C3) hereby permitted a full residential Travel Plan prepared in accordance with all relevant technical and good practice guidance, which is ATTrBuTE and TRAVL compliant and that includes the appointing of a Travel Plan Champion shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied and managed in accordance with the approved Travel Plan and the Travel Plan shall be reviewed in accordance with Transport for London's 'Standardised Approach to Monitoring'. The Travel Plan approved shall be implemented and enforceable in accordance with the agreement completed under section 106 of the Town and Country Planning Act 1990 (as amended) which accompanies this application.

Reason:

To encourage the use of sustainable forms of transport to the site and minimise transport impacts of the development in accordance with policies DM17 and CS9 of the Barnet Local Plan.

- 39 Before the first occupation of the office space (Use Class B1a) hereby permitted a Commercial Travel Plan Statement prepared in accordance with all relevant technical and good practice guidance and that is ATTrBuTE and itrace or Behaviour Change Management System (BCMS) compliant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied and managed in accordance with the Travel Plan approved under this condition. The Travel Plan approved shall be implemented and enforceable in accordance with the agreement completed under section 106 of the Town and Country Planning Act 1990 (as amended) which accompanies this application.

Reason:

To encourage the use of sustainable forms of transport to the site and minimise transport impacts of the development in accordance with policies DM17 and CS9 of the Barnet Local Plan.

- 40 Should the community and education floor space (Use Class D1) hereby approved be occupied by a nursery or other education use then a Nursery or Education Travel Plan prepared in accordance with all relevant technical and good practice guidance shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of this use. The development shall be occupied and managed in accordance with the Travel Plan approved under this condition and the Travel Plan approved shall be implemented and enforceable in accordance with the agreement completed under section 106 of the Town and Country Planning Act 1990 (as amended) which accompanies this application.

Reason:

To encourage the use of sustainable forms of transport to the site and minimise transport impacts of the development in accordance with policies DM17 and CS9 of the Barnet Local Plan.

- 41 Before the first occupation of the development hereby approved details showing suitable parking and storage facilities for not less than 215 bicycles within the development shall be submitted to the Local Planning Authority and approved in writing. The details submitted under this condition shall provide suitable parking and storage for not less than:
- 26 bicycles associated with the non-residential (Use Classes B1 and D1) floor space proposed.
  - 189 cycles associated with the residential (Use Class C3) dwellings proposed.

The development shall be implemented in full accordance with the details as approved before the development is occupied or brought into use and shall be permanently retained as such thereafter.

Reason:

In the interests of promoting cycling as a mode of transport in accordance with Policies CS9 and DM17 of the Barnet Local Plan and Policy 6.13 of the London Plan.

- 42 Before the development hereby permitted is occupied or brought into use not less than the following numbers of disabled standard parking spaces shall be provided at the site in accordance with details that have previously been submitted to the Local Planning Authority and approved in writing:
- 19 disabled standard parking spaces for the residential dwellings (Use Class C3) hereby approved.
  - 1 disabled standard parking space for the non-residential floor space (Use Classes B1 and D1) hereby approved.

Reason:

To ensure that satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety, the free flow of traffic and the creation of an environment which is accessible to all members of the

community in accordance with policies CS9 and DM17 of the Barnet Local Plan

- 43 Before the development hereby permitted is occupied or brought into use full details of the Electric Vehicle Charging facilities to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. The details submitted under this condition shall include provision for not less than:

- 31 of the car parking spaces proposed for the residential dwellings (Use Class C3) to be provided with active Electric Vehicle Charging facilities.
- 3 of the car parking spaces proposed for the non-residential floor space (Use Classes B1 and D1) to be provided with active Electric Vehicle Charging facilities.
- 31 of the car parking spaces proposed for the residential dwellings (Use Class C3) to be provided with passive Electric Vehicle Charging facilities.
- 1 of the car parking spaces proposed for the non-residential floor space (Use Classes B1 and D1) to be provided with passive Electric Vehicle Charging facilities.

The development shall be implemented in full accordance with the approved details prior to the development being occupied or brought into use and thereafter be maintained as such.

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.

- 44 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, prior to the commencement of the development (other than for Ground works and Site Preparation Works), full details of the roads and pedestrian access arrangements within the development shall be submitted to and approved in writing by the Local Planning Authority. The details provided under this condition shall include highways engineering drawings and detailed construction specifications, including longitudinal section plans, with all plans submitted being at a scale of not less than 1:200. The development shall be implemented in full accordance with the details approved under this condition prior to the first occupation of the development.

Reason:

To ensure the formation of safe access to the development, protect the amenities of the area and to comply with policies CS9 and DM17 of the Barnet Local Plan.

- 45 Before the development hereby permitted is occupied or brought into use a full Delivery and Servicing Plan shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be serviced and managed in accordance with the approved Servicing and Delivery Plan in perpetuity.

Reason:

In the interest of highway safety, the amenities of the area and the sustainable occupation of the development in accordance with policies CS9 and DM17 the Barnet Local Plan.

**NON-RESIDENTIAL USES PROPOSED**

- 46 The 1978.5m<sup>2</sup> of floor space hereby approved for purposes falling within Use Class B1a shall only be occupied for uses falling within Use Class B1a Office and shall not be used for any other purpose, including any other purpose within Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason:

To ensure the development is implemented in accordance with the permission sought and in the interests of the re-provision of employment generating floor space in accordance with policy DM14 of the Barnet Local Plan.

- 47 The 324m<sup>2</sup> of floorspace hereby approved for purposes falling within Class D1 shall be occupied for education and community purposes only and shall not be used for any other purpose, including any other purpose within Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason:

To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floor space within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan.

**LIGHTING**

- 48 Prior to the first occupation of the development hereby approved full plans, details and specifications of all external lighting to be installed as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development and be maintained as such thereafter.

Reason:

To ensure that appropriate lighting is provided as part of the development in accordance with policy DM01 of the Barnet Local Plan and policy 7.13 and 5.3 of the London Plan.

- 49 Prior to the first occupation of the development hereby approved, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to the first occupation of the new dwellings in the development.

Reason:

To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan.

## **LANDSCAPING**

- 50 Notwithstanding the details shown on the plans submitted and otherwise hereby approved prior to the commencement of the development (other than for Ground works and Site Preparation Works) full details, including annotated scaled plans, of all proposed boundary treatments, walls, fencing, gates or other means of enclosure to be erected at the site shall have been submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwellings hereby approved and be permanently retained as such thereafter.

Reason:

To ensure that the development protects the amenities of the occupiers of neighbouring and future properties, provides a safe and secure environment and to protect the character and visual amenities of the site and wider area in accordance with policies CS5 and DM01 and DM02 of the Barnet Local Plan and policies 1.1, 7.3, 7.4, 7.5 and 7.6 of the London Plan.

- 51 Prior to the commencement of the development a detailed scheme of hard and soft landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The detailed scheme of landscaping submitted shall include but not be limited to the following:

- The position of any existing trees to be retained and removed.
- New tree, hedge and shrub planting proposed including species, plant sizes and planting densities, as well as planting for the areas of green roof proposed, including herbaceous / climbers / grasses / ground cover plants.
- Means of planting, staking and tying of trees, including tree guards as well as a detailed landscape maintenance schedule for regular pruning, watering and fertiliser.
- Existing contours and any proposed alterations such as earth mounding.
- Areas of hard landscape works including proposed materials

samples.

- Details of all techniques to be used to provide conditions appropriate for new plantings.
- The timing of planting.

Reason:

To safeguard the health of existing trees which represent an amenity feature and to ensure a satisfactory appearance of and contribution to biodiversity from the development in accordance with policies DM01, DM02 and DM16 of the Barnet Local Plan and policies 3.6, 7.19 and 7.21 of the London Plan.

- 52 All work comprised in the approved scheme of hard and soft landscaping (submitted under condition 51) 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.

- 53 Any trees, hedges, shrubs or areas of green roof to be planted as part of the approved landscaping scheme (submitted under condition 51) which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees, shrubs or other planting 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.

- 54 No site works or other works associated with this development shall be commenced before a Method Statement detailing the precautions to be taken to minimise damage to retained trees within and trees adjacent the site, in accordance with British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations*, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the Method Statement approved under this condition.

Reason:

To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 55 No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard retained trees within the application site and trees adjacent the site have been put in place in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The

tree protection measures approved under this condition shall remain in place until the development hereby consented has been completed.

Reason:

To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 56 Details submitted pursuant to Conditions 4 and 51 to 55 (inclusive) imposed by this Planning Permission shall be submitted at the same time.

Reason:

To enable the proper consideration of matters relating to site levels, protective fencing and landscaping 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.

- 57 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity spaces provided on the site shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development.

Reason:

To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy 3.6 of the London Plan.

**Informatives:**

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

## **1. MATERIAL CONSIDERATIONS**

### **1.1 Key Relevant Planning Policy**

#### Introduction

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

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan



documents. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

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.

Officers have considered the development proposals very carefully against the relevant policy criteria and have concluded that that the development will fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is therefore considered to comply with the requirements of the development plan.

### 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); 2.15 (Town Centres); 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); 3.8 (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); 3.16 (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); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.8 (Supporting a Successful and Diverse Retail Sector); 4.10 (Support New and Emerging

Economic Sectors); 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); 5.4 (Retrofitting); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 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 Cross rail 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)

CS6 Promoting Barnet's Town Centres  
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)  
DM05 (Tall Buildings)  
DM06 (Barnet's Heritage and Conservation)  
DM08 (Ensuring a variety of sizes of new homes to meet housing need)  
DM10 (Affordable housing contributions)  
DM11 (Development principles for Barnet's town centres)  
DM13 (Community and education uses)  
DM14 (New and existing employment space)  
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 (September 2012)  
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)  
Housing (November 2012)

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

### National Planning Guidance

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan. In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

### The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Officers have concluded that the planning obligations recommended are legitimate and appropriate under these regulations. The applicant has agreed the obligations set out in Recommendation 1.

## **1.2 Key Relevant Planning History**

A full summary of the key planning history of relevance to the site is set out in **Appendix 1** of this report.

In terms of the application site itself, a previous application (Barnet Reference number B/05674/13) was granted consent on 25/07/2014 for '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), 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), together with ancillary reception floorspace and associated landscaping, car parking and access'. The previous application was subject to judicial review but this was found by the judge to be without merit. However, there remains an outstanding appeal in respect of one of the grounds of the decision (further details given below).

Four submissions were made under the prior notification process in 2013. These sought to convert various parts of the site to a residential use (Barnet reference numbers B/02148/13, B/03158/13, B/03322/13 and B/03490/13) and were all found not to constitute permitted development. A screening opinion (B/03173/13) and a residential led mixed use scheme (B/00421/13), seeking consent for 191 new dwellings, were also submitted for the site in 2013. Through the screening opinion it was established that a proposal of the nature sought under that submission would not constitute development requiring the preparation of an Environmental Statement. The residential led mixed use scheme at the site (proposing 191 new dwellings) was withdrawn on 29 July 2014.

More historical submissions at the application site include an application (Barnet reference B/02301/10) seeking planning permission to change the

use of the third floor of the building from Class B1 to Class D1 (education), which was granted consent in 2010, and a proposal, granted consent in 2007, to change the use of the ground floor into a café (Barnet reference N00189AK/06).

There are a number of planning applications at properties surrounding the application site which are relevant to the consideration of the current proposal. These include applications at the adjacent commercial premises, one of which was recently granted consent at appeal (Barnet reference B/00845/13).

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 building for purposes falling within Use Class D1. This is therefore a relevant committed development in the Whetstone area. A further committed scheme, at 1230 High Road, Whetstone, for mixed use (residential and office) purposes is currently being implemented.

#### Judicial Review against application B/05674/13

As stated above application B/05674/13 was granted consent on 25/07/2014 for '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), 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), together with ancillary reception floorspace and associated landscaping, car parking and access'. The Council's decision to grant permission for this application was the subject of an application for permission to bring judicial review proceedings on the following grounds:

1. Failure to take account of material considerations (particularly in relation to marketing)
2. Misleading officer's report (particularly in relation to estimate that £8million would be required to refurbish the building)
3. Failure to investigate (particularly in relation to estimate that £8million would be required to refurbish the building)
4. Breach of S372A of the Town and Country Planning Act 1990

The grounds for the judicial review were all found to be totally without merit by a High Court judge in a decision dated 04 November 2014. However, subsequent to the decision of the judge, an appeal has been lodged to the Court of Appeal in respect of ground one of the original judicial review application (in respect of marketing). The pending outcome of this appeal does not affect the ability to determine this current application at the site.

### **1.3 Public Consultations and Views Expressed**

#### Public Consultation

To publicise this application letters and emails were sent to 1021 addresses in October 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 Barnet's own adopted policy on the consultation to be carried out for schemes of this nature.

#### Number of Responses from Residents

2 responses objecting to the proposal were received from residents. **None** of these objectors have requested to speak at committee. **No** responses supporting the proposal were received from residents.

#### Comments from Residents

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

#### **Summary of responses:**

- Proposal would add unacceptably to the existing traffic and congestion in the area.
- Concern that the proposal would result in residential development in proximity to a neighbouring business that deals with the testing of music equipment and therefore sufficient noise mitigation should be put in.

#### Officer response

*Full responses to the material planning considerations raised are provided in the main body of the committee report. In summary, subject to the controls and mitigation provided by the conditions and planning obligations recommended, the proposal is found to be acceptable and compliant with the relevant development plan policies in all the relevant regards.*

#### Consultation Responses from Statutory Consultees and Other Bodies

##### **Transport for London (TfL):**

No response received

##### **Highways Agency:**

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

##### **Metropolitan Police Service:**

No response received

##### **London Fire and Emergency Planning Authority:**

No response received

##### **Environment Agency:**

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

##### **Natural England:**

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.

##### **English Heritage Archaeology:**

Have responded and conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. As such they consider that no further archaeological assessment or conditions are necessary.

**Thames Water:**

No response received

**National Grid:**

No response received

Internal Consultation responses

**Traffic and Development Team:**

The Traffic and Development Team 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 the conditions and planning obligations recommended, they have no objections to the development and find the proposal to be acceptable in respect of traffic, parking and highways related matters.

**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 raise no objection to the development and find the proposal to be acceptable.

## **2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL**

### **2.1 Site Description and Surroundings**

The application site comprises a broadly rectangular area of previously developed land measuring approximately 0.654 hectares in size situated on the western side of Whetstone High Road. The site slopes down significantly from east to west. Downland Close is situated (running east to west) to the north of the site and the A1000 (Whetstone High Road) is situated to the east of the site (running north to south). The areas to the west and north of the site (accessed from Downland Close) contain a range of business uses. The land to the south of the site (St. Margaret's Avenue) comprises two storey pitched roof semi-detached dwellings.

The main existing building on the site is predominantly 12 storeys in height. There are also lower ground floor levels and a further structure providing some additional floor space on the 12<sup>th</sup> floor of the building. A three level structure providing parking is situated on the western part of the site. The eastern part of the site, containing the main building, is located within the defined boundary of Whetstone Town Centre. The western part of the site, including the car park, is located outside of the town centre boundary.

The applicant has confirmed that the site is currently fully vacant. However,

Northway House presently contains a mixture of lawful uses. These include a café, studio and exhibition space, storage space, office space, light industrial space, laboratories and educational uses. As such if the building were to be taken as a whole it would be considered to have a *sui generis* classification under the Use Class Order. The existing uses within the building are discussed in further detail in subsequent sections of this report.

Vehicular access for the site currently takes place from a single point on the High Road. Pedestrian access to the site also takes place from the High Road. The site has a Public Transport Accessibility Level (PTAL) ranging between 3 (west of the site) and 5 (east of the site fronting onto the High Road).

The application site presently contains a mixture of hard and soft landscaped areas. The Arboricultural Survey submitted with the application assesses the impacts of the scheme on 13 individual trees and 2 groups of trees (which each contain approximately 40 trees) that are situated either in or adjacent the site. None of the trees in the application site itself are covered by a Tree Preservation Order. An area of land to the south of the site, which directly adjoins the site boundary, contains trees covered by a Tree Preservation Order (reference number TRE/BA/84).

The area surrounding the application site varies significantly in its character. To the south of the site the commercial and mixed-use High Road rapidly changes (westwards), into St Margaret's Avenue, to become of a traditional residential suburban character containing predominantly two storey semi-detached houses. Parts of the southern boundary of the site adjoin the gardens of properties in these residential roads. The areas to the north and west of the site contain a number of business uses. These include premises for A1 Self Storage (north of the site), 1411 High Road (to the north of site, where uses include the storing of shipping containers) and Video Equipment Rentals (to the west of the site).

## **2.2 Description of the Proposed Development**

Detailed planning permission is sought for extensions, various external alterations and the change of use of Northway House to provide 149 new self contained residential flats (Use Class C3), 1978.5m<sup>2</sup> of office floorspace (Use Class B1a) and 324m<sup>2</sup> of floorspace for community and educational purposes (falling within Use Class D1). A plan showing the overall layout of the proposed development has been provided at **Appendix 2** of this report.

The current application is a resubmission of a previously approved scheme (B/05674/13) which granted consent for "The refurbishment and change of use of the existing Northway House into 97 new homes, a new extension comprising 48 new homes, 1,978.5 sq.m (NIA) of flexible Class B1a (office) floorspace, 324 sq.m (NIA) of "open" Class D1 floorspace (education and community uses) together with ancillary reception floorspace and associated landscaping, car parking and access". Since the granting of planning permission (B/05674/13), a technical review has been undertaken as to the optimum configuration in terms of space planning and layout. The minor



alterations to the scheme will allow the development to deliver additional four new homes. The key changes that occur as a result of the reconfiguration of the internal layout and minor external alterations are as follows:

- Inclusion of four additional homes (on floors -02, -01 (Podium) and 00 of Blocks B, C and D);
- Altered dwelling mix arising from the inclusion of additional larger two and three bedroom family homes and fewer one bedroom properties;
- Four additional car residential parking spaces;
- Reduction in the previous overprovision in the number of residential cycle parking spaces from 233 spaces to 183 spaces, plus six visitor spaces;
- Minor external alterations are also proposed and generally comprise the provision / re-position of windows and balconies, and adjustments to the servicing arrangements (the proposed alterations to the building façades are only in relation to Blocks B, C and D).

The site as proposed is laid out with the main part of the existing Northway House building, which is broadly 'T' shaped in plan form (with the top of the 'T' on the eastern part of the site), retained. Key changes to the main retained block include the:

- Demolition of the existing projecting stair core on the northern side of the building.
- Extension of the ground floor of the building eastwards (towards the High Road).
- Rebuilding of the existing glazed stair core on the western end of the building (the bottom of the 'T') and the enclosing of this within a solid extension up to a first floor level.
- Enlargement of the 12<sup>th</sup> (top) floor of the building.
- Introduction of balconies, winter gardens and decked access structures across the building facades. This includes infilling the existing recessed area in the north-east corner of the building with winter gardens.
- The northward extension of the part of the building which is oriented at a right angle to the High Road (effectively increasing the width of the lower part of the 'T').

The facades of the retained building (including the doors and fenestration) would be comprehensively changed under the proposals. This part of the building would contain a total of 97 residential flats and the new non-residential floorspace proposed (described further below). Following the alterations proposed in the submission the retained part of the building would not exceed the maximum height of the existing building.

The largest extension to the retained building would be erected on the western part of the site and include the area that presently contains the multi-storey car park structure (which would be demolished). Viewed in plan form the extension would be broadly 'U' shaped, with the tops of the 'U' oriented southwards. There would also be two full podium floors beneath the 'U' shaped element of the structure. This extension would be up to six storeys in height (including the podium levels). However, the height of structure varies significantly from west (highest) to east (lowest), partly as a response to the steeply sloping nature of the site. This part of the building would contain a

total of 52 residential flats.

The three main protrusions from the extensions broadly 'U' shaped plan form would be a projection to the north (which would contain an access point to an area of parking and cycle storage on its lowest two levels and be part of the residential accommodation proposed on levels above this); a projection to the west (which would contain parking on its lowest level and the amenity space for a number of flats on the floor above this); and a projection to the east (which would contain parking on its lowest two levels and a refuse store and entrance lobby above this).

The two podium floors which form part of the main western extension would be predominantly used to provide car parking and cycle storage. However, they would also contain (in their western element) the lower level of four duplex flats. The area enclosed on three sides by the 'U' shaped extension (the top of the podium level and level -01 on the submitted plans) provides a communal open amenity space (described further below) and access to entrances in this part of the development. This area would be directly accessible to pedestrians (and emergency vehicles) from the High Road. Direct access from the area of communal space on top of the podium to a separate area of communal amenity space at a lower level on the southern part of the site (described further below) would be possible through proposed stairs which project from the southern façade of the podium.

Each new dwelling within the proposed development would have its own area of private amenity space in the form of a terrace, winter garden or balcony. The development also includes the provision of three main areas of communal open space for the occupiers of the proposed dwellings. One of these spaces would be situated on the most southern part of the land, adjacent the site boundary. The usable amenity space in this area would cover approximately 750m<sup>2</sup>. A second area of communal open space would be located on a podium that is enclosed on three sides by the western 'U' shaped extension to the retained building. The usable part of this space would have an approximate area of 360m<sup>2</sup>. The third area of communal amenity space would be a communal roof terrace located on the western end of the retained part of the Northway House building. This space would cover an area of approximately 150m<sup>2</sup> in size. The areas of amenity space proposed would include hard and soft landscaped elements and contain features such as seating. The areas of open space on the southern part of the site and within the main western extension to the retained building would be designed specifically to include zones containing play features.

The non-residential elements of the development (covering Use Classes B1a and D1) would be provided in 6 units located across parts of 4 floors of the scheme. This includes the majority of the ground and first floor levels of the retained part of the building (closest to the High Road). The remaining non-residential accommodation would be situated in parts of two lower floors within the building. One of the non-residential units would provide the Class D1 space proposed and the remaining 5 would provide the office space.

At a ground floor level the High Road frontage of the proposed building, which would project forward of the existing ground floor building line as a result of an

extension, has been designed to produce an area of active frontage. This would be achieved through the provision of substantial glazed areas and a direct pedestrian access to the office unit which would occupy the area of the ground floor facing the street. Further activity would also be generated by the routes provided at this point to the accesses for both the other non-residential units proposed (along the northern elevation of this element) and (on the southern elevation of this element) the residential dwellings located in this part of the building (on the second floor upwards).

The main point of vehicular ingress and egress for the proposed development would be provided from a single location at the northern end of the sites High Road frontage (eastern side of the site). This point provides access to a route which runs along much of the northern boundary of the site. A second vehicular access point would also be provided at the southern end of the sites High Road frontage. However, this would be solely for the use of emergency vehicles. Several points of pedestrian access would be provided along the length of the sites High Road frontage.

The development includes the provision of a total of 171 off street car parking spaces. 158 of these would be provided for the residential element of the proposal. The remaining 13 spaces would be provided for the non-residential uses proposed. 19 of the car parking spaces created would be provided to a disabled parking space standard. The development includes dedicated areas for the storage of 215 cycles. This comprises facilities for the storage of 26 cycles associated with the non-residential element of the scheme and facilities for the storage of 189 cycles associated with the residential part of the scheme. Enclosed spaces for the storage of refuse and recycling facilities would be located at various points throughout the ground floor and lower levels of the building.

In terms of its detailed architectural design, both the retained and the extended parts of the building seek to use a distinctively contemporary approach. The final materials used would be controlled through the conditions recommended (should the application be granted consent). However, they would include the extensive use of glazing, composite and metal cladding systems, particularly on the retained building. The main extension to the retained building (on the western part of the site) would predominately use a combination of brick, reconstituted stone, glazing and metal cladding systems.

The mix of dwelling types proposed in the development is as follows:

- 44 x one bedroom two person flats (approximately 29.5% of the dwellings)
- 9 x two bedroom three person flats (approximately 6% of the dwellings)
- 68 x two bedroom four person flats (approximately 45.6% of the dwellings)
- 1 x three bedroom five person flats (approximately 0.7% of the dwellings)
- 27 x three bedroom six person flats (approximately 18.1% of the dwellings)

All of the dwellings proposed would meet or exceed the minimum internal floor

space standards for that type of residential unit (specified in Table 3.3 of the London Plan) and achieve the relevant Lifetime Homes Standards. 15 of the units proposed would meet wheelchair accessible standards or be easily adaptable to achieve wheelchair accessible standards. All of the dwellings in the new build element of the development would achieve Code for Sustainable Homes Level 4. The new dwellings proposed in the mainly converted element of the building and the non-residential uses sought (Class B1a and D1 uses) would all achieve a rating of 'Excellent' under the Building Research Establishment Environmental Assessment Method (BREEAM).

The scheme would provide a total of 11 affordable housing units on site. This equates to approximately 7.4% of the total dwellings proposed. The affordable housing units would all be provided as Intermediate (Shared Ownership) units comprising 5 x 1b 2p, 4 x 2b 4p and 2 x 3b 6p.

The areas surrounding the proposed buildings would contain a mixture of hard and soft landscaping features. The development would involve the removal of 7 existing trees from the site. None of the trees to be removed are covered by a Tree Preservation Order. The landscaping scheme proposed would include the planting of substantial number of new trees. The site would be bounded by a range of different types of means of enclosure. As subsequent sections of this report describe in further detail this would include the use of features to provide acoustic mitigation.

In addition to the application drawings, application forms and certificates the submission made includes the following documents:

- Design and Access Statement by RMA Architects
- Planning Statement by Barton Willmore
- Transport Assessment (Incorporating Travel Plan) by WSP
- Environmental Noise and Vibration Survey Report by Clark Saunders
- Air Quality Assessment by WSP
- Townscape and Visual Impact Assessment by Barton Willmore
- Verifiable Photomontage Images, Methodology and Supporting Evidence by Design Hive
- Verifiable Photomontage Images, Methodology and Supporting Evidence Addendum Statement by Design Hive
- Arboricultural Survey by Midland Forestry
- Energy Strategy By WSP
- Sustainability Statement by WSP
- Code for Sustainable Homes Pre-Assessment by WSP
- BREEAM Pre-Assessment (Domestic refurbishment) by WSP
- BREEAM Pre-Assessment (Commercial floorspace) by WSP
- Socio-Economic Assessment (Including Open Space Proximity Assessment and Employment Impact) by Barton Willmore
- Socio-Economic Assessment (Including Open Space Proximity Assessment and Employment Impact) Addendum Statement by Barton Willmore
- Market and Viability Report by Dron and Wright
- Flood Risk Assessment including SUDS information by WSP
- Utility Feasibility Report by Atkins
- Daylight, Sunlight and Overshadowing Assessment by Anstey Horne

- Internal Daylight and Sunlight Assessment by Anstey Horne
- Site Waste Management Plan by WSP
- Phase 1 Habitat Survey and Ecology Update by Thompson Ecology
- Daytime External Inspection for Bats Survey by Thompson Ecology
- Refurbishment / Demolition Asbestos Report by WSP
- Phase 1 Geo-Environmental Assessment by WSP
- Statement of Community Involvement by London Communications Agency
- Assessment of Viability and Affordable Housing Provision and subsequent associated correspondence by BNP Paribas

Pre-application advice was sought from the Council on the redevelopment of the application site.

### **3. PLANNING CONSIDERATIONS**

#### **3.1 Principle of redeveloping the site**

For areas such as the application site, which comprise high quality suburbs not identified as locations to which growth will be focused, policies CS1 and CS3 of the Barnet Core Strategy expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure. As is set out in other sections of this report in greater detail the proposal is considered to be compliant with the objectives of these policies.

The application site has not been identified for any specific use in planning policies, is previously developed and is situated partially within Whetstone Town Centre (and therefore in easy access of the amenities it offers). It is also noted that the areas surrounding the site contain a mixture of uses, including residential and various business occupiers. The site has good access to public transport (a Public Transport Accessibility Level ranging between 3 and 5) and is located within walking distance of a number of bus stops and Totteridge and Whetstone Underground Station.

In such circumstances there is considered to be nothing to specifically preclude the redevelopment of the site in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies. The principle of the various elements of the development proposed, in terms of the specific uses, is considered in more detail below.

#### **Employment uses**

The application proposes to reduce the level of floorspace at the site falling within Use Class B1 from 7887.3 down to 1978.5m<sup>2</sup>. Policy CS8 of the Barnet Core Strategy states that the Council will support businesses by safeguarding existing employment sites that meet the needs of modern businesses (in accordance with Policy DM14 New and Existing Employment Space); encourage development that improves the quality of existing employment provision; and seek a range of unit sizes and types in new employment provision to support small and medium sized enterprises.

Policy DM14 (in the Barnet Development Management Policies) identifies that in locations such as this the loss of B1 uses will only be permitted where it can be demonstrated that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken. Where this can be demonstrated the priority will be for a mixture of small business units with residential use. The policy also states that office space specifically should be retained in town centres and edge of centre locations. Loss of office space will only be permitted in these locations where it can be demonstrated that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of active marketing has been undertaken. Where this can be demonstrated the proposal will be expected to provide appropriate mixed use re-development which delivers some re-provision of employment, residential and community use. The policy identifies that proposals to redevelop existing employment space which reduce the levels of employment use and impact negatively on the local economy will be resisted and that, where it is appropriate, loss of employment space will be expected to provide mitigation in the form of contributions to employment training. Proposals for new office space should follow a sequential approach which considers town centre sites before edge of centre sites.

The submission made includes a Market and Viability Report and subsequent Addendum Reports. These reports identify that the level of occupation of the building has declined significantly since 2008 despite an ongoing active marketing campaign, which has included the use of on-site signage, a website and commercial agents. Taken as a whole the occupation of the building (the majority of which is in a B1 Use) declined from approximately 73% in June 2008 down to 4.66% in February 2014 (197m<sup>2</sup> of which was not in a B1 use and relates to the existing café on the site). The applicant has confirmed that since April 2014 the site has been fully vacant.

The MVR finds that Northway House is in a poor condition and suffers from a significant number of limitations. Examples of this include observations that the roof and central heating system of the building are coming to the end of their useful life and that the site lacks disabled WC facilities and has poor energy performance credentials. Taken as a whole the report advances the building is coming to the end of its economic life and that a substantial investment would be required to enable its longer term occupation. It estimates that the cost of remedying the concerns it identifies and bringing the building up to a condition and specification commensurate with what would be expected in the current office market (a figure of £8 million is suggested) would exceed the rental income which such a refurbishment could generate. It is therefore suggested that retaining the building in a B1 use is financially unviable.

Further relevant observations in the MVR include that there is currently a falling office availability rate in the borough but that demand for refurbished office space within the borough remains limited and it appears that actively levels and rents remain subdued. It is also suggested that the poor condition and specification of Northway House make the B1 space it provides less attractive in comparison to alternative options for potential occupiers and that

in such circumstances businesses will not find it difficult to find suitable accommodation. The applicant has stated that based on their most recent data there is currently between 3.75 and 4 years of over supply of B1(a) office space in the market.

The proposed development is considered to include a suitable and policy compliant mix of new uses, including new office floorspace, residential dwellings and a unit for community uses (see other sections of this report for further details). Officers consider that the re-provision of approximately 25% of the existing Class B1 space in the building is a very important part of the case for supporting the development proposed.

The new Class B1 space would be located within the boundary of Whetstone Town Centre on the most accessible part of the site. It would also be of a higher standard (for example it would achieve BREEAM 'excellent' and be accessible to all members of the community) than the existing B1 space in Northway House, flexibly designed so that it can accommodate a range of sizes of business (including small and medium sized enterprises) and located within a wider building that has been substantially refurbished. The new Class B1 space would all be provided as office space (Class B1a). It is noted that a proportion of the existing Class B1 space at the site (the application form submitted puts this at approximately 18.9% of the total Class B1 space) is used for other purposes falling within Class B1, such as laboratories. This is considered significant because such uses typically employ lower densities of staff (so they employ fewer staff for a given area of space) than office space.

To ensure that the scheme delivers the benefits envisaged in these regard conditions have been recommended which require that the new Class B1 floor space proposed is provided solely as office space, achieves a BREEAM standard of 'excellent' and is designed to be accessible to all members of the community.

In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would also deliver four apprenticeships connected with the construction and operational phases of the development for residents of Barnet. Of the four apprenticeships delivered two would be at not less than a Level 2 or 3 (as defined in the National Apprenticeship Service Framework or any subsequent scheme which replaces this) and two would be at either not less than a Level 4 or an appropriate equivalent graduate scheme. Alongside the other planning benefits which the application would deliver this obligation is considered to assist in mitigating the loss of employment generating floor space the development would result in.

For the reasons set out above the reduction in the existing Class B1 floorspace sought as part of the application and the new Class B1 space proposed are both considered to be acceptable, subject to the conditions and planning obligations recommended.

The outstanding element of the Judicial Review in respect of application B/05674/13:

As mentioned in previous sections, approved application B/05674/13 was

subject to an application for Judicial Review. In the High Court the grounds of the Judicial Review were found by the Judge to be totally without merit. The appellant has now sought to review this decision in the Court of Appeal on the basis of ground one, which referred to 'the failure to take account of material considerations'. The four elements of this ground of appeal for the Judicial Review are set out and responded to below:

**1. Whether the site and building has been continuously marked for both sale and rent**

**Response:** Officers conclude that the submission has adequately demonstrated that the site is no longer suitable and viable for its existing or alternative business use due to the fact that the building is in a poor state of repair but refurbishment works would be unviable due to the extent of costs involved (suggested to be in the region of £8 million). The applicant has also demonstrated that an appropriate period of continuous marketing has been undertaken between 2004 – 2013 for renting the property. The applicant's Marketing and Viability Report also states that during the period of marketing the property for rent 'any owner occupier or commercial developer who was interested in buying the building would have made a direct approach to the owner directly or via their agents'. The LPA is satisfied that the MVR submitted by the applicant demonstrates a satisfactory level of marketing for the site, particularly considering the following positives of the scheme:

- The re-provision of B1(a) office floor space (approximately 25% of current level)
- The Provision of a higher quality of B1(a) office floor space
- All of the new B1 floor space would be for B1(a) office use, which would have a greater intensity of employment than the existing on site B1 floor space, which includes light industrial floor space that has a lower intensity of employment.
- The development would result in employment and training benefits by providing apprenticeship training places

**2. Whether 'effective' marketing has been undertaken**

**Response:** The applicant has submitted marketing information to demonstrate that the site and building has been marketed for rent through traditional measures including commercial agents, signage and the internet. As outlined above, the applicant's Marketing and Viability Report also states that during the period of marketing the property for rent 'any owner occupier or commercial developer who was interested in buying the building would have made a direct approach to the owner directly or via their agents'. It is considered that whether or not there has been effective marketing of the site is a matter of planning judgment for the LPA. The LPA is satisfied that the MVR submitted by the applicant demonstrates a satisfactory level of marketing for the site, particularly considering the positives of the scheme (as outlined in the bullet points above).

**3. Whether the site and building has been continuously marketed for redevelopment for employment use**



**Response:** As outlined above, the applicant has submitted marketing information through their Marketing and Viability Report to demonstrate that the building has been continuously marketed for rent for an extensive and continuous period of time. They have also demonstrated that the building is in a poor state of repair but refurbishment works would be unviable due to the extent of costs involved (suggested to be in the region of £8 million) the redevelopment of the site for solely employment use would not be viable. Furthermore, the applicant's Marketing and Viability Report also states that during the period of marketing the property for rent 'any owner occupier or commercial developer who was interested in buying the building would have made a direct approach to the owner directly or via their agents'. As outlined above, the LPA is satisfied that the MVR submitted by the applicant demonstrates a satisfactory level of marketing for the site, particularly considering the positives of the scheme (as outlined in the bullet points above).

#### **4. Whether the building is suitable for its existing or alternative businesses in the short, medium and long term**

**Response:** As outlined above, the MVR finds that Northway House is in a poor condition, suffers from a significant number of limitations and the building is coming to the end of its economic life. It also suggests that a substantial investment would be required to enable its longer term occupation and indicates that the cost of remedying the concerns it identifies to bring the building up to a condition and specification commensurate with what would be expected in the current office market (a figure of £8 million is suggested) would exceed the rental income which such a refurbishment could generate. It is therefore suggested that retaining the building in a B1 use is financially unviable. Further to this, the applicant has stated that following the approval of planning application B/05674/13 the building has now been stripped in readiness for the implementation of planning permission and this would make it even more impractical and expensive to refurbish the premises to a condition where it would be fit or attractive for business use.

Based in the information provided in the MVR, the LPA is satisfied that the site is no longer suitable and viable for its existing or alternative use in the short, medium or long term.

#### Community and education uses

The application proposes to reduce the level of floorspace at the site falling within Use Class D1 (Non-residential institution) from 699m<sup>2</sup> down to 324m<sup>2</sup>. Policy CS10 of the Barnet Core Strategy states broadly that the council will work with our partners to ensure that community facilities are provided for Barnet's communities. More specifically the council will support the enhancement and inclusive design of community facilities, ensuring their efficient use and the provision of multi-purposes community hubs that can provide a range of services to the community at a single accessible location. Developments that increase the demand for community facilities and services will be expected to make contributions to new and accessible facilities or improve existing facilities, particularly within town centres.

Policy DM13 (of the Barnet Development Management Policies) identifies that the loss of community or educational use will only be acceptable in exceptional circumstances where new community or education use of at least equivalent quality or quantity are provided on 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. The policy states that new community or education uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres. New community or educational uses should also ensure that there is no significant impact on the free flow of traffic and road safety and will be expected to protect the amenity of residential properties.

The application documents confirm that the previous occupier of the existing space for education use on the third floor of Northway House, Buckingham College, vacated the site in July 2013. The space has not been occupied since this date. The submission also identifies that prior to their exit from the site Buckingham College were only occupying 190m<sup>2</sup> of the Class D1 space available on the third floor of the building.

Officers acknowledge that the planning permission granted for the existing educational use at the site (under application reference B/02301/10) contains a condition which states that 'The premises shall be used for Non-Residential Education and no other purpose, including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987'. Under the existing consent the use of this facility is therefore presently limited solely to educational uses (and would not be available to other uses of a community nature).

It is also recognised that the educational space currently provided on the site has a number of limitations, both in respect of the space itself and the associated facilities on the wider site (to which the education space is linked). Examples of this include the absence of air conditioning and observations that the common part staircases and lifts in the building are not fully compliant with current equalities legislation (on providing access for all members of the community) and that the central heating system within Northway House is coming to the end of its useful life.

Unlike the current educational space in the building the new Use Class D1 space proposed in this application would be available for the full range of community and education purposes permissible under class D1. It would also be constructed to comply with current requirements on matters such as accessibility for all members of the community, achieve a standard of BREEAM 'Excellent' and be located within a building that had been substantially refurbished and upgraded more widely (for example in terms of its heating system).

The new Class D1 space itself would be situated in a location with good accessibility by public transport, walking and cycling within the defined town centre of Whetstone. As subsequent sections of this report explain in further detail, subject to the conditions recommended, the new Class D1 space would also not have a significant impact on the free flow of traffic and road safety or be detrimental to the amenities of neighbouring residential properties.

In circumstances such as this, where an existing occupier would not be prejudiced (as the space is currently vacant), it is considered that the reduction in educational floorspace proposed is adequately justified by the provision of new Class D1 floorspace that would be of a significantly better quality and available for a wider range of community and education uses. To ensure that the scheme delivers the benefits envisaged in this regard conditions have been recommended which require that the new Use Class D1 floorspace proposed is available for community and educational uses (and not used for other purposes within Class D1) and designed to be accessible to all members of the community.

For the reasons set out above the reduction in the existing Class D1 floor space sought as part of the application and the new Class D1 space proposed are both considered to be acceptable and compliant with development plan policies in principle, subject to the conditions recommended.

#### High street uses ('A' Use Classes)

The application proposes the removal of the existing mixed use Class A3 (Restaurants and Café) and A5 (Hot Food Takeaway) floorspace at the site. This is situated in a ground floor unit which fronts on to the High Road and covers an area of approximately 197m<sup>2</sup>. As proposed the site would include new office (Use Class B1) floorspace fronting onto the High Road (instead of the Use Class A3 and A5 unit), albeit in an altered building. It is acknowledged that the site is located within the designated secondary retail frontage of Whetstone Town Centre and that the supporting text to policy DM11 identifies that 'Retail units will be required where the employment site is part of the existing retail frontage or where it could be extended to increase retail frontage'. However development plan policy does not specifically prohibit or limit the change of use of Class A3 and A5 floorspace to Class B1 office space in principle. As explained in further detail in previous sections of this report, the provision of new B1 office space in town centre locations, such as this, is broadly supported in principle by development plan policy.

In this specific case officers conclude that the employment generating benefits of the new office space and the other positive impacts that such uses have on town centres (such as generating daytime activity) outweigh any harm caused by the loss of the existing Class A3 and A5 uses at the site. It is noted that prior to the introduction of the Class A3 and A5 space (through the implementation of the planning permission with Barnet reference N00189AK/06) at the site this area was part of the wider office use at Northway House. The proposal is therefore something akin to a reversion to the previous situation at the site. It is also recognised that the site is located at the very northern edge of the secondary retail frontage in the town centre and that there are several other facilities in the town centre which provide the same kinds of specific services as those last delivered in the space which would be lost (a café).

Planning policies do seek to have active frontages in the ground floor locations within town centres and it is considered that the design approach proposed in the scheme provides a suitable response in this regard.

### Residential uses

The application site has not been designated in planning policies for any specific use. As other sections of this report have set out, Barnet Local Plan policies broadly support, and in some cases expect, the inclusion of residential uses as part of proposals for mixed use schemes in locations such as this, subject to a specific scheme also meeting any other relevant particular elements of development plan policy. For example Policy DM14 identifies that in town centre and edge of centre locations proposals to redevelop office space will be expected to provide an appropriate mixed use development which includes some re-provision of employment use, residential and community use (subject to the proposal having already met other planning policy requirements). The London Plan also identifies a general need to increase housing supply in London. For example policy 3.3 states that 'The Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners'. In this context it is considered that the site being redeveloped to include an element of residential use is acceptable in principle, subject to the specific proposal which comes forward being compliant with the other relevant aspects of planning policy (these are addressed elsewhere in this report).

It is acknowledged that there has been an objection on the grounds that the introduction of residential uses at the site would have a detrimental impact upon a nearby business. Officers do not consider that any of the matters raised by the objector to the scheme identify issues which would justify the Council resisting the principle of the site being redeveloped to include residential uses, subject to the other requirements of planning policies having been met. The more specific concerns raised by objectors are responded to fully in the relevant sections of this report.

### Conclusions on the principle of the uses proposed

In light of the various considerations outlined above, the principle of re-developing the site to provide a mixed use scheme of the nature proposed is deemed to be acceptable and compliant with development plan policy, subject to the specific scheme put forward complying with the requirements of other planning policies.

## **3.2 Dwelling mix**

Development plan policies require proposals to provide an appropriate range of housing sizes and types, taking account of the housing requirements of different groups. 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 for the borough. Dwellings with 3 bedrooms and 3 or 4 bedrooms are the highest priority sizes of housing for 'social rented' and 'intermediate' affordable housing respectively.

The mix of dwelling types proposed in the building across the site is as follows:

- 44 x one bedroom two person flats (approximately 29.5% of the dwellings)
- 9 x two bedroom three person flats (approximately 6% of the dwellings)
- 68 x two bedroom four person flats (approximately 45.6% of the dwellings)

- dwellingings)
- 1 x three bedroom five person flats (approximately 0.7% of the dwellingings)
- 27 x three bedroom six person flats (approximately 18.1% of the dwellingings)

Of these dwellingings 11 would be delivered as on-site affordable housing units. The on-site affordable housing units would be provided as 11 intermediate (Shared Ownership) units comprising 5 x 1b 2p, 4 x 2b 4p and 2 x 3b 6p.

The dwelling mix proposed is considered to include an appropriate range of dwelling sizes and types that would make a useful contribution to meeting the needs of the growing and diverse population of the borough. The Housing Development Partnership Team has confirmed that there is likely to be a demand for the type of affordable units proposed and an independent review of the viability of the scheme (discussed in greater detail below) has confirmed that this is the maximum contribution that it is viable for the development to make to the provision of affordable housing in the borough.

In light of these factors it is considered that, in this instance, the dwelling mix proposed is acceptable and compliant with planning policy.

### **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 dwellingings per hectare)**

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
<b>Suburban</b>	<b>150-200 hr/ha</b>	<b>150-250 hr/ha</b>	<b>200-350 hr/ha</b>
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
<b>Urban</b>	<b>150-250 hr/ha</b>	<b>200-450 hr/ha</b>	<b>200-700 hr/ha</b>
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
<b>Central</b>	<b>150-300 hr/ha</b>	<b>300-650 hr/ha</b>	<b>650-1100 hr/ha</b>
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 covers an area which has a Public Transport Accessibility Level (PTAL) ranging between 3 (west of the site) and 5 (east of the site fronting onto the High Road). In terms of its 'setting' the site is considered to

fall within an area of transition using the features identified in the London Plan. The High Road has some urban characteristics, while surrounding residential roads, Such as St. Margaret's Avenue, have strongly suburban characteristics.

Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 35 and 260 units per hectare or 150 to 700 habitable rooms per hectare (see table above). Using the approach in the London Plan the 149 dwellings proposed include 430 habitable rooms. As the site has an area of 0.654 hectares this equates to a density of approximately 227.8 units per hectare and 657.5 habitable rooms per hectare. The proposal therefore falls within the appropriate density range in respect of the number of units and habitable rooms proposed.

The scheme is considered to comply with the objective of this policy and is found to provide an optimum density of development. The proposal puts forward an acceptable design response which complies with the relevant development plan policies, responds acceptably to the local context and character and takes account of the sites location. Further detail on these specific matters is set out in the report below.

Officers consider the density of development proposed to be acceptable and compliant with the objectives of planning policy. The scheme is not found to represent an overdevelopment of the site.

#### **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 that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floor space of new dwellings, outdoor amenity space and play space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

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

The council 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 and the associated Mayoral SPG document 'Housing' set out minimum gross internal floor areas for different types of dwelling. Policy DM02 of the Barnet Development Management Policies Document identifies that developments will be expected to demonstrate compliance with these standards. The relevant internal areas are set out below for the types of dwelling proposed in this application.

#### **Minimum Space standards for new development**

	Dwelling type (bedroom/persons-bed spaces)	Gross Internal Area (m <sup>2</sup> )
Flats	1 bedroom 2 person	50
	2 bedroom 3 person	61
	2 bedroom 4 person	70
	3 bedroom 5 person	86
	3 bedroom 6 person	95
	4 bedroom 7 person	109

All of the flats proposed would have a gross internal floor area which meets or exceeded the requirements for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

#### Dwelling layout and daylight, sunlight and overshadowing conditions

The submission documents include an assessment of the daylight and sunlight that would be received in the habitable rooms of the dwellings proposed. It also includes an assessment of the extent to which the amenity spaces proposed as part of the development would be overshadowed. These assessments were carried out by Anstey Horne Ltd. using the methodologies found in the latest guidance (published in 2011) from the Building Research Establishment (BRE) for assessing such matters.

The Council's Sustainable Design and Construction SPD seeks to ensure that the design of schemes takes into account the levels of daylight and sunlight that will penetrate into occupied spaces, as measured by Vertical Sky Component (VSC) and the Average Daylight Factor (a more complex measure which takes into account the VSC alongside other factors such as window size and the room use).

The submission advances that the design principles which have underpinned the new build element of the scheme on the west of the site are driven by a desire for apartments to benefit from the best aspect. The scheme seeks to achieve this by ensuring that the new courtyard area is south facing and that larger apartments are dual aspect wherever possible. Those apartments without a southerly view have an easterly or westerly aspect and none of the new build homes have a single fully northerly aspect. As a result of the scheme re-using and refurbishing the existing tower of Northway House (an approach which achieves a number of sustainability benefits) the design of this element of the development needs to address particular challenges. These include the fact that as the building was constructed as a purpose built

office block (without residential standards for internal daylight and sunlight penetration in mind) the space within the building is constrained in certain respects.

Officers find that generally the proposed dwellings are well proportioned, with rooms that are not excessively deep or narrow. There are some more difficult corner dwellings and dwellings which accommodate existing structures (in the refurbished element) that have influenced the layout proposed. However, all the dwellings proposed are considered to have an adequate plan form and layout. Due to the orientation and form of the retained building the scheme does include north facing single aspect dwellings. However, these units have been designed to include features that counterbalance the impacts of this on the amenities of future occupiers. This includes each single aspect north facing dwelling having a larger area of private amenity space than is required under planning guidance and the inclusion of a winter garden within this space. In this way the design proposed is considered to provide adequate amenities for the future occupiers of the single aspect north facing dwellings proposed. The inclusion of single aspect north facing dwellings in the scheme is therefore considered to be acceptable in this instance.

Looking at the scheme more widely, the design put forward provides the significant majority of bedrooms and other living spaces in the scheme with full height windows and doors. Officers acknowledge that on parts of the scheme there is a need to enclose areas of private amenity space with winter gardens to create an environment that benefits from acceptable noise conditions (this is discussed in further detail below). There are also parts of the site where winter gardens are not needed on noise grounds and they have been proposed for the amenities they offer future occupiers (and to create a coherent overall design response). The use of such design features inevitably reduces the amount of daylight which is able to penetrate the room behind the winter garden, however, this adverse impact needs to be balanced against the benefit for future occupiers of having a feature such as a winter garden.

In terms of daylight levels, the Internal Sunlight and Daylight Report submitted finds that of the 432 rooms tested 407 (94%) would have an Average Daylight Factor (ADF) in excess of the recommendations set out in BRE guidance for a room of that type. In each case the rooms which do not meet the relevant ADF figure are affected by balconies or winter gardens provided for the properties on the next floor of the building. As with daylight the sunlight available to future occupiers of the proposed dwellings is also affected by the inclusion of balconies and winter gardens in the scheme.

Officers consider that the design put forward includes good sized windows and glazed doors to living spaces and find the design to be sound in this respect. Taking this into consideration, in the round, officers find the levels of sunlight and daylight available to future occupiers of the proposed dwellings to be adequate in this instance. Having weighed the findings of the sunlight and daylight assessment submitted against the benefits provided to future occupiers through the inclusion of good sized private amenity spaces (and winter gardens in many instances) it is considered that the development has struck a reasonable balance for the circumstances of the site and that, taken as a whole, the design put forward provides adequate amenities for the



occupiers of each of the proposed dwellings (with the conditions recommended). It is not considered that a reason for refusal on the grounds of inadequate daylight and sunlight for future occupiers of the proposed development would be justified in this instance. Notwithstanding that officers have found that this aspect of the scheme is adequate in its own right, the case for coming to this view is supported further by the wider planning benefits of the proposed development.

As the recently consented (under application reference B/00845/13) scheme at the neighbouring property (A1 Self Storage) is now a committed scheme the applicant's assessment of the daylight and sunlight conditions for future occupiers evaluates the impact of that proposal on the development proposed in this application. The results of this evaluation show that the construction of the consented scheme on the A1 Self Storage site would result in some rooms in the proposed development failing to reach the BRE recommended ADF figure for a room of that nature but the level of compliance within the development would still remain high.

#### External amenity space provision

All of the flats proposed would have access to their own private amenity space in the form of a balcony, winter garden or terrace (or a combination of these features). In each case this amenity space would be of sufficient size to meet or exceed the requirements of Mayoral guidance on the provision of private external amenity areas (5m<sup>2</sup> for 2 person dwellings with an extra 1m<sup>2</sup> for each additional bed space) for the size of flat proposed.

Using the Barnet standard of providing 5m<sup>2</sup> of usable external amenity space per habitable room (including kitchens over 13m<sup>2</sup> and with rooms over 20m<sup>2</sup> counting as two rooms) for flats, the development would be required to provide approximately an extra 578m<sup>2</sup> of usable external amenity space, in addition to the private balcony, terrace and winter garden amenity space proposed (which collectively, cover approximately 2317m<sup>2</sup> in total) to comply with guidance set out in the Barnet Sustainable Design and Construction SPD. The scheme seeks to meet this requirement through the creation of communal amenity areas within the application site. These spaces would cover an area of approximately 1050m<sup>2</sup> in total and include areas of lawn, trees, hedges and other forms of soft landscaping, hard landscaping, communal roof terrace, seating and play features (the precise details of which are to be agreed under the conditions recommended). The design, quality and size of these three areas is considered to be such that they would provide sufficient external amenity space to exceed the requirements of Barnet guidance for the flats proposed. The proposal is therefore considered to be acceptable in this regard.

London Plan policy 3.6 states that proposals for 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 the scheme proposed would be expected to provide approximately 137m<sup>2</sup> of play space. The proposed scheme includes an area of communal amenity space that would be designed specifically to include play features (the areas on the

southern part of the site). This would cover an area of approximately 137m<sup>2</sup> in size and the conditions recommended include controls to ensure that the spaces concerned would be implemented in a suitable manner. Subject to these controls the scheme is found to be compliant with London Plan policy 3.6 and acceptable in terms of the provision of play space.

#### Dwelling outlook

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties. An example of a way in which this is achieved is the careful siting and orientation of windows in the proposed buildings. It is considered that each of the dwellings proposed in this instance has an acceptable outlook.

#### Privacy and overlooking

The distance between directly facing clear glazed windows to habitable rooms in the proposed dwellings would not be less than 21m. The only exceptions to this are secondary windows to habitable rooms and conditions have been recommended to ensure that these are installed with obscured glass and are fixed shut (or have only a fanlight opening). The distance from a habitable room window to a directly facing private external amenity area (garden, balcony, terrace or winter garden) within the development would not be less than 10.5m. As with the window to window distance the only exceptions to this are in circumstances where suitable privacy screening can be provided (and conditions have been recommended to ensure that these are delivered). The proposal would therefore comply with the requirement (as set out in the Barnet Residential Design Guidance SPD) that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden.

Subject to the conditions recommended it is considered that the design and layout of the windows, doors and external amenity areas in the proposal are such that the new residential units would all be provided with an adequate level of privacy and not suffer unacceptable overlooking. The proposal is therefore found to be acceptable in this regard.

#### Noise, vibration and air quality

The submission documents include an assessment of the impacts of the noise and vibration environment in the area on the amenities of the future occupiers of the proposed dwellings. This was carried out by Clark Saunders Associates. The submission documents also include an assessment of the impacts of the air quality conditions in the area on the occupiers of the proposed dwellings. This was carried out by WSP Environmental Ltd.

It is recognised that there is an objection to the application on the grounds that the proposal would prejudice their ability to continue to operate their business (see section 1.3 of this report for further details) due to the conflicts that they believe would inevitably arise with the development proposed. These include noise, vibration and air quality impacts from their businesses on the residential dwellings proposed. However, the design and layout of the

buildings and spaces proposed on the site has been heavily influenced by the need to create an acceptable noise, vibration and air quality environment for future occupiers of the proposed dwellings.

In terms of potential noise related impacts on future occupiers of the proposed dwellings, the surveys provided in the submission show that there are two main sources of external noise: traffic on the main High Road (A1000) and site traffic and noisy works from the commercial/ industrial units that are adjacent to the site (to the North and North West). The proposed site is located adjacent to the A1 Self Storage site (North). Similarly, another commercial site identified Michael Gerson (Investments) Ltd, located to the West of the proposed development, is also used as a heavy goods haulage site. There are no current operational time restrictions applied to these sites and they operate 24/7. Access to these sites is achieved via a service road "Downlands Close" between the proposed development and A1 Self Storage. The noise monitoring has established a baseline for the noise levels on Downlands Close, adjacent to the commercial units and on the High Road. The noise report "Northway House, Full Planning Application, Environmental Noise and Vibration Survey Report, dated October 2014 by Clarke Saunders records that their manned monitoring showed that the traffic on the High Road is the predominant noise source at this site.

The council's environmental health department have reviewed the submitted information and have stated that whilst "there may be some noise arising from articulated lorries, as they descend and ascend the service road "Downland Close" to their respective sites. This may give rise to noise emissions with the potential to affect the end users of the proposed development during the daytime and night-time hours. However, no significant events were recorded by the consultants". They have also stated that the submitted noise report addresses the issues of noise levels within the external and internal amenities for the proposed development and the proposed mitigation measures are acceptable subject to conditions.

In terms of air quality matters, the London Borough of Barnet has been declared an Air Quality Management Area (AQMA). Accordingly, an air quality assessment is included in the application documentation. This assessment includes a prediction of pollutant concentrations within the site as proposed, to indicate the likely level of exposure for future occupants. The council's environmental health department have reviewed the submitted documentation and have stated that "the air quality report shows exceedance likely for the annual mean for NO<sub>2</sub> on the ground and first floor on the Northway House (refurbished building). These units are proposed for commercial usage, so mitigation will not be necessary. At higher floor levels there is no requirement for air quality mitigation and similar protection is afforded by the noise mitigation measures (acoustic ventilators)". For these reasons the proposal is considered to deliver acceptable air quality conditions for future occupiers of the proposed dwellings and to be compliant with planning policies in this respect.

#### Light pollution impacts

In order to ensure that acceptable amenities are provided for future occupiers of the proposed dwellings in terms of possible light pollution and light spill

impacts from neighbouring sites (particularly the neighbouring businesses) officers have recommended that a condition be imposed which requires an assessment of the impact of external light sources be carried out prior to the occupation of the new dwellings. The condition also requires that any mitigation which is needed to deliver acceptable amenities for future occupiers of the proposed dwellings in this respect is installed prior to the occupation of the residential units approved. Officers consider that the condition recommended adequately addresses this potential issue and find the proposal acceptable in this respect.

#### Conclusions on the amenities of future occupiers

For the reasons set out above the development, as controlled by the conditions and obligations recommended, is found to be compliant with development plan policy as it relates to the provision of suitable amenities for the future occupiers of the dwellings proposed. Officers consider that the submission has taken account of the environment and uses surrounding the site in an appropriate manner (this is also discussed in subsequent sections of this report) and the design approach put forward is deemed to provide the future occupiers of the new dwellings with adequate amenities. The application is therefore found to be acceptable in this respect.

While officers are satisfied that the proposal has assessed the impacts of the scheme in an appropriate manner and that the controls used would ensure that the scheme delivered mitigation in respect of the amenities of future occupiers, it should also be recognised that the planning obligations recommended include requirements that would ensure the potential purchasers of the proposed dwellings would be made aware of the businesses that surround the site. This is considered to be a significant way towards ensuring that the potential purchasers of dwellings in the scheme are aware of the environment surrounding the site. It would then be their choice whether or not to pursue purchasing a property within the scheme.

### **3.5 Design, appearance and character matters:**

The National Planning Policy Framework (published in 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. Policy DM05 of the Local Plan identifies that proposal for the redevelopment or refurbishment of existing tall buildings will be required to make a positive contribution to the townscape.

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. Policy 7.7 of the London Plan sets out specific principles for tall and large buildings.

The buildings and spaces proposed in the scheme are considered to respond adequately to their context and have an acceptable relationship with the neighbouring buildings, streets and spaces, including the properties in St Margaret's Avenue, Downland Close and the High Road. They are also of a suitable design quality in their own right. This position has been achieved in a number of ways. In very broad terms the layout proposed results in the parts of the site adjacent to the High Road, within the town centre boundary, having the tallest parts of the development on it (in the mainly refurbished element of the building). This would also be the part of the site which contained a mixed use element (Containing uses within classes B1, D1 and C3). Such an approach is considered to be an appropriate response to the sites constraints in principle.

At the High Road the height of the proposed building comprises 13 above ground storeys (to the west of a small single storey element). The top floor of this part of the scheme (the 12<sup>th</sup> floor) would be of a greater size than it is at present. However, the development would not be any greater in height than the maximum height of the existing building and the enlargement of the accommodation on the top floor is not considered to result in any unacceptable adverse impacts. Under the retained (albeit altered) part of the building on this part of the site the scheme includes two additional floors of accommodation below the street level of the High Road. These become above ground floors as you move westwards (away from the High Road) due to the slope of the site.

The approach to the ground floor of the retained building is considered to create a better designed frontage than the existing situation at the site. The design also creates a suitable level of activity for a town centre location such as this. This is achieved by extending the ground floor of the building towards the High Road and through the inclusion of features such entrances to the residential and non-residential elements of the scheme and the use of extensive glazed areas.

The facades of the retained building would be comprehensively altered under the proposals. This would include the introduction of balconies, winter gardens and decked access structures across the building (including infilling the recessed area in the north-east corner of the building with winter

gardens); demolition of the existing projecting stair core on the northern side of the building; and the rebuilding of the existing glazed stair core on the western end of the building. In terms of its more detailed architectural design the retained part of the building seeks to use a distinctively contemporary approach. The final materials used would be controlled through the conditions recommended (should the application be granted consent). However, they would include the extensive use of glazing, composite and metal cladding systems. Officers consider this to be an appropriate design response in this context and find that the proposal would enhance the appearance of the retained part of building (compared to the existing situation) in a way which takes suitable account of the character of the wider area.

The main extension to the retained building would be erected on the western part of the site and include the area that presently contains the multi-storey car park structure (which would be demolished). Viewed in plan form the extension would be broadly 'U' shaped, with the tops of the 'U' oriented southwards. There would also be two full podium floors beneath the 'U' shaped element of the structure. The podium floors would be predominantly used to provide car parking and cycle storage. They would also contain (in their western element) the lower level of four duplex flats. Above the podium floors this part of the building would contain new residential dwellings. The area enclosed on three sides by the 'U' shaped extension (the top of the podium level and level -01 on the submitted plans) provides a communal open amenity space.

The main western extension to the building would be up to six storeys in height (at its western most end). However, the height of structure varies significantly from west (highest) to east (lowest), partly to respond to the slope of the site. At the point where it joins the existing building the proposal is three above ground storeys in height (at this point it is enclosing the glazed stair core on the western end of the retained building with a solid extension). The main extension to the building also varies significantly in height from north to south. Adjacent to Downland Close (to the north) the building would be up to six storeys in height. The building then steps down southwards to respond to the suburban residential elements of the sites context, including the houses in St Margaret's Avenue (to the south of the site). The south-east element of the extension would reduce down to two above ground storeys at its lowest point. The south-western element of the extension would reduce down to three storeys in height at its lowest point.

As with the retained part of Northway House the main extension to the building seek to use a distinctly contemporary design approach. The final materials used would be controlled through the conditions recommended (should the application be granted consent). However, they would predominately comprise the use of a combination of brick, reconstituted stone, glazing and metal cladding systems. Elements such as windows, winter gardens, terraces, stone detailing and brick features (for example hit and miss brickwork) are used to introduce variety into the mainly brick elevations. Officers consider this to be a suitable design approach for this part of the site and find that the development would respond successfully to the character of the wider area. Conditions have been recommended to ensure that the detailed design of the building is implemented in an appropriate way on both

the retained part of Northway House and the main extension to the building.

The approach proposed is considered to deliver an acceptable design response that would adequately reduce the size, scale, bulk and mass of buildings proposed away from the High Road and St Margaret's Avenue. The design creates a scheme that has an acceptable relationship with both the parts of the site that are of a suburban residential character (to the south) and those which are characterised by commercial uses (to the west and north of the site). The design, size and siting of the proposed alterations to the building on the site are considered to be such that they would not result in detrimental impacts on the character and visual amenity of the adjacent areas of Green Belt. The impacts of the proposal on the amenities of neighbouring occupiers (both residential and non-residential) are assessed separately in sections 3.6 and 3.7 of this report.

The scheme is found to include spaces and landscaped areas that provide a suitable setting for the proposed building and which assist the development in achieving an acceptable relationship with the surrounding properties (landscaping matters specifically are addressed in section 3.9). A significant proportion of the parking proposed is delivered in the lower levels of the building. This aspect of the design approach is welcomed as it reduces the impact of the parking on the design of the rest of the site. Vehicular and pedestrian routes into and within the site are described fully in section 2.2 of this report. These aspects of the scheme are considered to be of a sufficient quality and the proposal is found to provide an acceptable overall approach to the design and layout of the development at the site.

In terms of the differences between the approved application B/05674/13 and the current proposal, the revisions involve internal changes to the building which would reposition services. There would also be external alterations to the front facades of blocks B, C and D which would involve repositioning existing fenestration, inserting new fenestration and inserting and enlarging balconies. In this instance it is considered that the proposed differences between the current application and the approved scheme (B/05674/13) would not result in visual changes to the scheme that would be detrimental to the character and appearance of the application site and surrounding area.

Subject to the conditions recommended the proposal is found to be acceptable and compliant with development plan policies as they relate to design, appearance and character matters.

### **3.6 Impacts on amenities of neighbouring and surrounding residential occupiers:**

Local Plan policies seek broadly to promote quality environments and protect the amenity of neighbouring residential 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, such as residential dwellings, 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 residential occupiers and users. This includes identifying that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms and a distance of 10.5m to a neighbouring garden, in order to avoid overlooking.

#### Overlooking and loss of privacy

The development proposed does not include clear glazed windows (in either the residential or non-residential elements) which directly face existing habitable room windows in neighbouring residential buildings that are set apart a distance of less than 21m. Distances from directly facing clear glazed windows in the development proposed (residential or non-residential) to a neighbouring properties private garden are not less than 10.5m.

It is recognised that a small number of the dwellings proposed have windows and private amenity areas (such as balconies or terraces) which could potentially result in a degree of overlooking of neighbouring properties in St Margaret's Avenue if no mitigation were provided. The application proposes to address this through the use of obscured glazing (which is fixed shut or provided with only a fanlight opening) and privacy screens in the locations concerned. Given the importance of this issue conditions have been recommended to require the obscured glazing and privacy screens to be implemented in full accordance with details that have previously been approved by the Local Planning Authority and maintained as such thereafter. With such conditions the development would comply with the specific privacy distances set out in the Barnet Residential Design Guidance SPD. This potential issue is therefore considered to be fully addressed by the controls recommended.

To ensure new windows are not subsequently introduced in the proposal under permitted development which would result in the scheme then causing unacceptable overlooking of neighbouring properties and their gardens conditions have been recommended which remove permitted development rights to carry out such works.

Subject to the controls in place under the conditions recommended officers conclude that the design and layout of the proposal is such that the development would not result in unacceptable levels of overlooking and loss of privacy at the neighbouring residential properties and would comply with development plan policy and planning guidance in these regards.

#### Daylight and sunlight

The application is accompanied by an assessment (prepared by Anstey Horne Chartered Surveyors) of the proposals impact on the neighbouring residential properties by reference to the methodologies found in the Building Research Establishment (BRE) publication '*Site Layout Planning for Daylight and Sunlight, a Guide to Good Practice*'.

This report concludes that the recommendations relating to daylight and sunlight in the BRE guidance would be met. Officers accept the findings of the



assessment submitted and conclude that the application is acceptable in terms of its impact on daylight and sunlight at neighbouring residential properties.

#### Outlook and visual impact

The documents submitted with the application include verifiable photomontage images, computer modelling and plans. These show the impact of the proposed development from key locations within the area surrounding the site and the relationship of the proposed buildings with neighbouring properties and spaces (including the gardens of neighbouring dwellings). The submission also includes a Townscape and Visual Impact Assessment (and an addendum to this). These documents are considered to be sufficient to enable the full assessment of the proposed developments impacts on neighbouring properties (including their gardens) in respect of visual impacts, the relationships between buildings and spaces (in terms of whether or not they are overbearing) and impacts on outlook.

In terms of potential impacts on outlook, the key sensitive viewpoints are those from the rear windows and gardens of the properties at 51 to 65 St Margaret's Avenue. These properties currently look out towards the existing Northway House, the multi-storey car park to its rear (west) and commercial units which are accessed from Downland Close. The Design and Access Statement includes diagrams and 3D computer images of the proposed development, including view from the rear of the properties in St Margaret's Avenue.

In the event that the proposed development is constructed the views from rear windows and gardens of properties 51 to 65 St Margaret's Avenue will comprise the retained part of Northway House (which would be re-clad and altered in ways described in previous sections of this report) and a more major extension to the building to the west. The extension has been designed with a 'c-shaped' configuration partly to enable the new residential amenity space proposed to be located closest to the existing residential gardens in St Margaret's Avenue. This configuration would mean that the distance between the new building and the closest parts of the rear elevations of 51 to 65 St Margaret's Avenue would be over 34m apart at their closest point (in the majority of cases distances would be greater). Distances from the gardens of the houses to the buildings on the neighbouring site would be shorter, being approximately 4m their closest point. The closest neighbouring commercial building to the proposed development presents a largely blank gable wall to the application site.

By virtue of the distance between the proposed development and the rear elevations of the properties at 51 to 65 St Margaret's Avenue, the design of the proposed development, which increases in height with greater distance from the properties in St Margaret's Avenue, and the gradient of the land, which slopes up from the site to the houses in St Margaret's Avenue, officers consider that quality of outlook from these properties would not suffer any significant adverse impacts. The development is found to be acceptable and compliant with development plan policies in this respect.

In terms of the visual impact of the proposal on the area surrounding the site,

the submission made contains a Townscape and Visual Impact Assessment (and a subsequent Addendum to this) which includes an assessment of the visual impact of the development from 28 different viewpoints. Officers are satisfied that alongside the other information provided in the submission this assessment is sufficient to enable the evaluations of schemes visual impacts.

In terms of its current visual impacts, the land to which the application relates presently contains an existing tall building, Northway House, which can already be viewed in short, medium and long distance views around the site. This building currently has a very tired appearance and officers consider that, subject to the controls in place under the conditions recommended, visually the building would be enhanced by the changes proposed to the elevations of the retained element (which include a comprehensive re-cladding and the introduction of balconies). It is also noted that as the site already contains a tall building (in the sense intended by the London Plan and policy DM05 of the Barnet Local Plan) which is proposed for retention (it is not proposed to demolish the majority of the main Northway House building) it is not necessary to consider if the site is appropriate in principle for a tall building in terms of compliance with planning policies.

The proposal is designed to be read as two distinct pieces of architecture. The tall (mainly retained) building fronting onto the High Road is intended to be read as a glass dominated structure, while the main western extension to the building is to be read as a predominantly brick built structure with a more lightweight upper element. Subject to the controls in place on the detailed design under the conditions recommended officers find this approach to be acceptable.

In terms of townscape and visual impact, Officers recognise that the removal of the stairwell extension to the northeast will create a more rectangular shape to the building. This and the infilling of parts of the retained structure proposed would, alongside the contemporary façade proposed (further detail is provided in previous sections of this report), create a more successful overall design approach that the current building without resulting in any significant adverse townscape or visual impacts from long, medium and short distance views.

As a result of the slope of the application site much of the main extension to the existing building (the brick dominated structure) would be concealed in many short medium and long terms views by existing neighbouring buildings. This has the effect of minimising the visual impacts of the proposal from many points. The south facing elevation of the main brick extension to the retained building would be visible in a number of views from St Margaret's Avenue.

The Townscape and Visual Impact Assessment (and Addendum) prepared by the Applicant conclude that scale and massing of the proposal responds sensitively to the site's context and topography and assimilates with both the existing landscape and surrounding built form. Subject to the controls imposed under the conditions recommended officers accept these findings.

In terms of the visual impact of the proposal on properties in close proximity to the site, the development would result in nearby residential properties,

including 55, 57, 59, 61, 63 and 65 St. Margaret's Avenue, having views of the main extension to the building (which is up to six storeys in height). The Townscape and Visual Impact Assessment (and the Addendum to this) suggests that in a worst case scenario the proposal would be expected to result in adverse visual impacts effects of moderate significance on these properties. However, it also notes that this is not likely to be the case each of the six properties (although it is accepted that these were considered in the round). Moderate adverse effects would in fact only occur in a scenario where properties have an open, direct and uninterrupted view of the proposed development. In reality the properties concerned experience a range of views from a view partially filtered through vegetation to a more curtailed view screened by vegetation. Where views are screened by intervening vegetation in rear gardens this reduces the expected visual effect to being of a minor adverse nature. The assessment provided finds that it is unlikely that any property experiences direct, open and uninterrupted views of the proposed development. The properties in St Margaret's Avenue are therefore more likely to experience effects of minor adverse significance.

The Townscape and Visual Impact Assessment Addendum concludes that the proposal affects a limited number of residential properties and finds that on balance the development would respond positively to its context and respects the views from adjacent residential receptors. In addition to the existing visual screening and physical separation between the adjacent residential properties (on St Margaret's Avenue) and site boundary the development is found to be sensitively designed so that the built form steps (up) away from the properties. It also notes that the use of a podium courtyard oriented southwards also assists in limiting the proximity and extent of built form from visible views.

Officers accept these findings and conclude that, on balance, the visual impacts of the proposal are acceptable, the scheme would not be overbearing and the development would be compliant with the objectives of development plan policies in these regards, subject to the controls in place through the conditions recommended. These include controls that require the use of suitable planting and boundary treatments (to assist with screening the site) and those that would ensure the detailed design of the proposed building is implemented in an appropriate manner.

#### 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 such 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. The conditions recommended are considered sufficient to ensure that any extraction and ventilation plant used, including that associated with the Combined Heat and Power system proposed, would be located so as to no result in unacceptable levels of noise and disturbance to neighbouring occupiers.

Given the scale, location and nature (use class B1 office and community and education uses within use class D1) of the uses proposed it is also considered that the non-residential element of the development would not be likely to

result in levels of noise and disturbance to such an extent that they would harm the amenities of the occupiers of neighbouring properties. However, to ensure that the part of the development proposed falling within Use Class D1 does not result in unacceptable levels of noise and disturbance at neighbouring residential properties conditions controlling its hours of occupation have been included in those recommended. Subject to these controls the proposal is found to be acceptable in this regard.

Conditions have been recommended to ensure that the construction of the development does not result in unacceptable levels of noise and disturbance and to minimise the amenity impacts arising from the construction of the development more widely. These include the carrying out of the works within certain hours and in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

#### Air quality

Barnet Local Plan policies seek to ensure that new development is not contributing to poor air quality. It is noted that the part of the application site which is situated alongside the High Road is a location within the borough where European Union Standards for air quality in respect of Nitrogen Dioxide levels are exceeded (other parts of the borough also exceed the relevant standard for finer particulate matter (PM<sub>10</sub>) but this is not the case here). This is typical of several major roads in the borough and also many other major roads in London more widely.

The application is accompanied by an Air Quality Assessment which has been prepared by WSP. This report concludes that the operational phase of the proposal would have negligible to neutral impacts on Nitrogen Dioxide levels compared to a scenario in which the development did not take place (this is also the case for PM<sub>10</sub>). Officers in the Council's Environmental Health Service have carefully assessed the proposal and concluded that the nature of the scheme is such that it would not be expected to result in any significant adverse impacts on air quality (including Nitrogen Dioxide levels) during its operational phase. The proposal is therefore found to be acceptable in this regard.

Conditions have been recommended to ensure that the construction of the development does not result in unacceptable air quality impacts. These include the carrying out of the works in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

#### Light spillage and pollution

Policy DM01 of the Barnet Local Plan requires that proposals for lighting schemes not have a demonstrably harmful impact on residential amenity. Officers find that the design of the development proposed is such that it would keep the number of windows and other openings (that could cause light pollution) which would be in close proximity to neighbouring properties to a minimum. In addition to this conditions have been recommended to control any external lighting erected at the site as part of the development. Subject to these controls it is considered that the design of the development has taken

reasonable steps to prevent unacceptable levels of light spillage and light pollution occurring. The proposal is found to be adequate and compliant with development plan policies in this respect.

### Conclusions

The proposed development is found to be compliant with the relevant development plan policies as they relate to the protection of the amenities of neighbouring and surrounding residential occupiers and users. Officers consider that the design approach proposed would not result in unacceptable impacts on the amenities of neighbouring and surrounding residential occupiers and users and find the application to be adequate in this respect.

### **3.7 Impacts on neighbouring and surrounding businesses:**

Development plan policies seek generally to promote quality environments and protect the amenity of neighbouring occupiers and users, including businesses and other non-residential uses, through requiring a high standard of design in new development which is based on an understanding of the local characteristics. Development plan policies broadly seek to support businesses and environments which are suitable for all scales of enterprise. More specifically the Barnet Local Plan identifies that businesses will be supported through the safeguarding of existing employment sites that meet the needs of modern business and encouraging development that improves the quality of existing employment provision.

Local Plan policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users. Proposals should also create safe and secure environments and reduce opportunities for crime and fear of crime.

In terms of noise and disturbance specifically, paragraph 123 of the NPPF states that planning policies and decisions should aim to:

- “● avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established”

Barnet Local Plan policies recognise that levels of noise and air pollution have a major bearing on the health and wellbeing of residents and that the design of the built environment has an important role in managing the degree to which people are exposed to pollution. In respect of noise it is fully accepted that persistent and intermittent noises, such as those made by industrial activities, transport and congregations of people can undermine quality of life. Policy DM04 identifies that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and that the

mitigation of any noise impacts, through design layout and insulation, will be expected where appropriate. The same policy identifies that where there is a localised source of air pollution buildings should be designed and sited to reduce exposure to air pollutants. Although it is mainly aimed at the consideration of new lighting schemes, the supporting text to policy DM01 recognise that lighting and light pollution can affect amenity by creating light spillage and increasing glare. Local Plan policies also seek to ensure that development does not cause harm to the water environment, water quality and drainage systems.

Policy CS15 of the Barnet Core Strategy identifies that the Council will work with relevant providers and developers to ensure that necessary infrastructure is secured and delivered in time to support Barnet's consolidated growth and development and provide the facilities needed for the borough's communities.

### **3.8 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 affordable family housing provision

Affordable housing negotiations are required to 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. It also 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. Local Plan policy CS4 identifies that on sites which are suitable for the provision of an element of affordable housing the Council may exceptional accept the provision of off site affordable housing or a commuted payment instead of such provision.

The proposal would provide a total of 11 affordable housing units on site with the following mix of dwellings types:

11 Intermediate (Shared Ownership) units in total comprising:

- 5 x 1b 2p
- 4 x 2b 4p
- 2 x 3b 6p

This provision equates to approximately 7.4% of the total dwellings proposed

To explain and justify this level of contribution Redrow Homes have submitted a confidential report which evaluates the economic viability of the proposed development making a contribution to affordable housing provision. The Council then commissioned Deloitte Real Estate to independently review this report and examine its findings.

Taking account of the costs associated with bringing the development forward, including the associated planning obligations and likely CIL payments, and the value that the applicant would be likely to generate from the scheme, Deloitte Real Estate conclude that proposed contribution represents the maximum reasonable amount of affordable housing that it is financially viable for the development to provide. Therefore in this instance the proposed contribution to affordable housing is considered to be acceptable and compliant with the objectives of planning policies. As set out in section 3.2 of this report the mix of affordable dwellings proposed is considered to be acceptable.

As set out in the heads of terms towards the start of this report (at Recommendation 1), officers recommend that a subsequent re-appraisal of the viability of the development is carried out if the development is not substantially implemented within 12 months of the date when the period under which the application is potentially challengeable under judicial review proceedings has passed (or 12 months after the date on which any Judicial review is resolved). This would ensure that should circumstances change and the scheme became more economically viable a correspondingly appropriate financial contribution to the provision of affordable housing within the borough would be made to the Council. This would be up to a maximum of the equivalent value of 33% of the units proposed (reduced from 40% due to the on-site contribution to affordable housing agreed) and such a payment would be in addition to the on-site affordable housing obligation set out above.

### **3.9 Trees and Landscaping:**

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

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

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

The application is accompanied by a Tree Survey and Arboricultural Impact Assessment (prepared by Midland Forestry Ltd), which identifies and evaluates the impacts of the proposal on existing trees within and around the site. This report sets out that the development would result in the loss of 7 existing trees from the site. Of the trees which would be lost 4 are category C trees and 3 are category B trees (using the chart on tree quality assessment found in the BS5837:2012). None of the trees proposed for removal (and none of the trees within the application site) are covered by a Tree Preservation Order (TPO). A further 6 individual trees and 2 groups of trees, which form part of the area assessed under the report, would be retained.

The scheme includes the planting of substantial numbers of new trees to mitigate the trees which would be lost through the proposed works and also as part of providing suitable landscaping for the development more widely. While the specific number of new trees to be planted as part of the proposal has not been identified in the submission documents it is clear from the application drawings that there is significant scope for new planting within the site as proposed. For example there is undoubtedly the potential to plant well in excess of twice the number of trees which would be lost through the development proposed.

It is accepted that the removal of 7 trees from the application site is unfortunate. However, officers consider that the new trees which would be planted as part of the landscaping works associated with the proposed development provide adequate mitigation for the trees which would be lost in this instance. Conditions have been recommended to ensure that the trees and wider landscaping implemented as part of the development would be of a sufficient quality, including the planting of new trees of a suitable size and species. Conditions also have been recommended to ensure that all appropriate measures are taken to protect the trees proposed for retention within and adjacent the site. Officers take the view that appropriate consideration has been given to trees in the development of the scheme.

More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting) and provides an appropriate setting for the buildings proposed. Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate design and quality and makes a positive contribution to the area, including assisting in the creation of a safe and secure environment. Matters relating to access, parking biodiversity and habitat provision are addressed in other sections of this report in full. However, in each of these regards the landscaping proposed is found to be acceptable.

It is concluded that the development provides more than adequate mitigation for the trees which would be lost as part of the works proposed and that the scheme is acceptable and compliant with development plan policy in respect of tree and landscaping matters.



### **3.10 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.

#### **Parking provision**

The car parking standards for residential development, as set out in the Barnet Local Plan, recommend a range of parking provision for new dwellings based on the on a sites Public Transport Accessibility Level (PTAL) and the type of unit proposed. For the different types of unit the range of provision is as follows:

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

Using the standards set out in the Barnet Local Plan the residential element of the development generates a maximum car parking provision of between 100.5 to 201.5 car parking spaces. The Barnet Development Management Policies Document recommends that flexibility is applied when assessing residential parking provision. More specifically paragraph 18.8.2 states that:

“18.8.2 Our approach to parking provision accepts the need for restraint, but intends to apply it with sensitivity to local circumstances. While all non-residential development should comply with the parking standards set out in the London Plan in deciding on residential parking requirements, we will continue to apply the standards set out in the adopted Unitary Development Plan 2006. This provides flexibility to consider the accessibility of individual locations, based on:

- The level of public transport accessibility (PTAL);
- Parking stress including the level of on-street parking control;
- The population density and parking ownership of surrounding areas;
- The location (i.e. is it in a town centre);
- Ease of access by cycling and walking; and
- Other relevant planning or highways considerations, such as to whether the proposal is a conversion of an existing use.”

The proposed parking provision of 158 spaces is within the range that planning policies would expect to be provided for the residential element of the scheme. Given the sites circumstances, including its location in an area that has a Public Transport Accessibility ranging between 3 (the western part of the site) and 5 (the eastern part of the site) and which is either in or on the edge of Whetstone Town Centre (and the amenities it offers), the parking provision proposed for the residential element of the scheme is found to be acceptable in this instance. Based on the circumstances of the site and the nature of the scheme the level of parking proposed is found to strike the appropriate balance between the need to minimise the impact of parking associated with the development on the surrounding area and the requirement to not undermine the use of more sustainable modes of transport (walking, cycling and public transport).

Barnet Local Plan policies (in the Development Management Policies Document) identify (at paragraph 18.8.2) that ‘all non-residential development should comply with the parking standards set out in the London Plan’. The parking standards at Table 6.2 of the London Plan recommend a provision of up to 1 car parking space per 100 to 600m<sup>2</sup> of Class B1 office use proposed. The London Plan does not identify specific standards for uses within Class D1. Instead parking provision for such uses is to be assessed individually.

Taking into consideration the circumstances of the site, including its location within walking distance of Whetstone Underground Station and several bus routes and proximity to the amenities provided by Whetstone Town Centre (the site is partially within and partially on the edge of the town centre), and the nature of the uses proposed the provision of 13 parking spaces is considered to be acceptable for the non-residential elements of the development. While the level of parking for the non-residential uses proposed is towards the higher end of what planning policies might expect, it is considered that this is justified in this instance by the nature of the D1 uses sought (and the parking demand they may be expected to generate). The level of parking is considered to strike the appropriate balance between the need to minimise the impact of parking associated with the development on the surrounding area and the requirement to not undermine the use of more sustainable modes of transport (walking, cycling and public transport).

Conditions have been recommended to ensure that the parking spaces proposed are provided prior to the occupation of the development and allocated and managed in an appropriate way. Conditions and planning obligations requiring the provision of appropriate Travel Plans have been recommended. These will assist in encouraging travel by non-car modes of

transport. Subject to the controls in place under the conditions and obligations recommended the provision of a total of 171 car parking spaces for the development proposed is considered to be acceptable and compliant with the objectives of development plan policy.

Development Plan policies require that proposals provide 10% of the car parking spaces in a scheme to a disabled parking space standard. The application proposes to provide 20 of the 171 spaces proposed to a disabled parking space standard, including 1 of the 13 car parking spaces proposed for the non-residential element. This is considered to be an acceptable approach that is compliant with the requirements of development plan policies.

Development Plan policies require that schemes provide 1 in 5 parking spaces (both active and passive) with electric vehicle charging points (EVCP). The conditions recommended require that not less than 31 (20%) of the car parking spaces proposed for the residential element of the scheme are provided with active EVCP and that a further 20% of the residential parking spaces proposed would have passive EVCP provision. The conditions recommended also require that not less than 3 (20%) of the car parking spaces proposed for the non-residential element of the development are provided with active EVCP and that a further 10% (in accordance with the standards identified on Table 2 of the London Plan) of the non-residential spaces proposed would have passive EVCP provision. Subject to these conditions the scheme is found to be acceptable comply with planning policy in this regard.

The development includes dedicated areas for the storage of 215 cycles. This comprises facilities for the storage of 26 cycles associated with the non-residential element of the scheme and facilities for the storage of 189 cycles associated with the residential part of the scheme. This level of provision is considered to be acceptable and policy compliant and a condition has been recommended to ensure it is carried through into the implementation of the scheme.

#### Access and site layout

The main point of vehicular ingress and egress for the proposed development would be provided from a single location at the northern end of the sites High Road frontage (eastern side of the site). This point currently contains an existing access which would be reduced in width from approximately 10m to approximately 6m under the works proposed. Officers consider that the reduction in the width of the existing vehicular access proposed would be beneficial to pedestrian movement on the High Road, while still providing suitable vehicular access arrangements for the proposed development. A second vehicular access point would also be provided at the southern end of the sites High Road frontage. However, this would be solely for the use of emergency vehicles.

The vehicular access proposed at the southern end of the sites High Road frontage for the use of emergency vehicles would be located partly within an existing bus stop cage. In order to facilitate the provision of suitable access for emergency vehicles at this point and still provide adequate arrangements for buses users, including disable people, a design has been proposed that

includes the use of 'chamfered' kerb (instead of a dropped kerb).

In order to deliver the new emergency vehicular access at the sites southern end and maintain this as a clear potential route a range of works to the public realm will be needed. This is likely to include the introduction of the chamfered kerb, other new hard landscaping on the public highway, the relocation of at least one lamp column (but potentially more), alterations to road markings and changes to waiting restrictions. Given its importance to the safe operation of the scheme and the nature of the works involved a planning obligation has been recommended which would ensure that the access and the associated changes to the public realm are provided in an appropriate manner prior to the development being occupied. This includes the measures to be used to ensure that the access is used solely by emergency vehicles. It is also recommended that a financial contribution of up to £3,500 is sought (through a separate obligation). This sum would specifically fund modifications to waiting restrictions at the entrance to the proposed new emergency access (further sums may need to be paid under the requirements of other legislation to deliver other changes associated with these works).

Within the site access to the multi-level car parking areas provided as part of the development would be achieved through a ramped road (running east west) along the northern part of the site (accessed from the main northern point on the High Road). Details of the gradient of this structure have been provided and these are considered to be acceptable for the use of cars accessing the parking facilities proposed. However, conditions have been recommended to ensure that this aspect of the development is implemented in an appropriate manner. In addition to the on-site car parking facilities the main (northern) access point would serve an area that would be used to provide a delivery and servicing area for the development and also act as a refuse collection point. The application seeks the provision of all 171 of the parking spaces proposed on communal parts of the site. Conditions have been recommended to ensure that the parking facilities implemented would be acceptable in the relevant regards.

Several points of pedestrian access would be provided along the length of the sites High Road frontage. These include a point at the southern end of the site specifically for the residential dwellings proposed (which would also provide cycle access) and a dedicated walkway at the sites northern access point (alongside the access route to the car park) which would provide a route to the non-residential floorspace proposed.

A condition has been included in those recommended to ensure that appropriate refuse and recycling facilities are delivered within the development and that a suitable strategy for the collection of refuse and recycling from the site is in operation at the point that the development is brought into use. Subject to such controls the proposal is found to be acceptable in this respect.

Council Highway Officers conclude that the layout and access arrangements of the development proposed do not present any defects that would raise a highway safety concern. The proposal is found to be acceptable and compliant with development plan policies in this respect.

It is noted that comments have been received which put forward potential measures to mitigate the transport and highways impacts of the development (including traffic lights). It is not considered that such measures are necessary for the development proposed to be acceptable and they do not form part of the proposal under consideration.

### Trip generation

To establish the trip generation associated with the existing uses on the site traffic and pedestrian surveys were carried out in October 2012 (before the site became vacant). The survey carried out showed a total of 23 car driver trips in the AM Peak and 30 car driver trips in the PM Peak. The peak hour trips survey observations are summarised in Table 6.3 below, which is taken from the Transport Assessment submitted with the application.

**Table 6.3 Existing Multi-Modal Trips**

Mode of travel	AM Peak			PM Peak		
	Inbound	Outbound	Total	Inbound	Outbound	Total
Car Driver	16	7	23	7	23	30
Car Passenger	0	0	0	0	0	0
Motorcycle	0	0	0	0	0	0
Bicycle	0	0	0	0	0	0
Taxi	0	0	0	0	0	0
Walk	2	0	2	3	10	14
LUL	2	0	2	3	9	11
Train	1	0	1	1	3	4
Bus	3	0	3	5	13	18
<b>Total Person</b>	<b>23</b>	<b>8</b>	<b>31</b>	<b>19</b>	<b>58</b>	<b>77</b>

*\*Note: Numbers Rounded*

For the residential element of the proposed development the expected trip generation (for car driver, car passenger, motorcycle, bike, walk and public transport) have been calculated using a combination of TRAVL database trip rates and Census 2001 Method of Travel to Work data. Trip generation associated with the non-residential uses proposed (Classes B1 and D1) have been calculated using a first principles approach and, as the Class B1 use is expected to have a more intensive person trip generation during peak hours, the Class D1 space has been included within the Class B1 trip generation.

Estimates for the Class B1 space (which include the Class D1 space) are based on assumptions of 1 employee per 30m<sup>2</sup> of floorspace, that 85% of occupiers will be on site on any given day and that 55 % of employees will arrive and 10% depart in the AM Peak Hour (with reverse arrival and departure profiles in the PM Peak Hour). The total person trips for the proposed development have then been assigned to modes of transport based on Census 2001 Journey Method Travel to Work Daytime Population for Totteridge ward. However, as vehicle trips to the site will be limited by the on site car parking provision the car mode trip figures have been adjusted

accordingly. The methods used are considered to be adequate approaches to calculating and assigning trip generation for a proposal of this nature.

Since the approved scheme in July 2014 there have been small changes (an increase in floorspace and 4 dwellings) to the residential element of the development proposed. These changes are predicted to negligibly increase (by three) the two way total person trips in both the AM and PM peak periods. Officers consider that such changes would not result in a significant additional impact on the public highways and find the original trip generation analysis to provide a sufficiently robust assessment of the current proposal. However, updated assessments have been carried out where this is considered appropriate.

Using the methods outlined above the predicted total trip generation for the proposed development by mode (reflecting the latest scheme) in the AM and PM peaks (08.00AM to 9.00AM and 17:00PM to 18:00PM) are as set out in the table below:

Total Future Trip Generation from the Proposed Development

Mode of travel	AM Peak	PM Peak
	Total	Total
Car Driver	40	38
Car Passenger	12	9
Motor Cycle	2	5
Pedal Cycle	3	1
Taxi	1	1
Walk	13	15
Underground	33	44
Rail	4	7
Bus	17	19
Total Person	125	138

Note: Numbers rounded

A summary of the expected net changes in trip generation for the site by mode (reflecting the latest scheme) in the AM and PM peaks (08.00AM to 9.00AM and 17:00PM to 18:00PM) following the implementation of the proposed development (compared to the situation surveyed in October 2012) are set out in the table below:

Net Change in Trip Generation Following the Proposed Development

Mode of travel	AM Peak	PM Peak
	Total	Total
Car Driver	17	8
Car Passenger	12	9
Motor Cycle	2	5
Pedal Cycle	3	1
Taxi	1	1
Walk	10	1

Underground	31	33
Rail	3	2
Bus	14	1
Total Person	93	61

Note: Numbers rounded

In terms of vehicular trips the assessment carried out forecasts that for the whole development there would be an increase of 17 vehicle trips in the AM Peak and an additional 8 vehicle trips in the PM Peak following the proposed development. This equates on average to one extra vehicular movement every 4 minutes and about one every 8 minutes in the AM and PM Peak hours respectively. Officers find that the predicted vehicle trip generation associated with the proposed development would not be expected to have a significant detrimental impact on the highway network. Transport for London have also concluded that the scale and nature of the proposal is such that it would not be expected to have a negative impact on the highway network. It is concluded that the development would not be expected to result in any significant detrimental impacts on the local highway network. This conclusion is also reached when the traffic impacts of relevant committed developments in the surrounding area are taken into consideration. As such the proposal is considered to be acceptable and compliant with the objectives of policies in this respect.

The vehicle movements, although more constant throughout the day are predicted to be lower in numbers outside of peak hours than they are at peak hours. As such predicted vehicle movements outside peak hours are not expected to have a detrimental impact on the public highway network either.

A Stage 1 Road Safety Audit was submitted to assess the impact of the access into the development. The findings of the road safety audit identified a minor risk at the existing vehicular access on the High Road due to restricted visibility in the presence of an on street bus stop adjacent to the access. It is noted that the last 3 years accident history identify two slight Personal Injuries Accidents (PIA). However, the causes for both accidents were related to driver conditions and not to vision affected (stationary or parked vehicles). Taking into consideration that this is an existing access, which will be reduced in width under the proposal, where there will be a small number of additional trips resulting from the development (maximum 16 additional two way vehicle trips at the AM Peak hour), the nature of bus movements in the area and the accident history at this junction it is considered that the use of this vehicle access as proposed is acceptable. It is concluded that the proposed development would not be detrimental to highway safety and that the scheme is acceptable and compliant with the objectives of development plan policies in this respect subject to the conditions and planning obligations recommended.

In terms of movements on foot the proposed development is expected to generate a total of 13 two way pedestrian trips in the AM peak hour and 15 in the PM peak hour. A further 54 and 70 movements on foot are forecast to be assigned to public transport in the AM and PM peaks respectively. As two way trips arriving at and departing from the site (as proposed) on foot this equates

to a total of 67 movements in the AM Peak and 85 in the PM Peak. This represents an increase of 58 trips on foot in the AM Peak and 35 in the PM Peak. It is anticipated that the main desire lines for pedestrians would be towards Chandos Avenue (for Oakleigh Park Railway Station), towards Totteridge Lane (for Totteridge and Whetstone Underground station) and towards bus stops and facilities to the north and south of the site.

A Pedestrian Environment Review System (PERS) assessment has been submitted as part of the application. This includes assessment of a total of five links, one crossing, two Public Transport Waiting Areas, one interchange space and one route. The findings of the PERS assessment were positive, with all items being classified as 'green' (positive overall). The audit did identify that the local bus stops do not benefit from raised kerbs to assist in the boarding and decanting of the mobility impaired. However, following the submission of further information on this matter TfL confirmed that the existing kerb heights adjacent bus stops meet the minimum requirements. As such planning obligations to deliver enhancements to local bus facilities have not been sought in this instance.

Officers conclude that the proposal is acceptable and compliant with development plan policies in terms of its impacts on pedestrians and the pedestrian environment created, subject to the conditions and planning obligations recommended.

The submission estimates the impact of the proposal on public transport facilities, including the bus, London Underground and rail networks. In each case the proposal is found to have imperceptible or minimal impacts on the public transport network. Officers accept these findings and conclude that the impact of the proposal is acceptable in this respect. Transport for London have also found that the development would not have a negative impact on the public transport network.

#### Transport management plans

A Framework Travel Plan has been included in the documentation submitted with the application. However, conditions and obligations are recommended to ensure that an acceptable and policy compliant strategic level Residential Travel Plan is provided for the residential element of the development prior to its occupation. The Residential Travel Plan provided will be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives for the first occupier of each residential unit. The Travel Plan incentives would comprise a voucher to a minimum value of £300 per dwelling to encourage the use of more sustainable modes of transport (this requirement is included in the obligations recommended). The voucher provided would allow the occupier concerned to purchase two of the following Travel Plan incentives up to a limit of £150 per incentive:

- Subsidised membership of and credit for a Car Club.
- Credit on an Oyster Card travel pass.
- A bike voucher.

As the commercial (Use Class B1) uses proposed exceed the relevant criteria a Commercial Travel Plan Statement is required in conjunction with the development. Conditions and obligations are therefore recommended to



ensure that an acceptable and policy compliant Commercial Travel Plan is provided prior to the occupation of this element of the scheme.

The Traffic and Development Team have advised that should the community or education uses proposed (Use Class D1) be occupied by a nursery or other similar educational use then a Nursery or Education Travel Plan that meets the appropriate criteria would be needed in connection with the development. As with the other Travel Plans conditions and obligations have therefore been recommended to ensure that an acceptable and policy compliant Travel Plan is provided prior to the occupation of the scheme for nursery or educational uses.

In order to ensure that the objectives of the Travel Plans are being met a monitoring contribution of £10,000 is included in the planning obligations recommended.

To mitigate any adverse impacts from construction traffic on the road network surrounding the site a Construction Management and Logistics Plan would need to be prepared and implemented in respect of the proposal. A condition to this effect has therefore been recommended. A condition has also been recommended to ensure that an appropriate Servicing and Delivery Plan is provided for the non-residential uses proposed. This will minimise the impacts of the servicing and delivery activities associated with these uses.

#### Parking, highways and transport conclusions

The Council's Traffic and Development Team have assessed the proposal and consider it to be acceptable in all relevant regards. For the reasons outlined above the scheme is found to be acceptable and compliant with the objectives of development plan policy in relation to parking, highways and transport matters subject to the imposition of the conditions and planning obligations recommended.

### **3.11 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 documents submitted with the application identify a number of ways in which the design of the proposal has been influenced by the desire to make it accessible for all members of the community. The Design and Access Statement provided sets out that the proposed dwellings would all meet the relevant Lifetime Homes standards and that level access will be provided to the main entrance of each block. At least 10% of the dwellings proposed (15 in total) would be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements and 10% (17 in total) of the parking spaces proposed would be provided to a disabled parking space standard.

Conditions have been recommended to ensure that all the proposed dwellings would meet the relevant Lifetime Homes standards, not less than 10% of the dwellings proposed would meet or be easily adapted to meet wheelchair

accessible standards, the site would be developed at appropriate levels and 10% of the parking spaces proposed are provided to a disabled parking space standard. As the uses within significant parts of the development would not technically be subject to the requirements of Part M (access) of the Building Regulations a condition has also been recommended to ensure that the development as a whole achieves an appropriate minimum standard in terms of creating an environment that is accessible to all.

Subject to the controls in places under the conditions recommended officers conclude that the design and layout of the proposal is such that it is acceptable and compliant with development plan policy in terms of creating a development that is accessible, useable, permeable and inclusive for all members of the community.

### **3.12 Contaminated land and water quality issues:**

The Council's Environmental Health Service has confirmed that any potential concerns they may have regarding contaminated land issues are adequately addressed through the conditions recommended in this respect. The Environment Agency has not raised any objection to the proposal or requested that any conditions be imposed on a grant of consent in terms of contaminated land or water quality matters.

Having evaluated the information submitted, it is considered that, subject to the conditions recommended, the proposal is acceptable and compliant with development plan policy in respect of contaminated land and water quality matters.

### **3.13 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. A condition has been recommended to ensure that the development provides suitable access for emergency vehicles.

It is recognised that responses to the consultation have been received from residents suggesting that the proposal would have an adverse impact on their safety and security. Conditions have been recommended to ensure that appropriate means of enclosure and landscaping are implemented as part of the development. Subject to these controls officers consider that the proposal has gone as far as it reasonably could be expected to in terms of providing a safe and secure development for future occupiers and neighbouring properties. It is also noted that the Metropolitan Police have not identified any concerns in this regard.

The design and layout of the development proposed is considered to be such that, as controlled through the conditions recommended it would provide a

safe and secure environment. The proposal is deemed to be acceptable in respect of providing a safe and secure development with an environment which reduces opportunities for crime and the fear of crime.

### **3.14 Flooding and water infrastructure matters:**

The application site does not fall within an area identified as being at risk of flooding (Flood Zone 1). The Environment Agency has responded to the consultation and has not raised any objection to the proposal or requested any conditions be placed on a grant of consent in respect of flood risk matters. The Environment Agency has commended the inclusion of green and brown roofs, swales and filter drains in the proposal (as described in the Flood Risk Assessment (November 2013) by WSP submitted with the application). Conditions have therefore been included in those recommended to ensure that these items and other appropriate drainage infrastructure and systems are implemented as part of the development.

The Environment Agency has identified it as positive that the part of the development (new build residential element) which has been committed to be delivered at Code for Sustainable Homes Level 4 should include the water efficiency measures needed to achieve a maximum water usage of 105 litres/head/day. They find that this will go a long way to relieving pressure on the water supplies in this area. The Environment Agency has also suggested that the inclusion of water efficiency measures should be considered for the commercial parts of the scheme. To address the objectives of development plan policy on water efficiency conditions have been recommended to ensure that water efficiency measures seeking to achieve a usage of not more than 105 litres per head per day are implemented as part of the residential element of the proposal. Other conditions have been recommended to ensure that the development more widely (including the non-residential elements) includes suitable water efficiency measures, such as low flow taps and dual flush toilets, and minimises water usage. Subject to these conditions the development is found to be acceptable in this respect. Both businesses potentially supplying water to the development (Affinity Water Company 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.

The proposal is considered to be acceptable and compliant with planning policies on flooding and water infrastructure matters, subject to the conditions recommended.

### **3.15 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

Residential and non-domestic developments should currently achieve a 40% reduction in carbon dioxide emissions 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 new 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.

Policy 5.4 (Retrofitting) identifies that the impact of existing areas should be reduced through policies and programmes that bring existing buildings up to the Mayor's standards on sustainable design and construction. For existing building stock particular emphasis is placed on reducing carbon dioxide emissions, improving the efficiency of resource use (such as water) and minimise the generation of pollution and waste.

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.

Where proposals include the construction of new homes this element of the scheme is expected to comply with the guidance set out in the council's SPD in respect of the level of the 'Code for Sustainable Homes' that is achieved. The council's adopted Sustainable Design and Construction SPD requires that newly constructed homes in developments of the nature proposed commit to a Code Level 4 or above against the Code for Sustainable Homes. Where proposals relate to either the conversion of existing buildings or include a non-residential element (both of which occur in this application) schemes are expected to achieve a standard of 'Very Good' under the Building Research Establishment Environmental Assessment Method (BREEAM).

#### Carbon dioxide emissions

The application is accompanied by an Energy Strategy (dated February 2014). This confirms that the new build element of the scheme (blocks B to E containing 52 new dwellings) would achieve a reduction of just over 40% in terms of carbon dioxide emissions relative to a building constructed to comply with the minimum requirements of the 2010 Building Regulations. Such an improvement is sufficient for this element of the scheme to comply with the requirements of policy on the reduction of carbon dioxide emission in its own right. A condition has been recommended to ensure that this part of the development achieves the level of carbon dioxide reductions identified in the Energy Strategy as a minimum at implementation.

Taking the development as a whole (the new build and conversion elements) the Energy Strategy identifies that the proposal would achieve a reduction in terms of carbon dioxide emissions relative to a building constructed to comply with the minimum requirements of the 2010 Building Regulations. It is acknowledged that this falls short of the reductions sought under the London

Plan. However, it is also recognised that a significant element of the scheme relates substantively to a conversion of an existing building on the site. This approach results in both constraints and benefits in terms of the objectives of reducing carbon dioxide emissions and achieving a sustainable development more widely. Officers consider that the substantial level of carbon dioxide reductions that the Energy Strategy submitted identifies the scheme would achieve (as a whole) and the broader sustainability features included in the scheme (as set out in various parts of this report) justify the approach taken in this particular instance. The sustainability of the development more widely is demonstrated by the non-residential and residential conversion elements of the scheme both achieving BREEAM 'Excellent' when they are only required to achieve 'Very Good' under Barnet's Sustainable Design and Construction SPD (see report below for further details on this matter). A condition has been recommended to ensure that the development as a whole achieves the level of carbon dioxide reductions identified in the Energy Strategy as a minimum. Subject to this condition (and conditions ensuring the delivery of other sustainability objectives) the proposal as a whole is found to be adequate in respect of reducing carbon dioxide emissions.

The submission indicates that the use of on site renewable energy generation technologies is not proposed as part of the development. It is accepted that the introduction of the potentially viable on-site renewable technologies would limit the use of features, such as green roofs, which have been proposed as part of this scheme and will be positive sustainability features in their own right. Given the sustainability benefits arising from the use of green roofs and the levels of carbon dioxide reductions the scheme is committed to achieving (relative to a building Regulations compliant scheme) the absence of on site renewable technologies in the proposal is found to be acceptable in this particular instance.

#### Other aspects of sustainable design and construction

A Sustainability Statement, prepared by WSP, has been submitted with the application. This identifies a number of sustainable design features that the proposal would incorporate to develop in a sustainable way, 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 recycling facilities, the inclusion of energy efficiency measures, the construction of 10% of the new dwellings as wheelchair accessible units and the installation of facilities for cyclists.

The submission includes a preliminary Code for Sustainable Homes assessment for the new build (entirely residential) element of the scheme. This makes it clear that the proposal could meet Code for Sustainable Homes Level 4. It is considered that the details provided in the submission are acceptable in this regard and that this aspect of the application would result in a development which reaches an appropriate standard in respect of sustainable design and construction matters.

The submission also includes preliminary BREEAM assessments for the non-residential and residential conversion elements of the scheme. These show how both these parts of the development could achieve a BREEAM level of 'Excellent'. It is considered that the details provided in the submission are

acceptable in this regard. These elements of the application would result in a development which exceeds the minimum requirements (BREEAM 'Very Good') of Barnet's Sustainable Design and Construction SPD on this matter. The non-residential and residential conversion portions of the scheme are found to be of an appropriate standard in respect of sustainable design and construction matters.

To ensure that the commitment to reaching Code Level 4 (new build residential), BREEAM 'Excellent' (non-residential and residential conversion) and certain other key elements of developing sustainably are carried through to implementation conditions on these aspects of the proposal have been recommended. Such an approach allows a degree of flexibility as to the precise sustainable design and construction measures that are incorporated in the development, while ensuring that, taken in the round, the scheme achieves an appropriate level of sustainability.

To address policies on urban greening specifically the development includes areas of planting and soft landscaping at a ground level and areas of green roof covering 1390m<sup>2</sup> in total (confirmed in the Flood Risk Assessment submitted). Conditions have been recommended to ensure that suitable landscaping and the green roofs are delivered at the implementation stage of the development (landscaping is addressed in greater detail in section 3.8 of this report). Subject to these conditions the proposal is found to be acceptable in this regard.

### **3.16 Biodiversity matters**

The application is accompanied by a Desk Study and Extended Phase 1 Habitat Survey (dated November 2013) prepared by Thomson Ecology Limited (TE). This report presents its findings on the ecology of the site and makes a number of recommendations on what is needed for the development to comply with biodiversity legislation and policy.

The TE report recommends that measures should be taken in respect of the protection of breeding birds, common toad and reptiles. A condition has been included in those recommended which requires a scheme of measures (that have previously been agreed with the Local Planning Authority) to be in place that ensures the implementation of the proposal is compliant with policies and legislation on the protection of breeding birds, common toads and reptiles. Subject to the imposition of this condition the proposal is found to be acceptable in this regard.

The TE report identifies that no bats were recorded within 1km of the study area by the desk study carried out. The TE report also confirms that following a survey of the buildings and trees on the site by a suitably qualified specialist it has been found that the site has a negligible potential to support roosting bats. Officers accept these findings.

The TE report identifies a number of biodiversity enhancements that the scheme could deliver. These include the installation of bat and bird boxes, the landscaping of the site with suitable species and the management of the soft landscaped areas to promote biodiversity objectives. Officers find these to be

suitable biodiversity enhancements for a proposal of this nature in principle and a condition has been recommended to ensure that they are appropriately delivered as part of the schemes implementation.

Natural England has responded to the consultation on the application and has not raised any objections to the proposal. Natural England have recommended that the Council secure biodiversity enhancements for the site if it is minded to grant consent for the proposal. As noted above conditions securing appropriate biodiversity enhancements have been included in those recommended.

The tree and wider landscaping matters are addressed more fully in earlier sections of this report. However, the conditions recommended are considered sufficient to ensure that these aspects of the scheme make appropriate contributions to biodiversity protection and enhancement.

Subject to the controls in place under the conditions recommended and the requirements in place under other legislation the proposal is found to be acceptable and compliant with development plan policy on biodiversity and nature conservation matters.

### **3.17 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. It is considered that the proposal is not a major development which is of more than local importance, is not a proposal 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.

### **3.18 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.

In accordance with development plan policies the following obligations are required to be secured through a legal agreement with the developer. It is considered that the package of planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure that is necessary to support the scheme.

#### **Affordable Housing**

In accordance with policy 3.12 of the London Plan and policies CS4, CS15 and DM10 of the Barnet Local Plan Officers recommend that a Section 106 Agreement be used to secure the following number and mix of affordable housing unit types and sizes at the application site:

11 Intermediate (Shared Ownership) units in total comprising:

- 5 x 1b 2p
- 4 x 2b 4p
- 2 x 3b 6p

As set out in the heads of terms towards the start of this report (at Recommendation 1), officers recommend that a subsequent re-appraisal of the viability of the development is carried out if the development is not substantially implemented within 12 months of the date when the period under which the application is potentially challengeable under judicial review proceedings has passed (or 12 months after the date on which any Judicial review is resolved). This would ensure that should circumstances change and the scheme became more economically viable a correspondingly appropriate financial contribution to the provision of affordable housing within the borough would be made to the Council. This would be up to a maximum of the equivalent value of 35% of the units proposed (reduced from 40% due to the on-site contribution to affordable housing agreed) and such a payment would be in addition to the on-site affordable housing obligation set out above.

Affordable housing matters are discussed in greater detail in section 3.8 of this report.



### Employment and Training

In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would deliver four apprenticeships connected with the construction and operational phases of the development for residents of Barnet. Of the four apprenticeships delivered two would be at not less than a Level 2 or 3 (as defined in the National Apprenticeship Service Framework or any subsequent scheme which replaces this) and two would be at either not less than a Level 4 or an appropriate equivalent graduate scheme. Alongside the other planning benefits which the application would deliver this obligation is considered to assist in mitigating the loss of employment generating floor space the development would result in.

### Formation of Suitable Site Access and Modification of Waiting Restrictions

In order to deliver the new emergency vehicular access at the sites southern end and maintain this as a clear potential route a range of works to the public realm will be needed. This is likely to include the introduction of the chamfered kerb, other new hard landscaping on the public highway, the relocation of at least one lamp column (but potentially more), alterations to road markings and changes to waiting restrictions. Given its importance to the safe operation of the scheme and the nature of the works involved a planning obligation has been recommended which would ensure that the access and the associated changes to the public realm are provided in an appropriate manner prior to the development being occupied. It is also recommended that a financial contribution of up to £3,500 is sought (through a separate obligation). This sum would specifically fund modifications to waiting restrictions at the entrance to the proposed new emergency access (further sums may need to be paid under the requirements of other legislation to deliver other changes associated with these works).

### Travel Plan and Travel Plan Monitoring

In accordance with policy DM17 of the Local Plan the applicant is required to enter into Travel Plans for the residential and non-residential elements of the development which seek to reduce reliance on the use of the private car and promotes sustainable means of transport.

The Residential Travel Plan provided would be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives for the first occupier of each residential unit. These incentives are discussed in further detail in section 3.10 of this report, but they would comprise a voucher to a minimum value of £300 per dwelling to encourage the use of more sustainable modes of transport.

A contribution of £10,000 is required towards the monitoring of the Travel Plans for the development. This contribution is to enable the Local Planning Authority to continue to monitor the scheme to ensure the development is making reasonable endeavours to meet travel related sustainability objectives in accordance with policy DM17 of the Local Plan.

### Monitoring of the Section 106 Agreement

The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is

party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore requires the payment of £5280 towards the costs of undertaking the work relating to securing the planning obligations recommended in line with the adopted Supplementary Planning Document for Planning Obligations.

### **3.19 Barnet Community Infrastructure Levy**

The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) at a rate of £135 per square metre. Because of the nature of the way in which CIL is calculated it is only possible to estimate the contribution which will finally be made through the Barnet CIL at the time planning applications are determined. The applicant has stated that the existing floorspace on the site has been occupied lawfully for 6 of the last 36 months. As such it is possible that only the new floorspace generated by the development (less the area of undercroft car parking proposed) would be potentially liable for charge under the Barnet CIL. Taking account the relief from a CIL charge which the affordable housing element of the scheme could be eligible for the development might be expected to generate a Barnet CIL payment.

As the exact figure that the development would be liable to pay under the Barnet CIL regime can only be estimated at the planning application stage the heads of terms recommended (set out in full at Recommendation 1 towards the beginning of this report) a planning obligation which requires that should the applicant pay less than the predicted sum under the Barnet CIL the difference between what was anticipated to be paid and what is actually paid is provided as financial contribution towards the delivery of affordable housing in the borough.

### **3.20 Mayoral Community Infrastructure Levy**

The proposed development is liable for charge under the Mayoral CIL (at a rate of £36.04 per square metre). Because of the nature of the way in which CIL is calculated it is only possible to estimate the contribution which will finally be made through the Mayoral CIL at the time applications are determined. The applicant has stated that the existing floorspace on the site has been occupied lawfully for 6 of the last 36 months. As such it is possible that only additional floorspace generated by the development would be potentially liable for charge under Mayoral CIL. Taking account the relief from a CIL charge which the affordable housing element of the scheme could be eligible for the development might be expected to generate a Mayoral CIL payment.

As the exact figure that the development would be liable to pay under the Mayoral CIL regime can only be estimated at the planning application stage the heads of terms recommended (set out in full at Recommendation 1 towards the beginning of this report) a planning obligation which requires that should the applicant pay less than the predicted sum under the Mayoral CIL the difference between what was anticipated to be paid and what is actually paid is provided as financial contribution towards the delivery of affordable

housing in the borough.

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

Section 149 of the Equality Act 2010, which came into force on 5<sup>th</sup> 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 this proposed development will comply with the Council’s statutory duty under this important legislation.

As the uses within significant parts of the development would not technically be subject to the requirements of Part M of the Building Regulations a condition has been recommended to ensure that the development as a whole achieves an appropriate minimum standard in terms of creating an environment that is accessible to all. In addition to this other conditions recommended for the application would ensure that in several regards the buildings which form part of the development proposed would exceed the minimum requirements of legislation such as Part M of the Building Regulations. Examples of this include all the proposed residential units being constructed to meet the relevant Lifetime Homes standards, not less than 10% of the residential units proposed being constructed to be wheelchair accessible or easily adaptable for residents who are wheelchair users and the inclusion of disabled standard parking spaces (as set out in greater detail in earlier sections of this report).

With the conditions recommended both the residential and non-residential elements of the proposal are found to accord with development plan policies as they relate to the relevant equalities and diversity matters. This has been achieved by providing a high quality inclusive design approach which creates

an environment that is accessible to all and would continue to be over the lifetime of the development. The design of the buildings to which the application relates is such that they would be an improvement over the existing buildings on the site, in terms of achieving equality and diversity objectives specifically. The development would therefore have a positive effect in terms of equalities and diversity matters.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in its Equality Scheme and support the council in meeting its statutory equality responsibilities.

## **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 main body 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.

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 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 APPLICATION**

### **Northway House, 1379 High Road, Whetstone**

N00189AK/06 'Change of use of part of ground floor to cafe/take-away (classes A3 & A5)' APPROVED SUBJECT TO CONDITIONS (March 2013).

B/02301/10 'Change of use of third floor from B1 (office) to D1(non-residential education)' APPROVED SUBJECT TO CONDITIONS (August 2010).

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 (29 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 refurbishment and change of use of the existing Northway House into 97 new homes, a new extension comprising 48 new homes, 1,978.5 sq.m (NIA) of flexible Class B1a (office) floorspace, 324 sq.m (NIA) of "open" Class D1 floorspace (education and community uses) together with ancillary reception floorspace and associated landscaping, car parking and access.' APPROVED (25 July 2014) – currently subject to Judicial Review

**A1 Self Storage, 2 Downland Close, Whetstone**

B/00845/13 'Installation of access ramp to northern elevation, increase in height of warehouse, and installation of Thermosyphon solar air heating panels on southern elevation.' REFUSED (August 2013) AND APPEAL ALLOWED (February 2014).

**Video Equipment Rentals, Unit 4, Downland Close, London, Whetstone**

B/01422/13 'External alterations to warehouse building including increase in height.' APPLICATION UNDER CONSIDERATION.

**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).

**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.' APROVED 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.' APROVED 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.' APROVED 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).

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

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

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

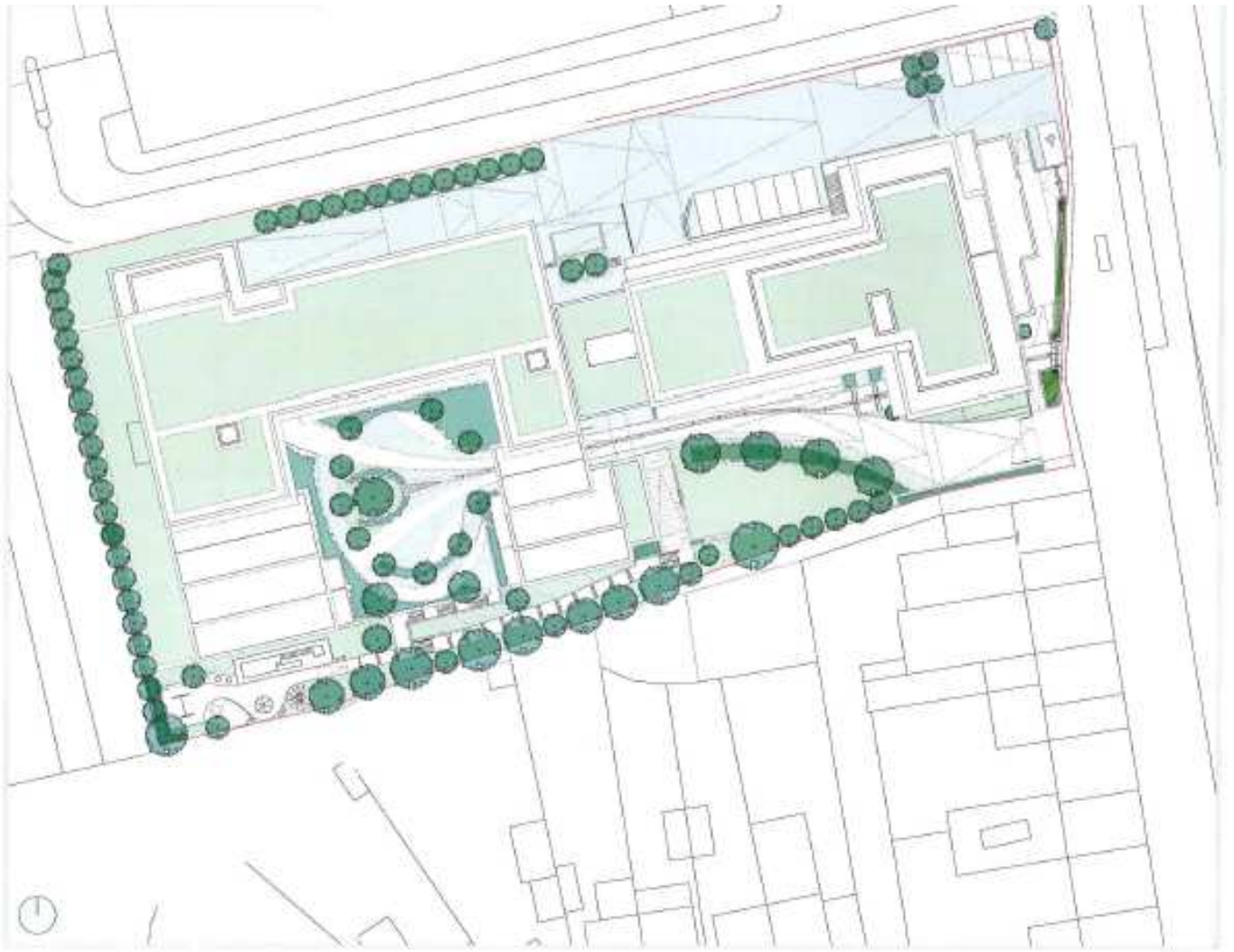
**Sweets Way, Whetstone**

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 292m<sup>2</sup> of floorspace. The provision of site access from Sweets Way and Oakleigh Road North.' REFUSED (January 2014).

## **APPENDIX 2: PLAN OF THE PROPOSED DEVELOPMENT**

Site layout and context as proposed:





### **APPENDIX 3: INFORMATIVES**

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance. In this case, formal pre-application advice was sought prior to submission of the application.
2. For the purposes of this decision notice 'Groundworks and Site Preparation Works' are defined as and limited to the following works:
  - Demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing up foundations.
  - Removal of existing and surplus rubble from the site.
  - Removal of services on the site including service trenches.
  - Carrying out CAT scans on site to confirm all existing services are clear.
  - The Erection or re-establishment of a hoarding line for the construction site.
  - Providing piling matting.
  - Providing clear health and safety information on the site.
  - Piling works.
  - Substructure and underground drainage works.
3. The applicant will be required to submit an application under Section 184 of the Highways Act (1980) for the proposed new vehicular access and the alterations to the existing vehicular access at the site. The proposed access design details, construction and location will be reviewed by the Highways Development Team as part of this application. Any costs for alterations to the public highway layout that may arise due to the design of the development, including the reinstatement of redundant vehicle access, will be borne by the applicant. The applicant is advised that Transport for London will be consulted regarding the impact of the scheme on the bus stop in the vicinity of the proposed vehicle access. To receive a copy of our Guidelines for Developers and an application form please contact: Traffic and Development Team, Regional Enterprise, North London Business Park, Building 4, Oakleigh Road South, London N11 1NP.
4. The applicant is advised that the Emergency Services should be contacted directly to discuss their requirements and agree any measures necessary to allow access for emergency services to the site or provide acceptable alternative arrangements.
5. The formation of the proposed new emergency access will require the relocation of at least one lamp column. The cost of any works on the

public highways associated with this development, including the relocation of lamp columns, will be borne by the applicant. Requests for the relocation of lamp columns by the applicant should be directed to the Street Lighting Team, London Borough of Barnet, North London Business Park, Oakleigh Road South, London N11 1NP

6. The applicant is advised that unless refuse collection arrangements which are acceptable to the Council are provided at the site refuse collection by a private company will be necessary.
7. Should refuse collection for the development by the Council be sought unobstructed access for refuse vehicles will need to be provided on the day of the collection, the development access needs to be designed and constructed to allow refuse vehicles to access the site and refuse collection points should be provided within 10 metres of the public highway. Alternatively the refuse containers will need to be brought to the edge of public highways on collection days. Any queries regarding refuse collection should be referred to the Traffic and Development Team, Regional Enterprise, North London Business Park, Building 4, Oakleigh Road South, London N11 1NP.
8. The applicant is hereby advised that the Council will not adopt the estate roads constructed as part of the development. However, if the councils refuse vehicles are required to enter the site, the estate roads constructed must be implemented to adoptable standards. Details of the relevant road construction requirements can be obtained from, Traffic and Development Team, Regional Enterprise, Building 4, North London Business Park, Oakleigh Road South, London N11 1NP.
9. The applicant is advised that the development is located on the Strategic Road Network (SRN). The Traffic Management Act (2004) requires the Council to notify Transport for London about construction works on such a road. The developer will be expected to work with the Council to mitigate any adverse impacts on the public highway and will require Transport for London's approval before the works approved under this consent can commence.
10. The applicant is advised that the A1000 is a Traffic Sensitive Road. Deliveries during the construction period should not take place between 8:00am and 9:30am and 4:30pm and 6:30pm from Monday to Friday. Careful consideration must be given to the optimum routes for construction traffic and the Traffic and Development Team (Regional Enterprise, Building 4, North London Business Park, Oakleigh Road South, London N11 1NP) should be consulted in this respect.
11. The applicant is advised to contact the Traffic and Development Team (Regional Enterprise, Building 4, North London Business Park, Oakleigh Road South, London N11 1NP) to discuss the possible need for Highway Licenses in respect of construction works adjacent to the public highway associated with the development proposed.

12. Due to the presence of National Grid apparatus in proximity to the site, any person wishing to implement the development must contact National Grid before any works are carried out, to ensure their apparatus is not affected. The National Grid Plant Protection Team can be contacted at on 0800 688 588 and at [plantprotection@nationalgrid.com](mailto:plantprotection@nationalgrid.com) or at Plant Protection, National Grid, Block 1 Floor 1, Brick Kiln Street, Hinckley LE10 0NA.

13. In complying with the contaminated land condition parts 1 and 2: Reference should be made at all stages to any appropriate current guidance and codes of practice. This would be likely to include:

- 1) The Environment Agency CLR and SR Guidance documents;
- 2) BS10175:2001 Investigation of potentially contaminated sites - Code of Practice;
- 3) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH.

Please note that submissions in respect of the contaminated land condition will be expected to refer to the most relevant and up to date guidance and codes of practice at the time a submission is made, even if they are not identified in the above list.

14. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The council's supplementary planning document on Sustainable Design and Construction requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (*Guidelines for Community Noise*, WHO). This needs to be considered in the context of room ventilation requirements

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - Sound

insulation and noise reduction for buildings: code of practice; 4) Department of transport: Calculation of road traffic noise (1988); 5) Department of transport: Calculation of railway noise (1995); 6) Department of transport : Railway Noise and insulation of dwellings.

15. The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out – habitable rooms away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint – setting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality; 3) Local Air Quality Management Technical Guidance LAQM.TG(03); 4) London Councils Air Quality and Planning Guidance, revised version January 2007.

16. There are public sewers crossing or close to the development. In order to protect sewers and to ensure that Thames Water can gain access to sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would be within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 08458502777 to discuss the options available at this site.
17. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
18. 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](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £36.04 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £208,320 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £777,202.40 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](mailto: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](http://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 exceptional 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](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](http://legislation.gov.uk)

Visit

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

## APPENDIX 4: SITE LOCATION PLAN

Northway House, 1379 High Road, Whetstone, London

