

LOCATION: Land Formerly Known as British Gas Works Albert Road, Albert Road, Barnet, Herts

REFERENCE: B/04834/14

Received: 19 Sep 2014

Accepted: 22 Sep 2014

WARD: East Barnet

Expiry: 19 Dec 2014

APPLICANT: Asda Stores Ltd

PROPOSAL: Residential-led, mixed-use development of the Former Albert Road Gas Works comprising the erection of 304 residential units (Use Class C3), 116 sq m of Retail floorspace (Use Class A1/A2/A3/A4) and 558 sq m of flexible Commercial floorspace (Use Class A3/D1/D2); the creation of new public open space; alterations and additions to existing highways arrangements; the removal of an existing elevated footbridge and the creation of new pedestrian routes; together with associated works including landscaping, provision of basement and surface car parking, servicing and plant area. Relocation of an existing sub-station.

APPLICATION SUMMARY

The site is identified in the New Barnet Town Centre Framework which brings together existing spatial and other strategies and establishes further guidance, being an opportunity to respond to transform the town centre by virtue of sites coming forward for redevelopment such as the former gas works. The Framework is a guide to developers, reflecting community aspirations and assists council in determining of applications along with the full range of planning policies and guidance including NPPF, London Plan and LB Barnet Core strategy as well as associated supplementary guidance.

The development principle is considered acceptable. In respect of density, whilst this exceeds the maximum range for an 'urban' site with PTAL 3, there are no overdevelopment symptoms evidenced. The landuse proposed accord with policies and guidance and will support and reinforce the New Barnet town centre. There is concern with the loss of the former site uses, which is not protected under the London Plan or under Barnet policy.

In respect of housing quality, a high quality development is proposed, with a mix of units reflecting LB Barnet priorities for family sized accommodation. All the accommodation meets the required standards for minimum floorspace as well as Lifetime Homes and wheelchair housing and amenity space provision.

In respect of design, extensive pre-application discussions have formed the basis of the submitted scheme. Its layout responds to the guidance of the New Barnet Town Centre Framework as well as the site and neighbour

constraints and opportunities. For example, the constraint inherent in the complex land assembly to the south of the site, where properties like the Salvation Army hall are not included and shall remain in situ. Also, the requirement to improve connections to Victoria Recreation ground and also, to orient blocks towards this open space. In respect of character and appearance, the scheme employs a limited pallet of high quality materials, emphasising brick facades with set back bronze tops floors. The materials and contemporary architecture are applied across the site. Buildings are broken down into elements of a base, middle and top and a balance between consistency, differentiation and interest between the blocks is maintained across the site. The height, bulk, scale and massings responds to the neighbours as well as optimising the site density. The design is not considered to give rise to any safety, security or crime issues and there are no listed properties or archaeology in and around the site to consider.

In respect of amenity for neighbours and occupiers, there are no privacy, overlooking or outlook impacts. Relationships with neighbours and within the site do not involve any direct habitable room window to window relationships because they either exceed 21m separation, are oblique relationships or have been addressed though modified windows such as oriel windows. Privacy screens, fencing and landscaping borders will maintain privacy between amenity spaces. There are no noise and disturbance impacts to neighbours, whilst improved glazing for Blocks B, G and H will ensure a suitable living environment having regard to surround potential noise sources. There are no air quality impacts identified and the affect to levels of daylight, sunlight and overshadowing satisfy the BRE guide other than in the case of very few windows which may notice a minor change in the level of light received. In a couple of cases where amenity space of the proposed development has shadows exceeding the BRE guidance, other amenity space supplements the provision. Potential impacts during the construction phase will be mitigated by the requirement for a construction management to be agreed in advance with the council.

In respect of transport, the scheme reflects the existing routes around and points of access to the site and proposes to renew these. A key aspect of the development are the s106/s278 transport improvements to junctions and pedestrian connectivity that will be made to outside the site boundary to ensure the continued functioning of the local highway network. In regards to public transport contributions in the form of bus stop upgrade contribution and improvements to pedestrian connectivity to the overland station are included as part of the planning obligations. In respect of further pedestrian improvements, the scheme improves the connectivity between the town centre and park via a series of interconnected public spaces. It also improves the east-west connections via the Network Rail foot tunnel by removing the elevated pedestrian bridge and reinstating a surface level link and new staircase. In respect of cyclists, the scheme provides cycle parking throughout the development. In respect of servicing and car parking, there has been ongoing liaison with the agent and the GLA to strike a balance between providing sufficient car parking for future occupiers and users having regard of the PTAL and also to mitigate the impact to surrounding streets whilst also

ensuring that the scheme does not result in an over reliance on car based modes of transport.

The scheme makes adequate provision for waste and recycling storage and collection.

In respect of energy and sustainability, a comprehensive package of measures are proposed which addresses the Mayor's energy hierarchy. The initiatives including an on-site energy centre and photovoltaics will result in a 35.7% reduction in CO2 emissions, which is considered to be maximum saving achievable. In addition the scheme will achieve CFSH Level 4 and BREEAM 'Excellent' will also be required by condition.

Having regard to landscaping and biodiversity although not a Site of Importance to Nature Conservation, the Preliminary Ecological Appraisal submitted in support of the application has considered the species evident and potentially likely to use the site and recommended mitigation measures to protect bats, breeding birds, badgers, hedgehogs foxes as well as mitigating against the spread of Japanese Knot Weed. The appraisal also recommends that soft landscape planting reflects the Open Mosaic Habitat already found on site, it being noted that landscaping as well as the mitigation will be conditioned.

In respect of planning obligations, this will include Affordable housing, transport, employment and training and monitoring contributions. The application has been the subject of an independent viability appraisal and the package of planning contributions including the affordable housing is considered the maximum that the scheme can afford. Given the level of affordable, the planning agreement will include a positive cascade review clause to capture additional contributions if the viability of the scheme improves in the future as the successive phases come forward.

Mayoral and Barnet CIL charging is also applicable to this scheme and an estimate has been provided. A key response to the public consultation exercise, amongst the full range of matters raised, was the request for CIL monies to be spent locally to mitigate the impacts of the scheme. It is noted that priorities for spending CIL moneys can be identified through the Regulation 123 list in accordance with the CIL Regulations. It is noted that the New Barnet Town Centre is already identified on the list. Therefore, it is possible that other infrastructure provision not limited to and including Open space and recreation (i.e. Victoria Recreation Ground improvements), healthcare, education community and town centre improvements could be considered for the Regulation 123 list.

In summary, a high-quality, residential-led redevelopment of the site will bring a disused and contaminated brownfield site back into active use, supplying housing which is a key strategic priority in London, as well as helping to support and revitalise the town centre with complimentary uses and improving the linkages to and from it and Victoria Recreation Ground. No significant impacts are identified to neighbours and future occupiers and to the

environment. Where there are impacts such as to the functioning of the highway network, the scheme includes a comprehensive set of improvements to maintain the functioning of the network, secured through s106/s278 planning obligations. This is part of full range of planning contributions to mitigate the scheme as well as CIL charging to address infrastructure impacts, with the opportunity to identify and prioritise local needs through the Regulation 123 list mechanism. For these reasons the scheme is considered acceptable on balance, accords with the policies and guidance identified in the report. Therefore, the proposal is recommended for approval, subject to Stage II Mayoral referral as well as conditions (including grampion conditions requiring watercourse consent and revocation of hazardous substance consent), and planning obligations.

RECOMMENDATION

APPROVE subject to:

Recommendation 1

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

Recommendation 2

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

- (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: 14.5% (44 units) with the following Mix:
 - Affordable Rented:*
 - 1 x 1bed 2person,
 - 1 x 2bed 3person,
 - 6 x 2bed 4person,
 - 10 x 3bed 5person
 - Shared Ownership:*
 - 2 x 1bed 2person
 - 8 x 2bed 3 person
 - 14 x 2bed 4person

2 x 3bed 4person

- (d) Affordable Housing – Review Mechanism
A positive review mechanism with the trigger to be agreed with the council for a financial contribution to be paid towards the provision of affordable housing in the Borough, limited to a maximum of the equivalent value of 25.5% of the total units proposed.
- (e) Notting Hill Housing Construction Training Initiative
To enter into a formal agreement with the Notting Hill Housing Trust to include provision for the following: Agreed number of trainee places to be provided on the site of the Affordable Housing Scheme and the duration of each placement; A commitment by the Owners to pay a percentage of the build costs in respect of the Affordable Housing Scheme such payment to cover general running costs such as trainees' fees fares and tools; A commitment by the Owners to pay a "provisional sum" expressed as a percentage of the build costs in respect of the Affordable Housing Scheme to cover trainees' wages.
- (f) Apprenticeships
The applicant shall secure the provision of a minimum number of apprenticeships to be agreed with the council including costs of wages and training to be delivered in line with the National Apprenticeship Service Framework.
- (d) Off Site Highways, Pedestrian and Cycle Works
The applicant shall provide the off-site highways, pedestrian and cycle improvement works identified in the submission (full details to be approved post-decision), including but not limited to:
- Pedestrian bridge removal and replacement with suitable alternative link and further improvements to the pedestrian path to the west of Network Rail land
 - Financial contribution towards CCTV monitoring of the pedestrian link
 - Victoria Road pedestrian crossing
 - Victoria Road / East Barnet Road puffin crossing
 - Stopping up orders and highway adoption
 - Albert Road East and West improvement including footway widening
 - Victoria Road and West Road including footway widening
 - Victoria Road and Barnet Road junction widening
 - PERS audit pedestrian improvements
 - TRO review for Albert Road East and West, Victoria Road, East Barnet,
 - Safety Audit remedial works
- (e) Bus stop contribution
Payment of £25,000 towards the upgrade of bus stops in the vicinity of the site

(f) Travel Plan (Residential)

The applicant shall enter into a strategic level Travel Plan that seeks to reduce reliance on the use of the private car and to ensure the sustainability of the development. The Travel Plan shall include the following obligations to facilitate modal shift in the choice of transport mode available to occupiers of the residential units as follows:-

- (i) To provide 2 suitable dedicated car club parking spaces;
- (ii) Provision of a Travel Incentive Fund of £300 per unit to provide two of the three incentives set out below to first occupiers:
 - (a) £150 towards Oyster card credit;
 - (b) £150 towards lifetime Car Club membership and associated Car Club usage;
 - (c) £150 voucher for purchasing a bicycle.
- (iii) The Travel Plan shall include an evidence based target for take up and provision of these incentives.
- (iv) To provide a welcome pack per unit, bi-annual doctor bike for 5yrs, travel plan champion,
- (v) Include parking surveys to include consideration of surrounding streets

(g) Travel Plan (Commercial)

The applicant shall enter into a local level Travel Plan for the College and a local level travel plan for the library/CIL that seek to reduce reliance on the use of the private car and to ensure the sustainability of the development.

(g) Travel Plan Monitoring Contribution

Payment of a financial contribution of £30,000 to the Council towards its costs in promoting more sustainable modes of transport and monitoring the Travel Plan that will be submitted for the development.

(e) Monitoring contribution for s106 agreement:

A contribution in accordance with the planning obligations SPD, index linked towards the monitoring and management of the S106 planning obligations.

Recommendation 3:

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Acting Assistant Director of Planning and Development Management approve the planning application reference B/04834/14 under delegated powers subject to the following conditions and any changes to the wording and/or deleting/ adding conditions as considered necessary by the Acting Assistant Director for Planning and Development Management:

Approve the application subject to conditions:

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.

Approved plans & documents

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

2012-161/080B PROPOSED SITE PLAN FOOTPATH LINKS TO PARK

2012-161/101G PROPOSED SITE PLAN

2012-161/102A SITE LOCATION PLAN

2012-161/103- EXISTING SITE PLAN

2012-161/104A TREE CONSTRAINTS PLAN – EXISTING TREE PLAN

2012-161/105B TREE CONSTRAINTS PLAN – PROPOSED TREE PLAN

2012-161/110- TITLE PLAN

2012-161/201E COMBINED PLAN - BASEMENT FLOOR PLAN

2012-161/202D COMBINED PLAN - GROUND FLOOR PLAN

2012-161/203D COMBINED PLAN - FIRST FLOOR PLAN

2012-161/204D COMBINED PLAN - SECOND FLOOR PLAN

2012-161/205D COMBINED PLAN - THIRD FLOOR PLAN

2012-161/206D COMBINED PLAN - FOURTH FLOOR PLAN

2012-161/207D COMBINED PLAN - FIFTH FLOOR PLAN

2012-161/208C COMBINED PLAN - ROOF PLAN

2012-161/211C SITE ELEVATIONS - ELEVATIONS

2012-161/212C SITE ELEVATIONS - ELEVATIONS

2012-161/213C SITE ELEVATIONS - ELEVATIONS

2012-161/214C SITE ELEVATIONS - ELEVATIONS

2012-161/215C SITE ELEVATIONS - ELEVATIONS

2012-161/216C SITE ELEVATIONS - ELEVATIONS

2012-161/217C SITE ELEVATIONS - ELEVATIONS

2012-161/221D PLANNING SECTIONS - PROPOSED SITE SECTIONS

2012-161/222D PLANNING SECTIONS - PROPOSED SITE SECTIONS

2012-161/223D PLANNING SECTIONS - PROPOSED SITE SECTIONS

2012-161/224D PLANNING SECTIONS - PROPOSED SITE SECTIONS

2012-161/225C PLANNING SECTIONS - PROPOSED SITE SECTIONS

2012-161/226D PLANNING SECTIONS - PROPOSED SITE SECTIONS

2012-161/227C BASEMENT LINK SECTIONS
2012-161/228A BASEMENT RAMP SECTION
2012-161/231D PARKING STRATEGY BASEMENT PLAN
2012-161/232C BASEMENT PLAN - SPACES ZONING STRATEGY
2012-161/233E GROUND LEVEL - PARKING STRATEGY
2012-161/234B REFUSE COLLECTION STRATEGY - SITE PLAN
2012-161/801A TOPOGRAPHICAL SURVEY
2012-161/802B SITE CONSTRAINTS & EXISTING SERVICES
DRAWING
2012-161/803C PHASING DIAGRAM DRAWING
2012-161/804B OS PLAN
2012-161/806A EXISTING EASEMENT PLAN - SERVICES DRAWING
2012-161/807A EXISTING SERVICES PLAN - SERVICES DRAWING
2012-161/810B PROPOSED SITE PLAN, PRELIMINARY PROPOSED
LEVELS
2012-161/812A PEDESTRIAN RAILWAY LINK STAIR
2012-161/815A BASEMENT CAR PARK TRACKING
2012-161/816A SITE PLAN TRACKING DIAGRAM
Block A Drawings
2012-161/A201 D BLOCK A - GROUND FLOOR PLAN
2012-161/A202 D BLOCK A - FIRST FLOOR PLAN
2012-161/A203 D BLOCK A - SECOND FLOOR PLAN
2012-161/A204 D BLOCK A - THIRD FLOOR PLAN
2012-161/A205D BLOCK A - FOURTH FLOOR PLAN
2012-161/A206 D BLOCK A - FIFTH FLOOR PLAN
2012-161/A207 D BLOCK A - ROOF PLAN
2012-161/A211 C BLOCK A - GENERAL ARRANGEMENT SECTIONS
2012-161/A221C BLOCK A - BUILDING ELEVATIONS
Block B Drawings
2012-161/B201 D BLOCK B - GROUND FLOOR PLAN 1
2012-161/B202 E BLOCK B - FIRST FLOOR PLAN
2012-161/B203E BLOCK B - SECOND FLOOR PLAN
2012-161/B204 E BLOCK B - THIRD FLOOR PLAN
2012-161/B205 D BLOCK B - FOURTH FLOOR PLAN
2012-161/B206 D BLOCK B - ROOF PLAN
2012-161/B211 C BLOCK B - BUILDING SECTIONS
2012-161/B221E BLOCK B - BUILDING ELEVATIONS
2012-161/B815A BLOCK B – VEHICLE TRACKING
Block C Drawings (Layouts applicable to Block C, D, E & F)
2012-161/C201D BLOCK C - GROUND FLOOR PLAN
2012-161/C202 D BLOCK C - FIRST FLOOR PLAN
2012-161/C203 C BLOCK C - SECOND FLOOR PLAN
2012-161/C204 C BLOCK C - THIRD FLOOR PLAN
2012-161/C205 C BLOCK C - FOURTH FLOOR PLAN
2012-161/C206 E BLOCK C - ROOF PLAN
2012-161/C211D BLOCK C ELEVATIONS - NORTH & SOUTH
ELEVATIONS
2012-161/C212 D BLOCK C ELEVATIONS - EAST & WEST
ELEVATIONS
2012-161/C221 C BLOCK C - GENERAL ARRANGEMENT SECTIONS

2012-161/C222 C BLOCK C - GENERAL ARRANGEMENT SECTIONS

Block G Drawings

2012-161/G101 D BLOCK G – GROUND FLOOR PLAN

2012-161/G201 D BLOCK G – HOUSE TYPE 1

2012-161/G202 D BLOCK G – HOUSE TYPE 2

2012-161/G203 D BLOCK G – HOUSE TYPE 3

2012-161/G204 D BLOCK G – HOUSE TYPE 4

2012-161/G205 D BLOCK G – APARTMENTS

2012-161/G208 D BLOCK G – ROOF PLAN

2012-161/G221 C BLOCK G – ELEVATIONS

2012-161/G222 C BLOCK G – ELEVATIONS

2012-161/G223A BLOCK G – COLOURED ELEVATIONS

Block H Drawings

2012-161/H201 F BLOCK H - PLANS

2012-161/H211 D BLOCK H - STREET ELEVATIONS 1

2012-161/H221 D BLOCK H - GENERAL ARRANGEMENT SECTIONS

Block J Drawings

2012-161/J201D BLOCK J - GROUND FLOOR PLAN

2012-161/J202C BLOCK J - UPPER LEVEL PLANS

2012-161/J207B BLOCK J - ROOF PLAN

2012-161/J221C BLOCK J - ELEVATIONS

2012-161/J222B BLOCK J - SECTIONS & ELEVATIONS

2012-161/J815A BLOCK J – VEHICLE TRACKING PLAN

Design Intent Drawings

2012-161/030- DESIGN INTENT - TYPICAL WINDOW DETAILS

2012-161/031- DESIGN INTENT - TYPICAL BALCONY DETAIL 1

2012-161/032- DESIGN INTENT_TYPICAL ORIEL WINDOW

2012-161/032 Planning Stage Fire Strategy - Planning Issue - 2014-12-13

Landscape Drawings

9013-025/101C LANDSCAPE PLAN

9013-025/005- LANDSCAPE PLAN – ILLUSTRATIVE BOUNDARY DETAILS VARIES

9013-025/006- LANDSCAPE – SECTION THROUGH PYMMES SQUARE

Area Schedules

2012-161 2012-161 Building Areas_Issue_11_150115

Supporting Documents

Affordable Housing Statement 10 July 2014

Air Quality Assessment T3021 Final 09 July 2014

Arboricultural Impact Assessment and Tree Protection Plan T3021 Final 9 July 2014

Arboricultural Impact Assessment and Tree Protection Plan – Additional Information T3021 Memo December 2014

Archaeology & Heritage Desk Based Assessment T3021 Final 9 July 2014

Preliminary Ecology Assessment T3021 Final 9 July 2014

Reptile Survey Final T3021 10 September 2014

Bat Presence Likely Absence Surveys - Buildings Report T3021 Final 10 September 2014

Design and Access Statement August 2014
Design and Access Addendum December 2014
Daylight and Sunlight Assessment 23 July 2014
Energy Statement Revised Planning Issue January 2015
Planning Stage Fire Strategy December 2014
Flood Risk Assessment SJC/615780/JRC Rev 3 19 November 2014
Ground Investigation Report 23 May 2014
Remediation Strategy 22 May 2014
Detailed Qualitative Risk Assessment 20 May 2014
Phase 1 Geo-Environmental Investigation for New Barnet, Clarke Bond August 2005
Phase III Geotechnical Investigation Clarke Bond October 2008
Proposed ASDA Store, Albert Road, New Barnet
Environmental Assessment Site Investigation Report, Worley Parsons Komex 29 October 2008
Noise and Vibration Assessment T3021 Final 9 July 2014
Planning Statement September 2014
Statement of Community Involvement July 2014
Structural and Civil Engineering Planning Report AHR/665242 Rev 1 July 2014
Sustainability Statement: Code for Sustainable Homes E13291 Rev 2
Transport Assessment July 2014
Travel Plan July 2014
Utilities and Services Infrastructure Report L13291 Utilities Report Rev 2
Ventilation & Extract Statement Rev 2 August 2014
Outline Construction Logistics Plan December 2014
Updated Viability Report January 2015

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.

Phasing

3. All applications for approval of details shall be submitted for the entirety of the relevant phase in which they fall according to the phasing plan Ref 2012-161/803-C hereby approved or in accordance with any revised phasing plan agreed in writing in pursuance to this condition.

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.

Waterways Approval Grampion

4. No works within 7m of a watercourse shall commenced without first obtaining Watercourse Consent from the council in pursuance to the Flood and Water Management Act 2010.

Reason:

To protect the waterway in accordance with LB Barnet Policies CS13 and DM04.

Hazardous Substance Revocation Grampion

5. The development shall not commence until the Hazardous substance consent for the New Barnet Gas Holder approved 23 Dec 1992 (Ref: P/MT/AM/N2416M) and subsequent deemed consent sought 19 Dec 2000 and which was deemed to be given 15 Mar 2001 have been revoked by the Council.

Reason:

To address the health and safety impacts posed to future occupiers of the scheme in accordance with LB Barnet policies CS13 and DM04.

Right of Access to NG land

6. Access to National Grid land across the site will be maintained at all times unless otherwise agreed in writing by NG and/or its successors in title.

Reason:

To ensure access is maintained in accordance LB Barnet policies CS9 and DM17.

Pedestrian Connections and works affecting Victoria Recreation Ground

7. No work to occur on Victoria Recreation Ground until the detailed design of connections and associated construction program and management and maintenance program are agreed in writing by the council.

Thereafter, the works shall be undertaken in accordance with the details hereby approved.

Reason:

To ensure there is no unacceptable impact to the council's asset and its continued use as well as to ensure appropriate connections and measures to protect trees and habitat, in accordance with policies LB Barnet policies CS9 and DM17.

Principle

8. Notwithstanding the plans and supporting details approved in condition 2, Class A5 is deleted and not included as part of the application hereby approved.

Reason:

To enable the Local Planning Authority to exercise control over future potential uses within the development to safeguard the amenities of occupiers of adjoining residential properties, in accordance with policy DM01 of the Barnet Local Plan.

Commercial Uses

9. Upon their first occupation of the relevant development phase, the commercial units on the ground floor of the buildings hereby approved shall be occupied for uses in locations specified in the details approved under condition 2 and falling within Class A1, A2, A3, A4, D1 and D2 of the Town and Country Planning (Use Classes) Order 1987 and for no other purpose.

Reason:

To enable flexibility for the first occupation of the commercial units hereby approved, in accordance with policies DM12 and DM13 of the Barnet Local Plan.

10. Notwithstanding the potential initial uses that are permitted to occupy the commercial units on the ground floor of the buildings hereby approved as specified under condition 9 of this consent, following the first occupation and commencement of a use within each commercial unit, any subsequent change to an alternative use within those specified by this consent shall require the submission of a full planning application to the Local Planning Authority for express planning permission.

Reason:

To enable the Local Planning Authority to exercise control over future potential uses within the development to safeguard the amenities of occupiers of adjoining residential properties, in accordance with policy DM01 of the Barnet Local Plan.

11. The 558m² of floorspace in the ground floor of Block A hereby approved for purposes falling within Class D1 for crèche and D2 for gymnasium, once each of those uses commences, the floorspace will henceforth be occupied for that use only and shall not be used for any other purpose, including any other purpose within Use Class D1 and D2 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 floorspace within the Use Class specified so that occupation of the premises is for community use only and does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

Design and amenity

Site Levels

12. Notwithstanding the details submitted in the drawings 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 accordance with such details as so approved before the dwellings approved are occupied.

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 protect privacy

13. Notwithstanding the details shown on the plans submitted and otherwise hereby approved Blocks B, Block G and Block J hereby permitted shall not be occupied until details are submitted to the Local Planning Authority and approved in writing which specify the details of the privacy screens to be installed to address privacy impacts between balconies, rear gardens and terraces respectively.

Before Blocks B, G and J are occupied the development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason:

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

Fixed and Obscure Glazing

- 14 Notwithstanding the details shown on the plans submitted and otherwise hereby approved Blocks C, D, E and F hereby permitted shall be occupied until details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed buildings 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 are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason:

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

Boundary Treatments

15. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the relevant phase of the development shall not be occupied until details are submitted to the Local Planning Authority and approved in writing which specify the details of boundary treatments to be installed as part of the development. These details shall include materials, type and siting of all boundary treatments. The development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason:

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

Refuse and recycling

16. Notwithstanding the details submitted with the application, prior to commencement of the relevant phase, details shall be submitted to and approved in writing by the Local Planning Authority:
- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
 - ii. satisfactory points of collection; and
 - iii. details of the refuse and recycling collection arrangements

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

Reason:

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

Accessibility

17. All of the new residential dwellings (Use Class C3) within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standards, whilst the 31 units specified on the approved drawings to be wheelchair-accessible shall be constructed as such.

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.

Accessible Shower and Toilet Facilities

18. Prior to commence of Blocks A and H, details of the incorporation of accessible showers and toilets shall be submitted for approval in writing by the council.

The facilities hereby agreed shall be completed and be available to all users of the non-residential floorspace from first occupation and thereafter maintained in good working order for the lifetime of the development.

Reason:

In the interests of supporting non-car-based modes of transport and which may include disabled persons in accordance with policies CS9 and DM17.

Gate Design

19. Prior to the commencement of the relevant phase, details of the design and access controls for the following shall be submitted for approval in writing by the local planning authority:
- i. Block A basement entrance gate
 - ii. Block B car park entrance gate
 - iii. Block J mews entrance gate

Thereafter the gates shall be installed prior to occupation of the relevant phase and thereafter maintained in secure and good working order for the lifetime of the development.

Reason:

To ensure the safety and security of users in accordance with policies CS5 and DM01

Materials

20. Notwithstanding the details shown on the plans otherwise hereby approved the relevant phase of the development hereby permitted shall not commence unless and until details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority. The Development shall thereafter be implemented in accordance with such details as so approved before the buildings approved are occupied.

Reason:

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

Lighting

21. Prior to commencement of the relevant phase 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 thereafter be maintained as such.

Reason:

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

22. Prior to occupation of the relevant phase 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 as well as mitigate any impacts to species including bats. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to occupation of the relevant phase.

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 and to mitigate the impact to species including bats in accordance with policies CS7 and DM16.

Energy & Sustainability

Energy and sustainability measures

23. Prior to the commencement of the development hereby approved a strategy setting out how the phases of the development will connect to the Energy Centre shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the details as approved and each phase of the development shall not be occupied until it has demonstrated that the development has been connected to the Energy Centre, to be agreed in writing by the council.

Reason:

To ensure that the development is sustainable and complies with the requirements of London Plan policies 5.2 and 5.6.

CHP flu details

24. Prior to commencement, drawings as well as supporting details of the energy centre flu shall be submitted in writing by the local planning authority. Details shall include a stack height calculation to confirm appropriate dispersal is achieved by the design.

Thereafter, the CHP flu shall be constructed in accordance with the details hereby approved and maintained in good working order for the lifetime of the energy centre.

Reason:

To ensure the design is of acceptable appearance as well as mitigating any local air impact on occupiers and neighbours in accordance with policies Cs5, CS13, DM01 and DM04

Code for Sustainable Homes

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

No dwelling shall be occupied until formal certification has been issued confirming that not less than a Code Level 4 has been achieved and

this certification has been submitted to the Local Planning Authority for agreement in writing.

Reason:

To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan.

BREEAM

26. The non-residential elements of the development hereby permitted (Use Classes A1, A2, A3, A4, D1 and D2) shall be constructed to achieve not less than BREEAM 'Excellent' in accordance with the relevant BRE standards (or the equivalent standard in such measure of sustainability for non-residential building design which may replace that scheme).

The non-residential buildings shall not be occupied until formal certification has been issued confirming that not less than Excellent has been achieved and this certification has been submitted to the Local Planning Authority for agreement in writing.

Reason:

To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan.

Site Waste Management Plan

27. Prior to commencement of the relevant phase of the development, a Site Waste Management Plan detailing how the development will minimise waste in the construction process and source materials sustainably where possible, shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the development is sustainable and complies with the requirements of London Plan policy 5.3.

Water Efficiency

28. Before the residential dwellings (Use Class C3) of the relevant phase hereby permitted are 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, including dual flush (4 to 2.6 litre) toilets and

flow restricted taps (maximum 5 litres per minute). 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.

Transport Conditions

Car parking

29. Prior to the commencement of the relevant phase, details of the number, location and layout of car parking spaces within that phase shall be submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be provided in accordance with the approved details prior to occupation and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason:

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

Access Road

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

Although the Council will not consider the proposed internal roads for adoption as public highways, the internal roads submitted details should include specification of carriageway construction to adoptable standards to allow for refuse vehicles to enter the site.

Reason:

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

Electric Vehicle Charging Points

31. Before the relevant phase of the development hereby permitted commences details of the Electric Vehicle Charging Points with minimum 20% (77) active and 20% (77) passive shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To ensure that the Electric Vehicular Charging provision is in accordance with the London Plan requirements.

Car Parking Management Plan

32. Prior to the occupation of each of the phases hereby approved, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:
- i. location and layout of car parking spaces,
 - ii. The allocation of car parking spaces;
 - iii. On site parking controls
 - iv. The enforcement of unauthorised parking; and
 - v. disabled parking spaces
 - vi. Electrical Vehicle Charging Points.

The Car Park Management Plan should include details of the proposed monitoring of EVCP and disabled parking spaces, to inform when additional spaces are required to be brought into operation.

The Car Parking Management Plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason:

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

Car Parking

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

Reason:

In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of

Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Bicycle parking

34. Prior to occupation of the relevant phase of the development hereby permitted, the approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority. Such spaces shall be permanently retained and made available for use thereafter.

Reason:

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

Refuse and Recycling Details

35. Before the relevant phase of the permitted development commences details of the refuse and recycling collection arrangements including swept paths for refuse collection vehicles shall be submitted to and agreed by the Local Planning Authority.

Reason:

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

Waiver of Liability and Indemnity

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

Reason:

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

Construction Management Plan (CMP)

37. No site works or works on this development including demolition or construction work shall commence until a Demolition, Construction and Traffic Management Plan has been submitted to for each phase of the development and approved in writing by the Local Planning Authority. All works must be carried out in full accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

Reason:

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

Delivery and Servicing Plan (DSP)

38. Prior to commencement a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

Reason:

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

Stopping Up

39. Prior to the commencement of the development hereby approved, details of any roads which are required to be stopped up to facilitate the development shall under Section 247 of the Town and Country Planning Act be submitted to and agreed with the Local Planning Authority.

Reason:

To ensure that adequate public access is provided throughout the development.

PERS Improvements

40. Before the development hereby permitted commences the applicant shall submitting details to the Local Planning Authority for approval in consultation with TfL, the improvements to bus shelter and other necessary works identified in the PERS audit.

Reason:

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

41. Prior to the commencement of the development, a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with TfL. The plan must at least include the following:
- i. Site access arrangements, vehicle routings and traffic management, including swept paths
 - ii. An estimate of vehicle numbers and types by phase of construction
 - iii. Working hours and delivery times
 - iv. Identify deliveries that could be reduced, re-timed or consolidated
 - v. Identify measures to protect vulnerable road users
 - vi. A procurement strategy to support the aims of the plan
 - vii. Monitoring and review

The measures identified in the approved plan shall be implemented during the construction of the development.

Reason:

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

Environment Agency

42. The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed flood risk assessment (FRA) Ref: SJC/615780/JRC, Revision 3 dated 19 November 2014 has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

Environmental Health

43. 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.

Construction Method Statement

44. No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason:

In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2011).

Contaminated Land

45. Before development commences other than for investigative work:
- a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) 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.

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 Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

Impact of Noise on the Development

46. No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report 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 content and recommendations

The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable

Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

Noise Report for gym

47. Before development of the relevant phase commences, a report shall be carried out by a competent acoustic consultant and submitted to the LPA for approval that assesses the likely noise impacts from the gym in block A as shown on plan 2012-161_202. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It 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 approved measures shall be implemented in their entirety before the use commences.

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

Restrict Noise from Plant (Gym)

48. The level of noise emitted from the ventilation and extraction plant for the gym in block A as shown on plan 2012-161_202 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 Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011.

Impact of Noise from Ventillation and Extraction Plant on Development (Gym)

49. The use of the gym in block A as shown on plan 2012-161_202 shall not commence until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant for the gym, and mitigation measures for the development to reduce these noise impacts

to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report 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 content and recommendations.

The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2011.

Noise Report for creche

50. Before development of the relevant phase commences, a report shall be carried out by a competent acoustic consultant and submitted to the LPA for approval that assesses the likely noise impacts from the creche in block A as shown on plan 2012-161_202.. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It 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 approved measures shall be implemented in their entirety before the use commences.

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

Restrict Noise form Plant (Crèche)

51. The level of noise emitted from the ventilation and extraction plant for the creche in block A as shown on plan 2012-161_202. 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 Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011.

Impact of Noise from ventilation and Extraction Plant on Development (Crèche)

52. The use of the creche in block A as shown on plan 2012-161_202 shall not commence until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant for the creche, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report 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 content and recommendations.

The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2011.

Noise from Plant (Café)

53. The level of noise emitted from the ventilation and extraction plant for the cafe in Block H as shown on plan 2012-161_H201 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 Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011.

Impact of Noise from Ventilation and Extraction Plant on Development (Café)

54. The use of the cafe in Block H as shown on plan 2012-161_H201 shall not commence until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant for the cafe, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report 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 content and recommendations.

The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2011.

Extraction and Ventilation Equipment

55. No development of the relevant phase other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development for the cafe in Block H as shown on plan 2012-161_H201 have been submitted to and approved in writing by the Local Planning Authority. The report 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 content and recommendations.

The development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted September 2012).

Restrict Noise from plant (All Blocks)

56. The level of noise emitted from the ventilation and extraction plant for the Blocks A, B, C, D ,E ,F ,G H and J 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 Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011.

Impact of Noise and Ventilation and Extraction Plant on Development (All blocks)

57. No development of the relevant phase other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant for the Blocks A, B, C, D ,E ,F ,G ,H and J and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report 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 content and recommendations.

The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2011.

Extraction and ventilation Equipment

58. No development of the relevant phase other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development have been submitted to and approved in writing by the Local Planning Authority. The report 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 content and recommendations.

The development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted September 2012).

Acoustic Fencing to be Constructed

59. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development of the relevant phase hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the relevant phase of the development and retained as such thereafter.

Reason:

To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2011.

Insulation Against Internally/Externally Generated Noise

60. No relevant phase of the development shall take place until details of mitigation measures to show how the development will be constructed so as to provide sufficient air borne and structure borne sound insulation against internally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the café, creche and gym as shown on plans 2012-161_H201 and 2012-161_202 respectively ; as measured within habitable rooms of the

development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

The report 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 content and recommendations.

The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the relevant phase of the development and retained as such thereafter.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

Air Quality Report

61. Before the relevant phase of the development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority.

It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory.

The report 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 content and recommendations.

A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the relevant phase of the development is first occupied or the use commences and retained as such thereafter.

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 of the London Plan 2011.

Electromagnetic Radiation from the Substation

62. Before development commences, a report should be carried out by a competent electromagnetic radiation consultant and submitted to the LPA for approval that assesses the likely electromagnetic radiation impacts from the substation in Block C as shown on plan 2012-161_201 on the adjacent residential units. The report shall also clearly outline mitigation measures for the development to reduce these radiation impacts to acceptable levels.

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

Reason:

To ensure that the health of the residents at the residential premises are protected from electromagnetic radiation from the substation

Trees, Landscape and Biodiversity

63. No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard trees adjacent to the application site have been erected in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved shall remain in place until after the development works hereby consented are completed and no material or soil shall be stored within any of the protected areas during the works associated with this development.

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.

64. 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 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 approved details.

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.

65. Prior to the commencement of the development hereby approved details of the location, extent and depth of all excavations for drainage and other services in relation to trees to be retained, or trees on adjacent sites, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such approval.

Reason:

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

66. No site works or works in connection with the development hereby approved shall be commenced until the protective measures as identified in the Preliminary Ecology Assessment (T3021 Final 9 July 2014), Reptile Survey Final (T3021 10 September 2014), Bat Presence Likely Absence Surveys - Buildings Report (T3021 Final 10 September 2014) and further studies those documents may require as approved in condition 2 are implemented for the wildlife species protected by law and the details of any mitigation measures including the timing of works and details of any special techniques has been submitted to and agreed in writing by the council. The mitigation and techniques hereby permitted shall be implemented and maintained thereafter.

Reason:

To ensure that any protected species present are not affected by the development.

Construction Mitigation Measures

67. 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.

68. Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement of the relevant phase of development or any site works, a detailed scheme of hard and soft landscaping and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping and means of enclosure submitted shall include but not be limited to the following:
- the position of any existing trees and hedges to be retained or removed;
 - details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities reflecting a majority of Mosaic species;
 - means of planting, staking and tying of trees, including tree guards, planter depths and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;
 - existing site contours and any proposed alterations to these such as earth mounding;
 - details of all proposed hard landscape, including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings;
 - timing of planting;
 - details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site.
 - The ecological mitigations measures per conditions 66 and 67
 - Details of lighting as submitted in relation to condition 21 and 22

Reason:

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

69. All work comprised in the approved scheme of hard and soft landscaping shall be carried out before the end of the first planting and seeding season following the first occupation of the relevant phase 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.

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

Reason:

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

Management plan

71. The relevant phase of the development hereby approved shall not be occupied unless and until a Landscape Management Plan, including details of the long term design objectives, management responsibilities and maintenance schedules for all areas of the site, have been submitted to the Local Planning Authority and approved in writing. The management of the landscaping at the site shall be carried out in accordance with the details in the approved Landscape Management Plan.

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.

Play Equipment

72. Notwithstanding the details shown on the plans otherwise hereby approved, prior to the first occupation of the relevant phase of the development a scheme detailing all play equipment to be installed in the communal or public amenity space 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 details as approved prior to the first occupation of the development and the play space shall thereafter be retained.

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.

Bat and bird boxes

73. Notwithstanding the details approved in condition 2, prior to commencement of the relevant phase of the development, details and

location of bat and bird boxes shall be submitted for approval in writing by the council.

Prior to occupation the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development

Reason:

In the interests of protecting and enhancing biodiversity in accordance with policies CS7 and DM16.

Misc

Digital/satellite television equipment

74. Prior to commencement of the development hereby permitted, a scheme for the provision of communal/centralised satellite and television reception equipment to be installed on all blocks hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the details approved and the equipment shall thereafter be retained and made available for use by all occupiers of the development.

Reason:

To ensure that the development makes appropriate provision for such equipment, so as to not impact adversely on the character of the area, in accordance with policies CS5 and DM01 Barnet Local Plan.

Telecomms equipment

75. 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 development 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 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.

Informatives:

The informatives recommended to be included on the decision notice are set out in Appendix 2 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 shall 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.

Since the adoption of the London Plan in 2011 the Mayor has adopted (in October 2013) 'Revised Early Minor Alterations' to this document. These make a number of changes to policies and other text in the 2011 London Plan. A key objective of these changes is to ensure that the London Plan is consistent with the National Planning Policy Framework. They also seek to update the position on affordable housing (to reflect changes to national policy) and make changes to cycle parking standards. The changes to London Plan as adopted under the 'Revised Early Minor Alterations' have been approved by the Inspector and adoption in March 2015.

National Planning Policy Framework

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that *"good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people"*. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would *"significantly and demonstrably"* outweigh the benefits.

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 Mayor's London Plan July 2011 and updates

The London Plan (adopted July 2011) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). On 11th October 2013, the Mayor published Revised Early Minor Alterations to the London Plan (REMA). From this date, the REMA are operative as formal alterations to the London Plan and accordingly form part of the development plan for Greater London. Subsequently, on 15th January 2014, the Mayor published Draft Further Alterations to the London Plan (FALP) for 12 week period of public consultation.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

- 1.1 (Delivering the strategic vision and objectives for London)
- 2.2 (London and the wider metropolitan area)
- 2.6 (Outer London: vision and strategy)
- 2.7 (Outer London: economy)
- 2.8 (Outer London: transport)
- 2.15 (Town Centres)
- 2.18 (Green Infrastructure: the network of open and green spaces)
- 3.2 (Improving health and addressing health inequalities)
- 3.3 (Increasing housing supply)
- 3.4 (Optimising housing potential)
- 3.5 (Quality and design of housing developments)
- 3.6 (Children and young people's play and informal recreation facilities)
- 3.7 (Large residential developments)
- 3.8 (Housing choice)
- 3.9 (Mixed and balanced communities)
- 3.10 (Definition of Affordable Housing)
- 3.11 (Affordable Housing Targets)
- 3.12 (Negotiating Affordable Housing on Individual Private residential and Mixed Use Schemes)
- 3.13 (Affordable Housing Thresholds)
- 3.19 (Sports Facilities)
- 4.7 (Retail and Town Centre Development)
- 4.8 (Supporting a Successful and Diverse Retail Sector)
- 4.12 (Improving Opportunities for All)
- 5.1 (Climate change mitigation)
- 5.2 (Minimising carbon dioxide emissions)
- 5.3 (Sustainable design and construction)
- 5.5 (Decentralised Energy Networks)
- 5.6 (Decentralised energy in development proposals)
- 5.7 (Renewable energy)
- 5.9 (Overheating and cooling)
- 5.10 (Urban greening)

- 5.11 (Green roofs and development site environs)
- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 5.14 (Water quality and wastewater infrastructure)
- 5.15 (Water use and supplies)
- 5.17 (Waste capacity)
- 5.21 (Contaminated land)
- 5.22 (Hazardous Substances and Installations)
- 6.1 (Strategic approach)
- 6.3 (Assessing effects of development on transport capacity)
- 6.7 (Better streets and surface transport)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.12 (Road Network Capacity)
- 6.13 (Parking)
- 7.1 (Building London's neighbourhoods and communities)
- 7.2 (An inclusive environment)
- 7.3 (Designing out crime)
- 7.4 (Local character)
- 7.5 (Public realm)
- 7.6 (Architecture)
- 7.7 (Location and design 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 and enhancing soundscapes)
- 7.18 (Protecting local open space and addressing local deficiency)
- 7.19 (Biodiversity and access to nature)
- 7.21 (Trees and woodlands)
- 7.24 (Blue Ribbon Network)
- 7.28 (Restoration of the Blue Ribbon Network)
- 7.30 (London's Canals and Other Rivers and Waterscapes)
- 8.1 (Implementation)
- 8.2 (Planning obligations)
- 8.3 (Community Infrastructure Levy)

It is further noted that the Mayor's Housing Supplementary Planning Guidance (November 2012), Wheelchair Accessible Housing Best Practice Guidance (November 2007) and Providing for Children and Young People's Play and Informal Recreation (March 2008) provide guidance on how to implement the housing policies in the London Plan.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Core Strategy DPD (2012):

Policies 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)
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 DPD (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)
DM14 (New and Existing Employment Space)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are material considerations for the determination of planning applications:

Local Supplementary Planning Documents and Guidance:

Sustainable Design and Construction SPD (April 2013)
Affordable Housing SPD (2007)
The Residential Design Guidance SPD (April 2013)
Planning Obligations SPD (April 2013)
New Barnet Town Centre Framework (Nov 2010)

Strategic Supplementary Planning Documents and Guidance:

Draft SPG on Accessible London (April 2014)
Sustainable Design and Construction SPG (April 2014)

All London Green Grid (March 2012)
 Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
 Housing (November 2012)
 London Housing Design Guide

1.2 Key Relevant Planning History

Application Ref.	Description of Development	Decision and Date
B/00200/09	Demolition of existing buildings and erection of a mixed use development comprising 211 residential units, supermarket (10,526sqm gross floor space) and additional 1,893 sqm gross non-residential floor space comprising A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes) and D1 (non-residential uses), public space, car parking, access and related highways works and associated works.	Withdrawn 01/07/2009

In relation to the wider former gas works site, and the northern portion which is still occupied by National Grid, the Council is in the process of revoking the Hazardous Substance Consent for the gas holder (Application Ref: B/04148/14). This procedure was authorised by Planning Committee on 18 Dec 2014.

1.3 Public Consultations and Views Expressed

Public Consultation

641 local residents were consulted by letter. The application was advertised in the local press on 16/10/2014 and site notices were put up on site on 28/09/2014. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

Residents comments

A total of <> responses were received and of which, <> were in support, <> were objecting and <> offered comments, which included an objection from the New Barnet Community Association and a comment from the Oakleigh Park Swimming Pool:

Support:

- Happy with the proposal in general but concerned for the impact on the local community (*Officer comment: Section 3 considers the full range of impacts and mitigation as part of an on-balance recommendation for support*)
- The development is reasonable and follows the community consultation [by the applicant's team] (*Officer comment: Noted, and accords with the Councils' Statement of Community Involvement as referred to in the Core Strategy which promotes consultation*)

- Effective use of land which is not overly intensive (*Officer comment: Noted, and accords with the council's Statement of Community Involvement and London Plan policy 3.4 which seeks to optimise development intensity*)
- This is a great opportunity to provide housing and improve the gasworks site which currently contributes nothing positive (*Officer comment: Noted and accords with the intent of the NPPF to bring sites into active and sustainable use*)
- Supportive of the proposal subject to the provision of a swimming pool (*Officer comment: There is no swimming pool proposed as part of this application. However, it should be noted that the development generates a Barnet CIL contribution as identified in section 3.9 of this report. It will be used to deliver community infrastructure in accordance with the council's identified priorities which can potentially include swimming pool provision*)
- The redevelopment will make New Barnet more appealing and add additional footfall to the high street (*Officer comment: Noted, and accords with the sustainable development principle of the NPPF and supporting town centres in accordance with London Plan Policies 2.15 and 4.7 Retail and Town Centre Development as well as LBB Core Strategy policy CS6 Promoting Barnet's Town Centres*)
- Good that retail and commercial uses are included in the scheme (*Officer comment: Noted and accords with the abovementioned policies which reinforce town centre uses and specific New Barnet Town Centre Framework uses identified for the site*)

Objections:

Principle (See section 3.1 for discussion)

- Over-dense and too many flats
- Lack of amenities (unspecified)

Design (See section 3.3 for discussion)

- Large and over-dominant
- Height leading to impact on character– no more than 3 or 4 storeys variously suggested
- Increase chances of antisocial behaviour (unspecified) from children as they grow up
- Safety, security, crime, overlooking and noise impacts from increased use of the adjacent pedestrian tunnel – notes there have been attacks (unspecified), queries if the developer will pay for fencing and increased security and makes suggestion of closing the tunnel

Amenity (See section 3.4 for discussion)

- Height leading to impact on privacy – no more than 3 or 4 storeys variously suggested
- Noise impact from intensity/density of development

Transport, highways and parking (See section 3.5 for discussion)

- Insufficient parking
- Traffic impacts and management including Station Rd, Victoria Rd, East Barnet Rd, Park Rd, Margaret Road, noting they provide important links to local amenities, schools and nurseries
- Impact to pedestrians crossing road by increased traffic
- Train congestion

Energy, Sustainability & Resources (See section 3.7 for discussion)

- Land contamination and the need for testing, even after decontamination measures in interests of health and activities like gardening

CIL and Planning Obligations (See section 3.9 for discussion)

- CIL to be spent on roads
- No evidence of analysis of social impacts in respect of education or health
- Impact on Victoria Recreation ground (unspecified)
- Impact to schools and community activities (unspecified)

Comments relevant to the application and assessment:

- Querying the public consultation undertaken and if it will be going to planning committee (*Officer comment: See 'Public Consultation' section above*)
- Good to see the site come forward to residential rather than continuing to see the gas holder or a redevelopment of superstores (*Officer comment: Noted and the proposal accords with the NPPF and London Plan in bringing a site back into active use and accords with the specific landuse approach of the LB Barnet New Barnet Town Centre Framework*)
- A community centre would be welcome and suggestion of upgrading community centre and nursery on Victoria Road (*Officer comment: Although flexible non-residential floorspace at ground has the potential for community use, no specific requirement is identified for the site specific landuse criteria of the New Barnet Town Centre Framework. Nor is the community facilities in Victoria Road identified as needing mitigation by this scheme*)
- Suggestion that Victoria Recreation Ground be upgraded and include play and exercise facilities, skate park, toilets, café, soft play business (*Officer comment: Victoria Recreation Ground does not form part of the application and as such, suggestions of its upgrade are specifically in relation to mitigating the impacts of the proposed development. This is possible through CIL contributions generated by this scheme which will be used to deliver community infrastructure in the borough in accordance with the Council's priorities. See section 3.9 for discussion*)
- Upgrade of Victoria Recreation Ground welcomed but only with sufficient parking (*Officer comment: The recreation already benefits from dedicated parking in its curtilage*)

- Suggest the upgrade to Victoria Recreation Ground reflect the standard of Oak Hill Park (*Officer comment: The council's parks and recreation officer states that within the boroughs hierarchy of open spaces, Victoria Recreation Ground is a local space and Oak Hill Park is a district space therefore, a different level of provision is appropriate and acceptable*)
- Suggestion of a town square with independent shops (*Officer comment: The proposal provides an acceptable range of uses including flexible retail floorspace and public open spaces having regard to the New Barnet Town Centre Framework. Furthermore, a town square including a greater amount of retail floorspace would compete with the existing town centre provision. Even in the instance that additional retail floorspace was acceptable, it would be difficult to achieve a town square format in practice given the ownership and land assembly constraints in the south of the site, which is the reason for the design as submitted*)
- Request that CIL be used for the following:
 - Swimming pool with many respondents suggesting the location in Victoria Recreation Ground with a park café and toilets to replace Church Farm Swimming Pool and QE School for Girls or provide free membership to use the pool in LA Fitness (*Officer comment: Potential Victoria Recreation Ground improvements to mitigate the impacts of the scheme are a potential beneficiary of CIL contributions as discussed in section 3.9. However, there is no proposal for a swimming pool as part of this application, it being noted that swimming pool provision in the borough is currently being considered through the Sports and Physical Activity Strategy. LA Fitness is a private business*)
 - Access for people with disability and older people to the swimming pool facility (*Officer comment: As above*)
 - Improve Victoria Recreation Ground with play and fitness equipment, improved lighting, toilets and café (*Officer comment: Potential Victoria Recreation Ground improvements to mitigate the impacts of the scheme are a potential beneficiary of CIL contributions as discussed in section 3.9.*)
 - Improve sporting provision and enhance local sports clubs (unspecified) (*Officer comment: Sporting provision in the borough is a separate consideration as part of the council's Sports and Physical Activity Strategy. Whilst sports clubs may be indirect beneficiaries of improved facilities, there may be alternative sources of support and funding separate to planning for clubs and associations*)
 - Improvement including lighting for the pedestrian link including the tunnel under network rail land (*Officer comment: See section 3.9*)
 - Leisure facilities (unspecified)(*Officer comments: No facility provision requirement is identified in LB Barnet Core Strategy or the New Barnet Town Centre Framework however, the proposal does accord with the AAP intent of improving linkages between the town centre and Victoria Recreation Ground*)

- Regeneration of the existing shopping area e.g. paving, street furniture and amenities (*Officer comment: The town centre is identified in the Council's Regulation 123 list for consideration of funding improvements through CIL*)
- Local road junction improvements (unspecified)(*Officer comment: See section 3.5 and 3.9 for discussion*)
- Road safety measures (unspecified)(*Officer comment: See section 3.5 and 3.9 for discussion*)
- Road calming measures in Victoria Rd and measures suggested such as 20mph speed limits, restrictions on large vehicles and renewing pedestrian pavements (*Officer comment: See section 3.5 for discussion of s106/s278 related highway improvements that are proposed as part of mitigating the impacts of the development on traffic and movement. However, the 20pmh speed restriction is a separate matter*)
- Highway improvements: junction widening, traffic lights, one-way systems where needed based on traffic studies (*Officer comment: The transport improvements identified in section 3.5 of this report to mitigate the impacts of the scheme are based on Transport Assessment which are been considered by the Council and TfL. If the council is minded to approve the application, the improvements would be secured through s106/s278 agreements as noted in section 3.9 of this report*)
- Subsidised Zip cars [car club] and shuttle bus services to schools (*Officer comment: Zip car parking space provision is made on site and membership is a component of the green travel plan initiative which could be secured through the s106 planning agreement if the council is minded to approve the application. However, there is no requirement identified to provide shuttle bus services to school*)
- A cycle path extending to existing cycle routes (unspecified) to support commute to work (*Officer comment: No specific measures relevant to proposal are identified by the Council in it's New Barnet Town Centre Framework or GLA/TfL in stage 1 comments*)
- Increase in local pre-school, primary and secondary school places e.g. Cromer Rd school may have capacity, enhancement of St Margaret's nursery school (*Officer comment: In general, increased enhancement and capacity of schools is coordinated separately and in terms of mitigating the scheme's impact, CIL monies could contribute to education provision as discussed in section 3.9*)
- Flexible community space (*Officer comment: Although flexible non-residential floorspace at ground has the potential for community use, no specific requirement is identified for the site specific landuse criteria of the New Barnet Town Centre Framework. Nor is the community facilities in Victoria Road identified as needing mitigation*)
- An increase in doctors surgeries (*Officer comment: In terms of mitigating the scheme's impact, CIL monies could contribute to*

- healthcare provision as discussed in section 3.9)*
- Improvements to Barnet General Hospital (*Officer comment: Although NHS Barnet did not respond to the consultation, it is noted that tertiary level healthcare infrastructure provision is normally addressed through the central government health budget. Notwithstanding, tertiary hospital improvements are not identified in the Core Strategy 'Core Objectives' for Barnet, nor is it a Health Facility project currently identified for funding through CIL in the Council's Regulation 123 list*)
 - Public transport (*Officer comment: Improvements to mitigate the scheme impacts which are identified by TfL would form part of s106/s278 contributions if the council was minded to approve the application*)
 - Improved walking routes between Albert Rd and JCoSS (*Officer comment: There is no need or requirement to improve the links to the JCoSS school identified in either council's CS or AAP nor the applicant's PERS audit*)
 - Improvement to retail units (unspecified) now derelict as a result of the prolonged development (*Officer comments: Whilst retail units themselves are private premises not eligible for CIL funding, the town centre public realm is and is identified in the Regulation 123 list for consideration for CIL funding allocation*)
 - The area suffers from planning blight but the scheme is a step in the right direction but funds that arise should be spent on community facilities (unspecified)(*Officer comment: Although flexible non-residential floorspace at ground has the potential for community use, no specific requirement is identified for the site specific landuse criteria of the New Barnet Town Centre Framework.*)
 - Insufficient employment opportunities for new residents coming to the area (*Officer comment: The provision of housing is a strategic priority and requirement contained in regional planning policy, the London Plan. Nonetheless, it is noted that the scheme makes a contribution to employment opportunities through the provision of non-residential floorspace and through s106 planning contributions for employment skills, training and apprenticeships. It also forms part of the New Barnet town centre and its employment opportunities, and the development intensity is reflective of the site's PTAL which is a measure of access to wider London, including its employment opportunities.*)
 - Querying what crèche, nursery and play areas are being provided and would be supported (*Officer comment: The scheme makes provision for nursery floorspace*)
 - Suggestion that older residents need designated housing and further suggestion that they be catered for by 1 storey housing with no need for stairs (*Officer comment: Whilst the site is not identified for provision of housing for older people, the dwellings meet Lifetime Homes standards meaning they can accommodate the changing needs of their occupiers, even in older life.*)
 - Querying as to how the footpath will be retained between Tudor Recreation Ground to the east, through the network rail pedestrian tunnel and bridging over the site to Victoria Recreation Ground (*Officer*

comment: The pedestrian link will be maintained the section within the site boundary will be improved. See section 3.5 for discussion)

- Preserve as much green space as possible and maximise tree planting (*Officer comment: See section 3.8 for discussion*)
- The proposal is a improvement [compared the previous proposal] and looks like a good development (*Officer comment: Noted, with the residential lead redevelopment principle accords with the New Barnet Town Centre Framework*)
- Querying what provision has been made for regeneration (unspecified) (*Officer comment: The bringing the site into active use with the strategic landuse priority of housing serves a regeneration benefit, in addition to the range of development specifics discussed in section 3*)
- Ensure local utilities/infrastructure (unspecified) are enhanced to cope with increased population (*Officer comment: Along with consulting providers as part of the application, the scheme has considered the supply provision and potential impacts in a 'Utilities and Services Infrastructure Report'.)*

Comments not relevant to the application and assessment:

- Do not agree with building a swimming pool in this location and instead, consider upgrading Church Farm Swimming Pool
- A swimming pool would add traffic congestion
- Suggestion that Broomfield Park Swimming Club could lead the way in developing a program of health and wellbeing benefits for residents
- Empty properties (unspecified) in the area which could be used instead for housing
- "Madness" (No elaboration provided)
- Suggestion of more frequent bus services especially on weekends
- In respect of Victoria Recreation Ground improvements, the comment that former Cllr Joanna Tambourides may have sought to set up a 'friend of Victoria Park' group
- Suggestion that CIL could be spent on a bus and coach pickup facilities for JCoSS
- Suggestion that CIL could be spent on a ten pin bowling alley and cinema complex close to Victoria Recreation Ground
- Expectation that local ward councillors and local member of parliament will get involved to ensure that New Barnet is the only area that benefits from the CIL money collected from this application
- No further development of office blocks for residential until impacts of this site are known
- Query in respect of a swimming pool provision mentioned in a 'Save New Barnet Newsletter' (Not an LBB document)
- Query if pathways for Network Rail access would become public access routes
- Increased use of Victoria Recreation Ground will cause nuisance (unspecified)
- Invite restaurants into the area if not part of the development

Comments from local groups and other individuals

New Barnet Community Association:

- Formerly object
- Although, commend ASDA for positive and proactive approach to community involvement noting the previous supermarket application and the local response which led to the Save New Barnet Campaign and the Vision for New Barnet (Officer comment: Noted, *and accords with the Council's Statement of Community Involvement which promotes consultation*)
- Support the following aspects:
 - Decontamination (Officer comment: *See section 3.7 for discussion*)
 - The principle of housing albeit there should be more houses and fewer flats (Officer comment: *See section 3.1 for discussion*)
 - Provision of retail but noting the rental/service costs will exclude charitable sport and community groups (Officer comment: *No specific requirement for sporting and community groups is identified for the site specific landuse criteria of the New Barnet Town Centre Framework. Nor is the community facilities in Victoria Road identified as needing mitigation*)
 - The layout (Officer comment: *See section 3.3 for discussion*)
 - The design although a lighter materials at the top would blend with the sky rather than being so bold and emphasising height (Officer comment: *Whilst noting that the final materials will be secured by an appropriately worded condition, the suggested materials pallet including the top floors, combined with the elevation design and overall height, bulk and massing is considered an appropriate response for the site and location. An alternative roof material is not considered necessary*)
 - Integration with recreation ground and improving access (Officer comment: *Noted, and accords with the intent of the New Barnet Town Centre Framework to improve linkages to Victoria Recreation Ground*)
 - Local traffic remediation measures and taking into account the future development of the NG site to the north (Officer comment: *Noted and confirmed that the cumulative impacts have been considered as part of the transport assessment and the council's transport department and a series of mitigation measures will be secured as discussed in section 3.5 of this report*)
- Objection on basis of the impact upon:
 - Traffic (Officer comment: *See section 3.5 for discussion, it being noted that the application is supported by a transport assessment which has been considered by the Council and TfL and which is the basis for securing a series of improvement measures through the s106/s278 to mitigate the scheme, if the council was minded to approve the application*)
 - Increased use of buses and trains (Officer comment: *The transport assessment has considered impacts to public transport capacity and TfL and Network Rail have been consulted. TfL*

- has sought contributions towards bus stop improvements to mitigate the increased use of services)*
- Increased demand for primary and secondary school places (*Officer comment: See section 3.9 for discussion, it being noted that increased demand could be mitigated through utilising a proportion of the CIL monies collected for this scheme*)
 - Increased demand on doctors and dentists (*Officer comment: See comment 3.9 for discussion, it being noted that could be mitigated through utilising a proportion of the CIL monies collected for this scheme*)
 - Lack of and poor quality recreational facilities (*Officer comment: See section 3.9 for discussion, it being noted that Victoria Recreation Ground has a relatively significant area and range of facilities for a local park which in the view of the Council's parks and recreation team, could benefit from a proportion of the CIL monies collected for this scheme for their renewal and enhancement*)
- In addition, feedback provided to the developers consultation exercise identifying the following issues:
 - Transport and traffic;
 - Pedestrian and Road Safety;
 - Links to and upgrading Vic Recreation Ground;
 - Lack of school places and nursery;
 - Lack of doctors;
 - Overwhelming demand for a swimming pool.
 - However, the objection might be overcome by addressing these impacts in a legally binding way to secure the CIL monies to address the local infrastructure and social issues raised by the developer consultation and Vision for New Barnet (*Officer comment: Noted and see section 3.9 for discussion of how key local priorities for mitigating the scheme could be identified through the Regulation 123 list to benefit from CIL monies as well as discussion of the relative requirements to mitigate different impacts from the scheme*)
 - Comment that the scheme meets the NPPF 'sustainable development' criteria apart from its environmental role i.e. 'traffic pollution' and does not meet the 'social role' (No individual aspect specifically identified)(*Officer comment: Section 3 considers the dimensions of sustainability as described in the NPPF and applies them to the assessment of the scheme, it being noted that the scheme demonstrates sustainable credentials that accord with the NPPF in its development*)
 - Request to speak at committee (*Officer comment: Noted for committee administration*)

Oakleigh Park Swimming Pool:

- Offering professional input from the initial build through to management and operation (*Officer comment: Noted and contact details referred to officers of the <>*)

Consultation Responses from Statutory Consultees and Other Bodies

GLA

The concluding summary of GLA stage 1 advice states that London plan policies on landuse principles, housing, urban design, inclusive access, sustainable development and transport are relevant to this application. The application complies with the majority of these policies and is broadly supported but some revisions and further information are needed in order to fully comply with the London Plan. The potential remedies to the issues of non-compliance are set out below:

- Principle of development: The loss of the former employment use on the site is acceptable in strategy terms, and the provision of a residential-led mixed use development is strongly supported
- Housing: The affordable housing offer is low at 4.9% and does not include intermediate housing products due to the remediation costs. The viability appraisal needs to be independently verified to confirm this is the maximum reasonable amount of affordable housing that can be provided. The residential quality is generally high, although some further work is required to minimise single aspect north-facing units. The children's playspace and density are broadly acceptable, subject to conditions [landscaping and playspace equipment conditions]
- Urban design: The design and layout of the proposal is well thought out and includes a variety of housing typologies with generous amount of private and public space, although some amendments are required in order to maximise front door access. The massing and height and material strategy are also supported
- Inclusive access: Overall the scheme responds well to the principles of inclusive design subject to conditions [Proposed finished site levels especially through public and communal routes]
- Climate change: A reduction of 159 tonnes of CO₂ per year in regulated emissions compared to 2010 Building Regulations compliant development is claimed, equivalent to an overall saving of 34% which falls short of the target in Policy 5.2 of the London Plan. The applicant should address the comments made in paragraphs 62-71 [of the GLA Stage 1 report] in relation to applying the correct methodology and reassessing the use of CHP and consider the scope for additional measures aimed at achieving further carbon reductions
- Transport: The key transport issue for the application is the excessive level of car parking proposed, particularly given congestion on the nearby Strategic Road Network. Car parking should be reduced to a level appropriate to car ownership patterns within the area and should not exceed one space per unit.

Health and Safety Executive (HSE):

Whilst the scheme falls within the current consultation zone for the gas tank which would result in an 'Advise Against' recommendation for the development on public safety grounds. However, the Authority is prepared to withdraw this advice based on the circumstances namely, that a grampion-style condition is imposed that prevents occupation of the development until the Hazardous Substance consent is revoked.

Environment Agency:

Satisfied with the revised Flood Risk Assessment (FRA) and associated on-site detention details subject to conditions for surface water drainage schemes, green roofs and informatives in respect of SUDs/Soakaways, Piling foundation method and land contamination

Metropolitan Police

- Recommends defensive planting adjacent the boundary with Victoria Recreation Ground
- Location and detailed design of the basement gate important
- In general, gating of the basement parking as well as overlooking and surveillance throughout the scheme is good, subject to the detailed design
- The pedestrian tunnel beneath network rail track could pose a problem, the initial suggestion to remedy this consideration of either a permanent or temporary CCTV solution in support of the other improvements already being proposed to the link. This could form part of the planning obligations
- Recommends the safer by design accreditation

National Grid: No objection subject to not prejudicing the existing operations, maintaining the right of access, future operations, redevelopment and associated transport capacity.

Thames Water

No issues identified with supply anticipated from the information provided in support of the application and informatives are suggested in relation to surface water, sewer locations, line and level survey and buildover agreements if the council is minded to approve the application.

London Fire Brigade:

LFB are satisfied with the proposal including the fire strategy document which has been prepared at planning stage to confirm that that fire fighting access is acceptable notwithstanding that the detailed fire fighting arrangements will be addressed at Building Regulations stage.

English Heritage

Not necessary to consult the authority on this application.

English Heritage Greater Archaeological Advisory Service (EH GLAAS):

The scheme is unlikely to have any significant affect on heritage assets or archaeological interest. Therefore, no further assessment or conditions are necessary.

Highways Agency:

No objection

TfL:

- Objecting to the scheme on grounds of car parking with the suggestion it should be reduced to TfL's standard, rather than the LBB standard

- which is higher
- Notes that all other transport issues raised in the GLA Stage 1 advice are resolved.

Internal Consultation responses

Environmental Health:

Appropriately worded conditions are recommended to address contaminated land and remediation, ventilation, air quality and noise mitigation

Property Services

Confirmation that there are no current plans to bring forward a development on the council land adjacent to the application site, it being noted that it is currently in use.

Housing Team

- Seeking to improve on the initial 5% affordable housing provision, with a preference for additional 3 bed provision.
- In terms of unit sizes, a high level of 2 beds likely to be needed to address current need and these should be 4 person flats
- In terms of affordable rent provision, there are various options that could be considered including rent at 65% of market value or remodelling to 80% market value if it achieved overall greater provisions of flats
- Agreement will be required on how parking is allocated and any additional value captured through the s106
- The s106 will need to include a review mechanism for affordable housing contribution if the affordability of the scheme improves.

Traffic and Development:

The team are satisfied with the proposal in terms of the transport and parking arrangements on site as well as the assessment of impacts in the local road network subject to the package of s106/s278 measures being secured to mitigate the transport impacts of the scheme. See sections 3.5 and 3.9 for discussion.

Green Travel Plan Coordinator:

A green travel plan to promote no-based car modes to be secured as part of the s106 planning agreement as outlined in sections 3.5 and 3.9 of this report.

Building Control

Satisfied with the fire fighting arrangements at planning stage subject to the detailed construction design details at Building Regulations stage.

Trees and landscape:

Satisfied with the arrangements for tree protection, biodiversity protection, landscape/tree planting, OSD water management and implications for Pymmes Watercourse, both on-site and in relation to adjacent sites including Network Rail land and Victoria Recreation Ground, subject to appropriately worded conditions.

Water Management c/- Asset Project and Contracts Manager:

In relation to works within 7m of a watercourse i.e. Pymmes Brook located in Victoria Recreation Ground, separate watercourse consent is required from LB Barnet pursuant to the Flood and Water Management Act 2010. It is noted that the Act passed responsibility for watercourse consent from the EA to local authorities. An appropriately worded condition is recommended for separate watercourse consent from the LPA if the council was minded to approve the application.

In addition, the following consultees were notified of the application but did not respond: Network Rail; London Buses; Barnet NHS, Natural England, Transco, London Wildlife Trust, Children's Services and Education, Refuse, Strategic Development, Urban Design and Conservation, Parks, and Policy.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The site

The site is located to the north west of East Barnet Road and Victoria Road, is approximately 2.827 hectares and until recently the majority of the site formed part of the New Barnet Gas Works. The site is located on the edge of New Barnet town centre to the north of Albert Road. The site is bound by Victoria Recreation Ground to the East, east coast main railway line on a raised embankment to the west, existing buildings comprising a range of uses to the south and operational gas works land to the north which is owned by National Grid. The majority of the site falls outside of the boundary of the New Barnet Town Centre which defined on Map 8 within the Development Management Policies DPD. A culverted watercourse below the site connects headwaters from the west to join an open watercourse running along the edge of Victoria Recreation Ground which is the beginning of Pymmes Brook, part of the London Blue Ribbon Network

The majority of the application site was previously occupied by British Gas in a large two storey building (a former call centre) and associated storage compounds although these have since been demolished the site is hoarded up. The open area around the site was once used for staff parking. Only the electricity substation located in the north west corner and another substation in the south between Albert Road East and West remain. National Grid maintain of right of access across the site to their depot in the north and pressure reduction facility associated with the high pressure gas pipeline. Note that the Gas Holder has been decommissioned. Where the access road joins Albert Road east and west, the curbside is being used for informal parking.

Between the cleared application site and the National Grid land is an elevated, caged pedestrian walkway (approx 3-4m above ground level) which crosses the site from east to west and provides a pedestrian route via a tunnel

beneath the network rail track between Victoria Recreation Ground (to the east) and Cromer Road (to the west). This is a public right of way.

The application site includes an assemblage of smaller properties in its southern end as follows:

- Nos. 1 & 3 Victoria Road – 2 storey semi detached properties each with Ground floor commercial and residential at first floor
- No. 2 Albert Road - 2 storey property, uses unknown
- No. 8 Albert Road – Site cleared and hoarded up

The site is accessed via Albert Road which in turn is accessed off East Barnet Road/Victoria Road. The present access arrangements require that vehicles entering the site use the eastern arm of Albert Road whilst those exiting may use either arm.

The site is located approximately 0.5km to the north east of New Barnet railway station and 1.5km to the north west of Cockfosters London Underground Station and the A11 Cockfosters Road. A range of bus routes are located within a 500m radius of the site, providing services to Cockfosters, New Barnet and Edgware Station. This site has a Public Transport Accessibility Level (PTAL) score of between 2 (northern end of the site) and 3 (southern end of the site).

Historical background to the gasworks site

According to UK National Grid, the presence of a gas works on the site is recorded on the 1867 OS plan. This gas works was located at the southern end of the site adjacent to the railway and originally manufactured town gas from coal. Over the 20th century the works extended northwards. During the 1930's 4 gas holders were present on the site. The sole remaining holder was constructed by the Barnet & District Gas & Water Company, and put to work in 1934. The holder is column guided, has 4 concentric lifts and had a capacity of 2,000,000 cu ft of gas.

With the coming of North Sea gas in the 1960's and 1970's, the gas works was demolished and a high pressure pipeline installed which enters the site at the northwest corner. A single gas holder for low pressure storage was retained to cope with the diurnal peak demands on the gas supply system.

With increasing use of the pipelines to store gas, the requirement for gas holders has fallen away completely; there are now no operational gas holders left within National Grid and a number have been earmarked for demolition. The site currently houses a pressure reduction site associated with the high pressure pipeline, and an operational depot.

Surrounding area

Along with the New Barnet Town Centre to the south, and the national Grid site to the north area is characterised by residential development. The age,

scale and massing of existing buildings in the surrounding area is regarded as varied.

Within the immediate vicinity of the site are the properties of Albert Road East and West and Victoria Road which are of a variety of ages and styles and uses. This includes:

- Terraces Nos. 5-11 Victoria Road which are 2 storey with ground floor commercial uses;
- The two storey 'Railway Bell' public house further to the west;
- The assortment of properties along Albert Road West including a 2 storey dwelling house, the 2 storey 'Builders Arms' public house, the single storey Salvation Army Hall and the 2 storey T&H Collard Ltd offices
- The properties along Albert Road East which include the council owned building and 2 storey dwelling, being No. 15 Albert Road
- The National Grid depot to the north is occupied by a collection of buildings, hard stand, pressure reduction facility and the Gas holder (decommissioned).

Within the town centre on East Barnet Road, building heights generally range from 2 to 4 storeys with small building footprints and narrow frontages. the exception being the Sainsbury's store and church which are larger buildings. Massing is higher to the west of the railway bridge on Station Road and Station Approach with a number of large blocks extending up to 10 storeys in height. Beyond the main retail area (including the retail units along Lytton Road), the scale and massing of development is more domestic, reflecting a suburban character, with typical building heights of 2-3 storeys. The surrounding residential areas are characterised by low rise Victorian and Edwardian housing. Further north is the Bevan estate (consisting of Hertford Road, Hertford Close, Westbrook Square and Westbrook Crescent) which was built in the 1950's and consists of predominantly two storey semi-detached houses.

Victoria Recreation Ground is situated to the east of the site and is identified as a local park in the adopted Development Management Policies DPD. This public open space includes grass football pitches, a children's playground, tennis courts, MUGAs, bowling green, a single storey building with toilets and roller shutter front and hard stand car parking. A number of footpaths run through the park linking the adjoining residential area with New Barnet town centre and the beginning of the Pymmes Watercourse runs along the Southern boundary.

2.2 Previous applications

The previous application ref: B/00200/09 by ASDA was a mixed use development comprising 10,526sqm supermarket floorspace, 1,893 flexible floor space for shops, financial and professional services and cafes and restaurants (Use Classes A1, A2 and A3) as well as 211 residential units. Although the application was finally withdrawn, there were 6 reasons for refusal being recommended, summarised as follows:

- Lack of justification in respect of the retail proposal in terms of the sequential approach and adverse impact to the town centre
- Scale of retail provision
- Impact to the character of the surrounding area and role of the town centre
- Failure to provide adequate residential amenity for future residential occupiers
- Failure to comply with the required policy tests relating to Flood Risk Assessment; and
- Failure to include a formal undertaking in respect of planning obligations including affordable housing

Following the withdrawal of the proposal, ASDA reconsidered its approach, doing away with the supermarket and extensive non-residential floorspace and embarked on developing a residential led scheme involving consultation with the local community, the council and having regard to existing and emerging planning policy and guidance.

2.3 Description of the Proposed Development

Detailed planning permission is sought by the applicant Asda Stores Ltd for a residential-led mixed use redevelopment of the site comprising 304 residential units (Class C3), 116 sqm of flexible retail floorspace (Class A1/A2/A3, A4) and 558sqm of flexible commercial floorspace (Class A3/D1/D2) as well as the creation of new public open space, alterations and additions to highways arrangements, the removal of an existing elevated footbridge and creation of new pedestrian routes, together with associated works including landscaping, provision of basement and surface parking, servicing and plant area and relocating an existing substation.

The site has been laid out in a series of blocks of residential flats, some of which contain the non-residential uses at ground floor, as well as further residential dwellings arranged to form terraces and a mews. All facades are brick and recessed top floors and roof elements are in bronze, with a single palette of materials applied right across the development. The energy centre supplying the whole development is located in the basement and each and every block, terrace and mews has rooftop photovoltaics.

The scheme would come forward in phases as follows:

- Block A:
 - 6 storey, with set back top floor and cambered brick façade
 - Ground floor non residential floorspace including: Creche (341sqm), resident's gym (143sqm) and concierge (74sqm)
 - Unit mix: 17 x 1bed, 25 x 2bed and 1 x 3bed
 - Vehicular access to the basement of Albert Road East
- Block B:
 - Stepped 3/4/5 storey building with bulk split across to massings joined by a 3 storey glazed element
 - Surface level car and bicycle parking, waste and recycling storage within the building footprint

- Location of all the affordable housing provision
- Block C, D, E & F:
 - Stepped 3/4/5 storey development with recessed top floor
 - Unit mix in each block: 10 x 1bed, 18 x 2bed, 16 x 3bed
 - Identical design
- Block G:
 - 4 storey flat block with added roof terrace as well as 4 storey terraces
 - Front setback for parking and refuse/bicycle storage
 - Rear private gardens
 - Unit Mix: 4 x 1bed, 28 x 4+ bed
- Block H:
 - 3 storey with ground floor non residential floorspace of 116sqm and supporting refuse, recycling and bicycle storage
 - Unit mix: 5 x 1 bed
 - Void shown for future class A3 use
- Block J:
 - Mews style development of 2 and 3 storey dwellings plus roof terraces
 - Unit mix: 4 x 2bed
 - Cycle store in individual cupboards with the central courtyard and open car parking, with refuse and recycle bins located beside the access to the mews

The blocks are arranged with regard to the locational characteristics and constraints including the surrounding properties, network rail land, Victoria Recreation Ground, the National Grid depot including its right of access, culverted watercourse and surrounding trees and topography. A central spine Road serves the site and National grid depot, connecting to the existing Albert Road East and West alignment. A series of linked amenity space and point of pedestrian connection into Victoria Recreation Ground, provide a link to the town centre. Further connectivity improvement is proposed by removing the elevated caged pedestrian link and re-providing at surface level with a new staircase up to the network rail foot tunnel. Communal and public amenity space is additional to the private amenity space provided for the residential flats and dwellings which are variously balconies, terraces or rear gardens. Victoria Recreation Ground serves as a focal point with blocks orientated and separate to maximise visual links to this.

Beyond the site boundary the scheme, the supporting technical assessment has sought to consider amongst a full range of considerations, the future development of the remaining national grid depot land; the transport impacts on the local network and recommended improvements; the relationship and connection to Victoria Recreation Ground; as well as implications for surrounding trees, flora and fauna including pests and protected species as well as contamination, flood risk and the Pymmes Brook.

Revisions and additional information/clarification

In the course of the assessment, additional details and clarification were

provided in respect of various detailed aspects of the scheme including for example elevation treatments and openings, landscaping, ecological surveys, boundary treatments and relationship and connections to Victoria Recreation Ground, energy and sustainability measures. In addition, affordable housing levels have been increased in Block B following discussions with the Council's Housing offer and independent assessment of financial viability. This necessitated floor plan changes but has not resulted in any material changes to the building or its neighbour relationships. In respect of transport, overall parking levels have been reduced following discussion between TfL and the council's Highways and Transport Team.

3. PLANNING CONSIDERATIONS

3.1 Principle

The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that accords with an up-to-date Local Plan should be approved.

Policies and guidance: Strategic and site specific

The three dimensions to achieving 'sustainable development', the fundamental principle underpinning the planning system as specified in the NPPF, are particularly relevant to this application, namely:

- **Economic Role**: The principle bringing back into use a vacant and contaminated brownfield site on the edge of the New Barnet town centre, is highly desirable, adding additional population and complimentary non-residential floorspace in the right place and a time that could support the revitalisation of the area, in away that is coordinated, reflecting the specific guidance contained in the New Barnet Town Centre Framework as well as offering the potential of wider infrastructure improvement through CIL
- **Social Role**: The contributes additional homes including family sized affordable housing to address local needs and priorities. The high quality housing meets floorspaces standards, Lifetime Homes Standards and wheelchair standards, as well as amenity and playspace requirements. It is accessible to the town centre and Victoria Recreation Ground. It will cater for the needs of current and future generations. Impacts posed by the scheme are further mitigated through planning contributions and CIL levy, seeking to respond to infrastructure provision including but not limited to health, education and community facility provision and enhancement.
- **Environmental Role**: The scheme responds to the environmental constraints and a combination of the controls on construction, the operational design and aspects of it controlled by various conditions of approval will protect and enhance the natural environment. This includes the adjacent Pymmes Brook in Victoria Recreation as well as the flora and fauna present on the site and surrounding area, including

the retention and protection of trees on site and adjacent. In addition, the scheme addresses the Mayor's energy hierarchy and seeks to minimise CO2 emissions. In addition, the Code for Sustainable Homes criteria are addressed and non-residential floorspace will be required by condition to address BREEAM. The scheme thereby maximises its contribution to mitigating against climate change whilst providing an environment that is adaptable to it, being a step towards low carbon form of development.

In addition and as discussed in the following sections of this report the scheme is considered to reflect the priorities of contributing to the revitalisation of town centres through its range of uses and its design as discussed in later sections of this report. It also delivers a wide choice of high quality homes as part of a high quality scheme overall. It contributes to healthy communities in terms of the design of homes, amenity space provision and supporting infrastructure as well as in the improved links and access it provides to Victoria Recreation Ground. This accords with the strategic intent of the NPPF.

In respect of reflecting the regional priorities as contained in the London Plan and associated guidance, similarly to the NPPF, the proposal is considered to accord with the Mayor's planning policies and guidance. For example, in seeking to meet housing demand which is a critical priority, optimising the use of sites and particularly, the bringing into use brownfield sites and supporting town centres, the scheme achieves this. In addition, the scheme represents a high quality development with new housing that meets the necessary amenity requirements without adverse impact to the amenity of neighbours. As with the NPPF, it addresses potential transport impacts as well as impacts to the natural environment and to climate change mitigation. This accords with the intent of the London Plan with the following sections of this report identifying specifically how the development details variously address the specific policies and guidance of the Mayor.

In respect of local guidance, the site is nominated within the New Barnet Town Centre Framework. The framework was adopted on November 29 2010. The Framework sets out a vision for the future of the town centre and provides detailed guidance to direct future development in New Barnet in a well planned and coordinated manner. The Framework is a material consideration when considering any planning applications for the area it covers.

The Framework brings together existing spatial and other strategies and establishes further planning guidance to proactively direct future development towards a realisable vision in a well planned and coordinated manner (Framework para 1.5).

It is intended to respond to the opportunity to transform the town centre by virtue of a number of significant development sites within, and on the edge of, the town centre have become available for redevelopment over the past few years which has sparked significant developer interest, with an approach

reflecting community aspirations and the localism agenda (Framework paras 1.3 and 1.4)

The Framework provides a guide developers in drawing up development proposals which will enable the vision for the town centre to be realised, and will assist the Council in the determination of future planning applications (Framework para 1.6).

Figure 2.1 of the Framework identifies the majority of the site as disused with lesser sections being used (informally) for car parking as well as small scale business uses fronting Albert Road East and West and Victoria Road. Figure 3.4 identifies the site as the character area 'Victoria Quarter' to be promoted as a residential-led mixed use redevelopment. Chapter 8 'Opportunity Sites' sets out the key specific guidance for key opportunity sites, for which Victoria Quarter is Site 1. It describes the existing development and uses, key site constraints as well as the development principles for layout, landuses, scale/quantum and vehicular access when considering proposals. The following sections of this report considers how these scheme addresses the Framework as part of the evaluating the scheme against a full range of relevant policy and guidance.

Density

NPPF para 47 seeks to boost significantly the supply of housing, including identifying sites for delivery and the approach to density with regard to local circumstances. London Plan policy 3.4 seeks to optimise the housing potential of sites. This provides a guide to appropriate density ranges for particular locations, depending on accessibility and setting.

It is noted that the Council's New Barnet Framework does not suggested a density range for 'Victoria Quarter'. Although Core Strategy policy C3 and the Residential Design SPD on both identified sites or further opportunity sites is set within the London Plan context.

The scheme has a PTAL of between 2 and 3. The GLA stage 1 advice confirms that the site setting for the purposes of PTAL can be regarded as part 'Urban' given it is on the edge of the town centre. Indeed, it is identified as forming part of it according to the New Barnet Town Centre Framework. The London Plan therefore suggests a guideline density range of 200-450 hab rooms per hectare.

The scheme is 472 habitable rooms per hectare which is over the maximum range. However, the numerical application of the density matrix needs also to be balanced against design quality and the quality of residential environment created. In this instance it is not considered to result in any overdevelopment symptoms to warrant reducing the scheme intensity. This reflects the approach to optimising housing in London plan Policy 3.4, it being noted that the density are not intended to be applied mechanistically (London Plan para 3.28). Furthermore, The GLA Stage 1 advice reaffirms this view and further states that town centre and edge-of town centre locations are the best

location for high density development according to the London Plan.

Landuse mix

In addition to the in-principle strategic landuse priority of housing, planning policies address the appropriate range of uses within a mixed-use redevelopment in town centre locations.

NPPF para 23 as well as London Plan policies 2.15, 4.7 and 4.8 seek to promote town centres including their expansion, enhancement and range of uses to contribute to their competitiveness, quality and diversity, having regard to their scale and function within the hierarchy of town centres.

Barnet Core Strategy Policy CS6 seeks to manage development opportunities in centres such as New Barnet which is identified as a District Town Centre in Map 9. Barnet Development Management policies DM11 seeks a suitable mix of appropriate uses for development within town centres.

The New Barnet Town Centre Framework identifies a mixed used approach for the very southern end of the site, suggesting the incorporation of food/drink uses at ground floor, replacement community uses plus a range of supporting uses including office leisure and residential. In addition, leisure and sports uses which bring vitality to Victoria Recreation Ground; housing elsewhere the majority of which is to be family sized; and retail is not considered appropriate as there are other more preferable sites in New Barnet Town Centre.

The scheme proposes the following floorspace as follows:

- H-block: 115sqm flexible Class A1, A2, A3, A4 floorspace with no end user currently identified
- A block: 558sqm flexible Class A3, D1, D2 with potential uses being a crèche (341sqm), residents gymnasium (143sqm) and concierge (74sqm).

The flexible range of uses, the size of units and their location with the development along the pedestrian link is considered to support the enhancement of the New Barnet Town Centre. With respect to the framework and the uses specified, the following is noted:

- Although Class A1 floorspace is included in H-block, this is not considered to detract from the town centre because, the amount of floorspace is modest, it is part of a flexible floorspace approach seeking to maximise the chances of occupation and the benefit of establishing an active frontage, it being noted that the existing ground floor commercial spaces are otherwise vacant.
- In respect of replacement community uses, it should be noted that the pre-application design sought to include the Salvation Army Hall site within the development and hence the necessity of the Framework referring to the need to re-provide community facilities. Instead, the proposal no longer take in the Salvation Army hall which will remain *in situ*.

- In respect of leisure and sport uses and the link to Victoria Recreation ground, the application site boundary does not include the neighbouring council owned land which is beside Victoria Recreation Ground which is currently in use by local leisure/sport groups. As such, the current and future potential of this council owned site for leisure and sporting uses are not prejudiced by this scheme.

Therefore, the scheme accords with the abovementioned policies in respect of the mix of uses proposed.

Loss of employment sites

In respect of the former use as a call centre or the earlier use as a gas works, these uses have no protection under the London Plan as confirmed in Stage 1 advice from the GLA. Nor is the site designated in the LB Barnet Core Strategy as a locally significant industrial area. Furthermore, it is possible to make a case that the former uses have been abandoned given the period of vacancy and that the site has been demolished and no other temporary employment generating uses replacing them in the interim.

Environmental Impact Assessment (EIA)

The EIA procedure in the UK is directed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'Regulations'), EU Directive 85/337/EEC (as amended), Circular 02/99 as well as the National Planning Practice Guidance (2014).

Regulation 7 of the Regulations requires local planning authorities to adopt an Environmental Impact Assessment (EIA) screening opinion in respect of a proposed development, where it appears that:

- (a) an application which is before them for determination is a Schedule 1 application or a Schedule 2 application; and
- (b) the development in question has not been the subject of a screening opinion or screening direction; and
- (c) The application is not accompanied by a statement referred to by the applicant as an environmental statement for the purposes of the Regulations.

A formal screening opinion for EIA was sought at pre-application stage with the council advising the proposal does not constitute EIA development. Following submission, the council has re-screened the proposal to confirm that no EIA is required.

It should be further noted that in pursuance to the Regulations, the proposed development does not fall within 'Schedule 1' development. Instead, the development is considered to constitute the Schedule 2 development namely, an 'urban development project' in accordance with Section 10(b) of Schedule 2 of the Regulations. The threshold identified for such projects is an area exceeding 0.5ha. The site is not located in a sensitive area as defined in the

regulations.

In summary, it is considered that the proposals do not constitute an EIA development and as such an Environmental Statement is not required to be submitted with the application. Nevertheless, a full range of technical reports and assessment have been submitted in support of the application in accordance with the national and local guidance.

3.2 Housing Quality

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch 3 'London's People', and Ch 7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD and CAAP policy 5.2. The following sections assess the scheme against the relevant policies and standards.

Unit mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (Barnet Development Management Policies DPD policy DM08). The council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

Mix					
Unit size	1	2	3	4	Tot
Market	66	101	65	28	260
Social rent	1	7	10	0	18
S/o	2	22	2	0	26
Tot	70	122	83	28	304

It should be noted that the scheme evolution involved an emphasis on maximising family sized accommodation indeed, provision of dwelling houses, resulting in the terraces ('Block-G') and mews houses ('Block-J') as well as the range of units sizes in the flat blocks. The unit mix is considered acceptable and the approach is considered to accord with the stated borough priorities.

Floorspace standards

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling, as set out in the below table, which shows the areas relevant to the unit types in this proposal.

Table 3.3 Minimum Space standards for new dwellings (adapted from London Plan)

	Dwelling Type (bedroom/persons- bed spaces)	Gross Internal Area Standard (m ²)
Flats	1 bedroom 1 person	37
	1 bedroom 2 person	50
	2 bedroom 3 person	61
	2 bedroom 4 person	70
	3 bedroom 5 person	86
2 Storey Houses	2 bedroom 4 person	83
	3 bedroom 4 person	87
	3 bedroom 5 person	96
	4 bedroom 5 person	100
	4 bedroom 6 person	107
3 Storey Houses	3 bedroom 5 person	102
	4 bedroom 5 person	106
	4 bedroom 6 person	113

The submitted plans demonstrate that all dwellings achieve these minimum standards. The individual dimensions and room sizes within the flats would comply with the standards set out in Annex 1 of the London Housing SPG.

Lifetime Homes and wheelchair housing standards

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific considerations. All units should comply with Lifetime Homes standards with 10% wheelchair home compliance, as per London Plan policy 3.8.

Annotated drawings and supporting information demonstrate that all dwellings achieve the Lifetime Homes criteria and that a further 31 homes (10.1%) achieve wheelchair adaptable standards. Therefore the scheme satisfies policies and guidance for provision according to Lifetime Homes Standards and wheelchair housing.

Dual aspect

The majority of units are multiple aspect and very few are single northern aspect units.

Amenity space and playspace provision

Barnet's Sustainable design and Construction SPD sets the minimum standards for outdoor amenity space provision in new residential developments. Flats are expected to be provided with 5sqm of usable outdoor communal or private amenity space per habitable room proposed and houses considerable more as detailed in the table below. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

Table 2.3 Outdoor amenity space requirements (Adapted from the Sustainable Design and

Construction SPD)

Dwelling Type	Habitable Rooms	Amenity provision (m ²)
Flats	Per habitable room	5
Houses	Up to 4	40
	5	55
	6	70
	7+	86

The GLA Housing SPG specifies a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant

All of the flats proposed have private balconies or terraces, all of which would meet the SPD minimum width requirement of 1.5 metres, therefore comprising usable amenity space. The terrace houses ('Block G') have rear gardens and the mews houses (Block J) have roof terraces.

It should be noted that the Block G terraces have gardens ranging in size between 51.9-120sqm, but only 1 achieves the minimum required size, and the rest have deficiencies of between 4.8-33.1sqm it being noted that the terraces have additional balcony space. On balance, the provision made is considered to be good quality and area provided is considered to be a good result given the 'urban', edge-of-town-centre location where you would not necessarily expect to achieve such large houses and not with a substantial garden. In addition, the shortfall is offset by the additional communal amenity space as indicated in the table below.

Amenity Space: Provision	Amount (sqm)
Private open space on balconies and terraces	6,530
Communal amenity space	4,993
Total space	11,523

NB: private space based on DAS Area Schedules pp158-165 and communal space based on DAS pp104-105 but excludes 109.6sqm island space

The table below summarises the scheme's performance compared with the overall requirement of the Barnet Residential Design Guide of 5sqm per habitable room.

Amenity Space: Compliance	Requirement (sqm)	Scheme Provision (sqm)
LBB Standard	7,925	11,523
GLA Standard	2,264	11,523

The figures demonstrate that the scheme would exceed the requirements overall. In addition, it is noted that the spaces would be fully accessible, would receive light, natural surveillance and the podium terraces have the added potential to accommodate soft planting and other features (seating etc).

In addition the scheme makes provision for children's playspace in accordance with the Mayor's 'Providing for Children and Young People's Play and Informal Recreation' SPG.

Therefore, amenity space provision is considered acceptable on balance.

3.3 Design

High quality design underpins the sustainable development principle of the NPPF 2012, as well as London Plan (2011) chapter 7 'London's Living Places and Spaces', in particular policies 7.6 'Architecture' and 7.7 'Location and Design of Tall and Large Buildings'. In addition, Barnet Core Strategy DPD (2012) policies CS NPPF, CS1 and CS5 as well as Development Management Policies DPD (2012) DM01, DM02, DM03, DM05 as well as the New Barnet Town Centre Framework.

Layout

The New Barnet Town Centre Framework Chapter 4 'Urban Design' seeks to enhance the quality of the town centre. It provides guidance on urban structure for the area. This includes an indicative location of new public square (Framework figure 4.1), public realm enhancement as part of improving connectivity to Victoria Recreation Ground including tree planting (Framework Figure 4.3). It specifies the contribution the site should make to active frontages in the context of being a 'Secondary Frontage' for the town centre (Framework figures 4.3 and 5.1). Chapter 6 Transport and Movement identifies the area of carriageway enhancement and improved pedestrian crossing facilities at the junction to the south off the site (Framework figure 6.1).

A key aspect in delivery of this and other aspects of the vision such as landuses, is the complex and extensive land assembly at the south of the application site. It has not been possible in practice to assemble all the properties in practice. Therefore, the scheme has to balance the realities of the site boundary with the aspirations of the Framework. In addition are other wider constraints such as maintaining access for properties along Albert Road East and West as well as the National Grid land to the north and the east west pedestrian link. Also, environmental constraints of tree protection and watercourse protection.

Despite the various constraints the scheme reflects the intent of the Framework and key features for the urban structure. The public square concept has been translated into 'Pymmes Square' and 'Pymmes Walk'. These act as natural focal points for the setting of the development along with Block A and its camber which is a point of interest and orientation. These focal points are located within the site along the desire line as series of public space linkages to Victoria Recreation ground. They benefit from soft landscaping which includes tree retention as well as additional tree planting. In addition, an awkward and bulky obstruction in the form of an electrical substation compound has been relocated away from Pymmes Square,

release the space from this obstruction, providing an increase in useable area and a much improved relationship to the mews houses (Block H). This is consistent with the Framework Development Principle 4.1 of an integrated approach of creating a network of high quality spaces and routes. This is reinforced by the active ground floor frontage and non-residential uses for H block which fronts Victoria Road and extends to Block A, midway along the linkage to Victoria Recreation Ground.

Block H has also been set back from Albert Road west to increase the width of the sidewalk. This reinforces the public realm improvements to the junction adjacent which will be brought forward in accordance with the intent of the Framework through the s106/s278 agreements with the Council.

Legible, landscaped and clearly defined routes are established through the site including the central spine road, the redesigned surface level east west pedestrian link between Cromer Road and Victoria recreation ground as well as the redefined frontages of Albert Road East and West which are now framed by Block B and Block H mews houses.

As well as clearly defined pedestrian connections mentioned, strong visual connections as well as actual pedestrian connections to Victoria Recreation Ground are made possible by the spacing between Blocks C, D, E and F. Therefore, whilst the terraces of Block G and apartment blocks of Block F resonate strongly with London street scene characters befitting an edge-of-town centre, and 'urban' context, the permeation and openness to Victoria Recreation Ground, and the direct relationship of terrace gardens to the Network Rail verge, reflect the transition to the suburban character of the wider area.

Character and appearance

The proposed buildings will establish a completely new identity for the site. In terms of assessing the existing character, other than the existing properties on Victoria and Albert Road which will be demolished as part of the redevelopment and which otherwise possess little if any interest or street scene value, the remainder of the site is cleared. All that remains is the gas holder and depot buildings of the national Grid site to the north.

In terms of evaluating the surround character and appearance, the New Barnet Town Centre Framework states in respect of architecture generally, that the town centre *"suffers from a generally poor quality built form which lacks coherence or a dominant style, although there are some interesting individual buildings"* (Framework Para 2.4). Framework Figure 4.2 identifies the public house adjacent the junction as a *"character building"* to be retained and enhance.

Regard is also had to properties outside the red line boundary including the Albert Road East and West properties which include the Salvation Army hall as well as the terrace and dwellings of Victoria Road. The recreation ground and network rail land contribute a verdant character. Further still the wider

suburban residential character is from last century.

The proposed buildings are contemporary in style, employing a limited pallet of durable materials and finishes with an emphasis on brickwork and a setback bronze metal clad top floor. Within the contemporary interpretation, the classical approach of breaking buildings down into base, middle and top and using repeated fenestration elements of window/door way openings provides a balance between a consistency, differentiation and interest in the architecture.

These design tools assist in for example, the breaking down of the bulks, size and scale of Blocks C, D, E and F. Along with the device of a camber, it creates a unique focal point building in the architecture of Block A.

Materials changes (glass linking façade) as well as terracing also assist Block B to address the low scale commercial neighbour to the south whilst enabling the rest of the building to extend north and optimise the potential for more substantial block midway into the site, whilst not appearing over-dominant when viewed in CGIs. The materials and fenestration pattern also establish a new London terrace in the form of Block G. It appears as a coherent group when viewed obliquely along the central spine road whilst each dwelling is individually defined, proportioned and detailed in its own right. This traditional London terrace concept is evidenced in the approach to front setback treatment in terms of landscaping, boundary fencing, parking and refuse and cycling storage.

The mews house format for Block J, provides direct connection, active surveillance and strong edge to Albert Road East and West, does similar in its positive relationship to 'Pymmes Square' and respects the scale of the Salvation Army building.

Block H serves as a marker building adjacent the junction of Victoria Road and East Barnet Road, and echoes the modern and regenerative intervention of the recently approved development across the road at 15 Victoria Road (ref: B/00939/13). As a group, Blocks H and J retain the low scale, intimate and varied architectural character of Albert Road West and Block J starts to establish a street character and form to Albert Road east.

In addition to the buildings and spaces between the other change to appearance and character is the removal of the east west pedestrian bridge and construction of a stairway, to maintain a surface level link with the network rail tunnel which remains unchanged and at the level of the bridge. The staircase has a far reduced impact compared to the bridge it replaced but is similarly utilitarian and functional in appearance.

No character impacts and appearance impacts are identified from other vantage points. Blocks A, C, D, E and F all address their relationship to Victoria Recreation Ground with their appearance working with the layout, massing, scale and height such that they are not considered to be too overt or overbearing to the setting. The mature trees as well as additional landscaping

and border planting will further soften the architecture and appearance when viewed from the recreation ground. A varied fenestration pattern of high quality materials is evidenced for Blocks B and G facing network Rail track to the west. There is no impact to National grid land to the north and the residential properties beyond.

In summary, the architecture presents a consistent and high quality appearance which responds to its surroundings. It provides an attractive development which is contemporary in appearance yet employs devices of classical architecture and traditional London housing forms, creating a new character for the site that is considered appropriate and acceptable.

Height, bulk, scale and massing

The building heights vary in response to the surrounding character and context as follows:

- Block A:
 - Facing pedestrian link (North-West elevation): Stepped height 5/6 storeys, 18.2m/20.9m (West elevation)
 - Facing Albert Rd East (South-East elevation): Stepped height 5/6 storeys, 18.3m/21m
- Block B:
 - South elevation: Stepped heights 3/4 storeys, 11.5m/13.7m
 - North elevation: Stepped heights 3/4/5 storeys, 11.7m/14.9m/17.4m
- Block C, D, E and F:
 - Spine road frontage: Stepped heights 3/4/5 storeys, 10.9m/14.1m/16.75m
 - Victoria Recreation Ground frontage: Stepped heights 3/4/5 storeys, 11.3m/14.5m/16.7m
- Block G:-
 - Houses: 4-storeys, 13m in height
 - Flats: 4 storeys plus roof terrace, 13m to parapet and 14.75m for set back roof terrace access
- Block H: Houses: 3 storeys, 10.5m in height and dropping to 7.8m beside the Salvation Army Hall
- Block J:-
 - Albert Road West frontage: 2 storeys plus roof terrace, 7.2m to parapet and 9m for set back roof terrace access
 - Albert Road East frontage: 3 storey plus roof terrace, 10.7m to parapet and 12.8m for set back roof terrace access

As noted above, the bulk, scale and massing of the scheme is broken down into a series of blocks responding to the surrounding context, including the neighbouring properties on Victoria Road and Albert Road East and West, Victoria Recreation Ground and network Rail land. It strikes a balance of optimising the density whilst providing a scheme that is appropriate in respect of character and appearance as well as achieving high quality accommodation for occupiers and maintaining amenity for neighbours.

Safety, security and crime mitigation

The Metropolitan Police crime prevention design advisor has reviewed the scheme and is satisfied with the design in terms of overlooking and surveillance subject to particular aspects such as defensible planting to the border with Victoria Recreation Ground and the design of the basement gate which would be conditioned if the council was consider approval.

Metropolitan Police made commented in respect of the potential effects of the scheme and alterations to the east west pedestrian link through the network rail tunnel between Cromer Road and Victoria Recreation on safety, security and crime. Although there is not a safety security and crime issue identified currently by them or by the council's Future CCTV service (part of the Barnet Safer Communities Strategy) and the changes proposed by this scheme are beneficial, it will nonetheless result in the change to the area which may have some sort of affect to safety and security and crime. Therefore, it is suggested that temporary or permanent CCTV monitoring could be utilised if the situation was to change. This is identified in section 3.10 'CIL and Planning Obligations' section of this report.

Conservation and archaeology

The proposal is not listed and not within a conservation, nor are there any listed properties whose setting would be adversely impacted upon by the proposal.

In respect of archaeology, the supported report by Temple Consultants does not identify any likelihood of remains being encountered and this is confirmed by EH GLAAS. No further consideration is necessary.

3.4 Amenity

Part of the 'Sustainable development' imperative of the NPPF 2012 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2011 policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces'. In addition Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD.

Privacy, overlooking and outlook

Neighbour relationships and potential privacy, overlooking and outlook impacts to consider are in relation to the neighbours in properties on Victoria Road and neighbours on Albert Road East and West. Otherwise, neighbours are much further afield as a consequence of the intervening Network Rail, National Grid and Victoria Recreation Ground. As such, there is no potential impact posed by Blocks C, D, E, F and G

In respect of the other blocks, the following aspects are considered relevant:

- Block A: The nearest residential neighbouring house is on Victoria

Road, being 74m from the dwelling and 48m from its rear garden boundary, considerably in excess of the minimum 21m separation requirement and not considered to have a significant impact on outlook. Otherwise, the building faces the forecourt parking of a single storey building on council own land with no privacy, overlooking or outlook impacts to consider

- Block B: 3.2m away from a north facing flank wall of a commercial premises. As such, there is no impact to consider but it is nevertheless noted that the property has an outlook to its forecourt and Albert Road West and to the Network Rail track to the rear.
- Block H:
 - Relationships across Victoria Road and Albert Road West: The closest relationship is to the public house which is non-residential and as such there is no impact to consider. Nevertheless, the proposal reflects the established building setbacks of the area and indeed, lesser setbacks across London streets is not untypical and considered reasonable on balance given local context and character. Otherwise, the nearest residential neighbour is no. 1 Albert Road West which is further north and opposite the Salvation Army Hall rather than the application site. As such there are no direct relationships to consider.
 - Relationship to Victoria Terrace: The ground floor of the neighbours in this terrace are commercial uses and upper floors are incidental to this, with the possibility of being used for residential accommodation. It is noted that there is a separate application for redevelopment of the terraces 7-9 Victoria Road for residential. In respect of privacy and overlooking, no habitable room windows face the terrace or the rear gardens. In respect of outlook, the rear section of H block only extends to full site coverage at ground floor, and is stepped back at upper floors. As such, there is considered that any loss of outlook has been mitigated to an acceptable degree
 - Relationship to Salvation Army hall: Notwithstanding that the proposal is non residential and as such, there is no impact to consider, the scheme adjoins a flank wall of the hall and a service path and not its principle openings
- Block J:
 - Relationships across Albert Road West: The scheme faces commercial uses and as such, there is no impact to consider, notwithstanding that the proximity reflects the existing situation and is not untypical in the London context
 - Relationship across Albert Road East. The mews houses have an oblique relationship to the bottom end of the rear garden of the Victoria Road property across the road. There is not considered to be an impact posed in terms of privacy, overlooking or outlook, it being noted that the dwellings themselves are at oblique angles and 38m a part

In respect of relationships within the site, habitable room window to window separation distances are in excess of the minimum 21m guidance other than the in the following exceptions

- Block B and G relationship: The building separation between the block is 17.8m however, privacy and overlooking is addressed by preventing direct window relationships through the use of offset, oblique facing oriel windows in G block. There is no impact to outlook as Block B has an outlook to Network Road land and the spine road given that G Block is narrow. G block has multiple aspect units and the aspect facing B Block is merely its flank. Furthermore it is separated by a public open space, being a modern take on a typical London square arrangement with the expectation that windows would face this space
- Blocks C, D, E and F relationships: In between the blocks is a variable separation with pinch points, particularly at the western end which is down to 15m. However, this is considered acceptable on the basis that there is no direct habitable room window to window relationships through utilising off-set, oblique oriel windows. The blocks are also considered to have good outlook with the vast majority of properties being multiple aspect. In the few cases where they are not, projecting sections of the façade do face a different aspect, towards Victoria Recreation Ground
- Block J: Across the forecourt of the mews, the separation is down to 10m. However, privacy and overlooking is mitigated through the use of the off-set, oblique oriel windows and outlook is mitigated by the fact that the dwellings are multiple aspect. Furthermore, the intimate mews relationship is typical this type of housing in London, and considered an acceptable response to the land constraints in this part of the site.

Therefore, there are not considered to be any significant privacy, overlooking or outlook impacts to neighbours and future occupiers that would justify the application being refused.

Noise and general disturbance

No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. Whilst there is an increase in the intensity of use of the site and extending to an increased use of Victoria Recreation Ground and local streets for example, the use is consistent with the residential character of the wider area and is also appropriate in the context of the edge of town centre location. Nor is the additional non-residential floorspace considered to pose any impact to warrant refusal given the uses are appropriate and acceptable in this edge of town centre location.

In respect of future occupiers, the following potential impacts have been identified:

- Potential noise and disturbance for H Block as a consequence of the surrounding non residential uses including the public house
- Potential noise and disturbance for B and G blocks from Network Rail track
- Potential impacts to the upper floors of A and H blocks as a

consequence of the ground floor non-residential uses

These potential impacts have been considered in detail by the Council's Environmental Health team and addressed through appropriately worded conditions for improved window glazing. This is in addition to the insulation requirements between floors as required separately by Building Regulations. Additionally, the Class A5 (Takeaways) landuse has been deleted from the application in an effort to minimise potential sources of disturbance outside of buildings. Notwithstanding that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

Air quality

In respect of air pollution, no impacts are identified by the council's environmental Health Team. It is noted that any extraction that may be required for food premises (Class A3) will extract above roof height via voids within the building, the detailed design of which will be controlled by an appropriately worded condition.

In respect of traffic and parking impacts on air quality, the levels of parking are controlled and the green travel plan which will be secured as part of planning obligations will encourage transport by other modes. In respect of the design, the scheme contributed towards overall reductions in CO2 production, having regard to energy and sustainability policies.

In respect of wind, the proposal does not involve 'tall buildings' as defined by the GLA or the council and as such a microclimate assessment is not required. Nevertheless, it being noted that soft landscape planting is likely to have an ameliorating effect at ground floor, as will solid balcony and terrace balustrading for these elevated amenity spaces.

Daylight, sunlight and overshadowing

The application is supported by a BRE daylight, sunlight and overshadowing assessment produced by GL Hern. It considers the relative difference in impact between the approved and proposed scheme in terms of daylight, sunlight and overshadowing for the following:

- Neighbours:
 - The Builder's Arms Public House: Although a public house, regard has been had to upper floor windows which serve as accommodation
 - 1 Albert Road: A residential property
 - 5 Victoria Rd: Ground floor commercial use (dry cleaners) with residential above
 - 7-9 Victoria Rd: These properties appear unused and a subsequent permission for residential which has commenced has been modelled
 - Council owned site to east side of Albert Rd East: Although regard has been had to this property in the report by GL Hern, it is not residential, being currently occupied by a sport and recreation group
- Future occupiers of the scheme

- The shadowing effect to the public and communal amenity spaces and to neighbours.

The following tests were undertaken:

- Vertical Sky Component (VSC) – A measure of the amount of skylight available at the centre of a habitable room window and also, the amount of direct skylight received inside the corresponding habitable room. The BRE guide states that daylighting may be affected if the VSC calculation is less than 27% or less than 0.8 times its former value;
- Annual Probable Sunlight Hours (APSH) – Is a measure of the average number of hours per year in which direct sunlight is received by a window. The BRE guide states that rooms may be affected if they receive less than 25% APSH for the year and 5% APSH for the winter;
- Average Daylight Factor (ADF) – Is a measure of the daylight received inside a habitable room. The BRE guide recommends that the minimum ADF values should be achieved for bedrooms (1%), living rooms (1.5%) and kitchens (2%); and
- Shadowing: The BRE guide recommends that at least half the area of an amenity space should receive at least 2hrs of sunlight on the equinox (21 March).

The results are as follows:

- VSC: Of the 24 neighbour windows tested, 22 (92%) meeting the criteria whilst the remaining 2 (8%) may notice a change in the level of lighting. However, it should be noted that the effect is to 1 north facing window at 5 Victoria Rd and another north facing window at window of 7-9 Victoria Road. Both these properties dual aspect properties including a southern elevation, which mitigates against the impact in practice
- APSH: All 4 neighbour windows tested meet the criteria in both across the year and in the winter months;
- APSH: of the 132 tested, 119 (90%) of windows across the year and 125 (95%) windows in the winter months meet the criteria was 13 (10%) and 7 (5%) windows may notice a reduced amount of sunlight across the year and in the winter months respectively
- ADF: 84 rooms were tested in the proposal with 82 (98%) meeting the criteria whilst 2 (2%) rooms may notice a lower level of light
- Shadowing:
 - Communal space between B and G blocks: 80% lit – complies
 - Communal space for C: 100% lit - complies
 - Communal space for D: 54% lit - complies
 - Communal space for E: 50% lit - complies
 - Communal space for F: northern portion 36% lit and southern portion 56% lit - partially complies
 - Private gardens of G block: 100% lit - complies
 - Communal space for H: 10% - noncompliance
 - Pymmes Square public space: 91% lit - complies
 - Pymmes Walk public space including crèche amenity space :

- between 91-100% lit - complies
- The shadow diagrams plotting the sun path and corresponding shadows during the summer solstice and winter equinox demonstrate there is no permanent shadowing of neighbours and their amenity space

Based on the results of the above tests, the proposed scheme will not result in significant change in the available light for neighbours or future occupiers and amenity spaces including communal and public spaces are well lit.

The minor exceptions are a couple of neighbour windows as well as the north facing communal spaces of Blocks F and H. However, only 1 window of 2 properties which are otherwise dual aspect. The two communal spaces which are shadowed more extensively than the criteria specifies make up a very small proportion of the overall amenity space provision for the site and are not the sole amenity spaces available. All the flats otherwise have their own balconies and terraces as well as access to other communal and public spaces on site, not to mention Victoria Recreation Ground.

Furthermore, it should be noted that the Building Research Establishment (BRE) document is intended as a guide which is reflective of expectations for daylight, sunlight and overshadowing levels in a conventional suburban context. Therefore, it would be unreasonable to strictly apply the guidance in this case, given the site is edge of town centre and some of the impacts reflect the compact plots sizes and relationships at Victoria Road.

Construction impacts

The potential impacts of construction including noise, disturbance and air quality will be mitigated through the construction management plan required by condition.

3.5 Transport, highways and parking

The NPPF 'sustainable development' imperative involves amongst other things, improvements to conditions for travel (para 9) as well as actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling (para 19). Sustainable development is the focus of London Plan Chapter 4 'Promoting Sustainable Transport'. The importance of the transport and parking implications of development, particularly the appropriate approach for Outer London is addressed in London Plan 2011 policy 2.8 and generally in Chapter 6 'London's Transport' including policies 6.3, 6.9, 6.10 and 6.13. In addition, Barnet Core Strategy DPD 2012 Policy CS9, Development Management Policies DPD 2012 policy DM17 as well as Ch6 Transport and Movement of the New Barnet Town Centre Framework.

The application is supported by a transport assessment and draft green travel plan prepared by Cottee Transport Planning considering the existing situation, the impact of the proposal, as well as having regard to the future cumulative affect of other schemes and the proposed mitigation measures proposed to be secured as part of s106/s278 agreements with the council. In addition, an

amended parking strategy and other amended detailed specifics have been provided in response to Stage 1 comments by the GLA.

Vehicular routes, movement and safety

The in-principle connections to the site and routes through it, namely Albert Road East and West as well as the central spine road are retained and renewed as part of the scheme. Apart from an increased setback to the curb edge and possible surface treatment changes, Albert Road West will not change considerably in transport terms given the compact land holdings and carriageway, other than as a consequence of the junction improvements at Victoria Road and East Barnet Road.

Change will be much more apparent to Albert Road East and the central spine road where parking, servicing and street tree planting will be key features contributing towards the regeneration of this brownfield site. Access to the basement parking area below Blocks A, C, D, E, and F will be from Albert Road East whilst blocks B, G and H will benefit from surface parking which is directly accessible from the curtilage. Servicing bays will be provided along the central spine road as well as the location of 2 car club spaces. Visitor parking for non-residential uses will also be provided on the central spine road and Albert Road East. The central spine road will maintain the right of access to National Grid land to the north whilst also accommodating fire fighting and refuse vehicle access with a turning head at its northern end.

In addition to the changes on site, an essential aspect of the scheme is the consideration of impacts on the surrounding local network. In evaluating the impacts of the scheme and considering future cumulative effects, a package of s106/s278 highway improvements have been proposed as part of the recommendations put forward by the transport assessment. The improvements include the following:

- Victoria Road pedestrian crossing
- Victoria Road / East Barnet Road puffin crossing
- Albert Road East and West improvement including footway widening
- Victoria Road and West Road including footway widening
- Victoria Road and Barnet Road junction widening
- PERS audit pedestrian improvements

Although the detailed construction design is for the separate approval of the s278 Highways Act works and still to come, an implicit aspect of the detailed design are highway safety audits to consider the public safety implications of the changes to the highway.

The council's Traffic and Development Team and TfL have considered these highways improvements at some length and are satisfied that these changes will mitigate the additional traffic impacts modelled for this scheme in interest of the maintaining the functioning of the network.

Public transport impacts

It is noted that the site is in very close proximity to New Barnet Overland Rail station as well as several TfL bus routes operating through the town centre.

The application was referred to Network Rail and TfL for consideration.

Although, Network Rail did not provide comment, the council's Traffic and development team have advised that the connection improvements to the station as recommended by the PERS audit in the transport assessment, do form part of the package of improvements being secured through s106/s278 agreements with the council. No improvements to the station itself have been identified as necessary, it being further noted that the station is not identified as an infrastructure priority elsewhere in policy and guidance including the London Plan table 6.1 'Indicative List of Transport Schemes' which identifies rail upgrades nor in the Council's New Barnet Town Centre Framework.

However, in respect of buses, TfL have commented on the increased demand on services as a consequence of the scheme. They have requested a contribution towards bus stop upgrading as noted in section 3.9 of this report.

Pedestrian and bicycle routes, movement and safety

The scheme delivers the following key pedestrian public realm improvements:

- Connection between town centre and Victoria Recreation Ground via the network of public open spaces 'Pymmes Square' and 'Pymmes Walk';
- Improvement to the east west pedestrian link through network rail land which links Cromer Road area with Victoria Recreation Ground, through a Network Rail foot tunnel. The scheme will remove an elevated caged bridge which is very oppressive and foreboding link to use and return pedestrians to ground level, building a new staircase up to the retained network Rail foot tunnel; and
- Improved public realm along the link between the site and the <> station as recommended by the PERS audit

In respect of bicycle routes, Although the Town Centre Framework makes reference to improvements, there are no specific provisions identified for this site or generally in the area other than improved parking facilities for the station (Development Principle 6.3). However, given the proximity to the station it is envisaged that users from this site would walk to the station. Instead, this scheme makes provision for cycle parking which is conveniently accessed in the site and a green travel plan requirement in the s106 will otherwise promote cycling. This accords with the intent of para 6.3 'Cycling' which states developers should consider how cyclists will access their site and how their needs are accommodated by proposals.

Servicing and parking provision

Following consultation with Council's Transport and Development Team and TfL, an amended parking strategy has been submitted. The following various provisions are made for servicing and parking:

- Servicing: Three designated loading bays are spaced at intervals along the central spine road
- Car parking: The resident parking has been reduced to 373 spaces plus 10 further spaces of which: 3 visitor spaces south of Block H on Albert Road East being within the public highway and therefore cannot be designated to commercial uses; 2 no spaces north of Block A can be allocated to Crèche / gym; and a further 5 spaces (3 no. visiting & 2 no. Loading) on the central spine road. This provisions results in a parking ratio of parking to housing of 1.2:1. This is the Council's preference and considered to be an appropriate approach having regard to the site characteristics and needs of the development, it being noted that TfL would have preferred the 10 spaces allocated to the non-residential floorspace
- Motorcycle parking: Although there is no Barnet criteria for motorcycle parking, space is set aside on the central spine road as well as space allocated for 12 motorcycles in the basement
- Bicycle parking: A total provision of 429 bicycle parking spaces is made as follows:
 - Basement: Total of 284 spaces befitting blocks A (44 spaces), C (60 spaces), D (60 spaces), E (60 spaces), F(60 spaces)
 - Block B: 57 spaces in a ground floor undercroft parking area
 - Block G apartments: 4 spaces in total, 1 per flat
 - Block G terraces: 56 spaces in total, 2 per terrace in individual secure stores in the front setback
 - Block H: 5 spaces in total, 1 per flat in a dedicated ground floor storage room
 - Block J: 4 spaces in total, 1 per dwelling, in dedicated storage lockers in the mews forecourt
 - Visitor spaces: 19 spaces located in the storage areas of Blocks A and B

In summary, it is considered that a package of improvements to the will be secured through s106/s278 to ensure the impacts of the scheme are mitigated for the continued functioning of the network. The site also maintains and improves on the basis road layout and access whilst making significant improvements to pedestrian connectivity, the scheme also contributes to improved public transport accessibility and provisions for cyclists. The impact of the car is further minimised and more green modes of transport encouraged by securing a commitment to a green travel plan. For these reasons, the impact of the scheme in transport terms is considered to be sufficiently mitigated to recommend the scheme for approval, subject to the planning agreement and appropriately worded conditions to cover the abovementioned aspects.

3.6 Waste and Recycling

Although the NPPF does not contain specific waste policies, it does state that part of the environmental dimension to 'sustainable development' is waste minimisation (para 7). As part of London Plan 2011 Chapter 5 'London's Response to Climate Change' policy 5.17 seeks suitable waste and recycling

storage provision in new developments as does the Barnet Core Strategy DPD 2012 policy CS14 which also promotes waste prevention, reuse, recycling, composting and resource efficiency over landfill.

For Blocks A, C, D, E and F, waste rooms are located in the basement parking area, dispersed through it in proximity to the associated core access. A management company will be responsible for bringing the bins up the vehicular ramp to the nominated point on collection day. A similar arrangement for bins is made in Blocks B and H at ground floor. Block G terraces have their own dedicated waste stores in the front setback whilst the Block G flats have it located to the rear. The Block J mews houses have their bins open-air and positioned in a line along a boundary wall approaching the exit. Tracking diagrams demonstrate accessibility for refuse vehicles.

In addition, there is the opportunity for kitchen to provide the facility for waste/recycling separation with individual containers for different wastes housed in an accessible cupboard. Block G terraces will have the added possibility of composting opportunities in their rear gardens.

3.7 Energy, Sustainability, and Resources

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

Residential developments are required to achieve a 40% reduction in carbon dioxide emissions. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes. Code for Sustainable Homes 'Level 4' and BREEAM 'Excellent' standards should be specifically targeted.

The application is supported by an Energy Strategy produced by Foreman Roberts which was subsequently amended following advice from the GLA. In addition, Foreman Roberts have produced a Code for Sustainable Homes

preliminary assessment to demonstrate that the scheme is capable of achieving the 'Level 4' target. However, no preliminary BREEAM preliminary assessment is provided for the non-residential floorspace which would be a condition if the council was to consider approval.

The specific features of the scheme include the following:

Be lean:

- Consideration of the design and construction of elevations the materials used
- Building features specifically to mitigate overheating and minimise artificial cooling
- Low energy lighting throughout
- Controls and metering to monitor temperature and consumption to mitigate against unnecessary use
- Variable controls for the energy centre and basement parking ventilation system to mitigate against unnecessary use

Be clean:

- Combined heat and power (CHP) supplemented by gas fired boilers located in the basement

Be green:

- Photovoltaics on roofs of all blocks and houses (with the exception of J block, owing to its roof terraces), generating a total 139.4kW including 1.0kW provided per house

The measures result in a 35.7% reduction in CO2 emissions which, notwithstanding any comments by the GLA at Stage II, is considered to acceptable on the basis that the supporting information demonstrates consideration of a range of available technology and has maximised the CO2 savings having regard to the site characteristics.

In addition, 77 (20%) passive and 77 (20%) active electric car charging points will be secured through an appropriately worded condition.

In summary, although the scheme falls short 40% CO2 reduction target the application nevertheless accords with the intent of the abovementioned policies and guidance which is to maximise the CO2 reductions in the interests of climate change mitigation.

Water resources

In addition measures to minimise water usage in the development, the following matters are noted:

- FRA/SUDs: In respect of Flood Risk Assessment (FRA) the site is located within the EA Flood Zone 1 (low probability) with surface flooding (likely to have arisen from the extensive hard surfaced car

parking area associated with the call centre use) being addressed through a revised sustainable urban drainage (SUDs) system which is acceptable to the EA. The proposal relies on on-site detention (OSD) which releases in controlled volumes. The soft landscaping of amenity spaces also mitigates surface flows. This is the only possible solution having regard to the culverted watercourse, the extensive area covered by the basement and the intensive soft and landscaping scheme needed to serve the future occupiers. The solution has been amended to ensure it sits within the site and does not extend into Victoria Recreation ground. An appropriately worded condition is recommended for tree protection measures during construction to protect the mature trees along the Victoria Recreation Ground boundary, if the Council is minded to approve the application;

- Watercourse consent: The headwaters to Pymmes Brook traverses the site through an underground culverted watercourse. Whereas Pymmes Brook and its formal designation as part of the Blue Ribbon Network begins in Victoria Recreation ground. The construction stage involves the temporary diversion of the culverted watercourse and its permanent location as part of the development is slightly realigned whilst the point at which it enters Victoria Recreation Ground remains the same. Although no issues or impacts are identified as part of the planning application, it is noted that separate approval from the local planning authority is required for works to the watercourse in pursuance to <>. An appropriately worded grampion condition is recommended if the Council is minded to approve the application.
- Protection of Pymmes Brooke and blue ribbon network: The combination of measures including decontamination of the site; waste and waste storage and collection regime; SUDs as well as waste water disposal; tree protection and locally occurring species selection for soft landscaping which are implicit in the design and secured by way of appropriately worded conditions, will all contribute to the positive protection and mitigation of downstream impacts upon Pymmes Brooke, the blue ribbon network and its riparian flora and fauna.

3.8 Landscaping and biodiversity

The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2011 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

The site is demolished and semi cleared state, with some hard standing remaining and otherwise covered by rubble. There is some introduced and native scrub land and a few individual tree specimens identified as part of the Preliminary Ecological Appraisal by Temple Consultants, owing the previous site activity comprising an extensive building and car park area, leaving little pervious area. Other than one tree in proximity to the existing electrical substation compound in the south of the site, which will be protected during

construction and retained in Pymmes Square, other vegetation and trees worthy of protection and retention are located adjacent to the site. Mature trees running along the boundary with Victoria Recreation Ground will be protected as will pocks of remnant vegetation which are located near to the beginning of Pymmes Brook.

Along much of the boundaries shared with Network Rail land to the west and Victoria recreation ground to the east, are subterranean barriers (walls). This is most likely a relic which controlled the affect of activities on the gas works site and the surrounding sites. Today, it has the practical affect of creating a barrier preventing the spread of tree roots from surrounding sites into the gas works site and will also offer those trees and other vegetation, practical protection from the decontamination and construction works on the application site

In respect of biodiversity, although the site is not identified as a Site of Importance to Nature Conservation (SINC) the combination of habitats meets the criteria for Habitat of Principal Importance, know as Open Mosaic Habitats on Previously Developed Land. However, the appraisal suggests that the plants species on site are common and widespread and as such, not a rich and noteworthy example of this kind of habitat. The appraisal has identified low potential for bat roosts, medium potential for supporting reptiles and high potential for supporting breeding birds. The site has low potential for badgers, negligible potential to support crested newts or breeding black redstarts. The areas of bare ground and some vegetation has potential to support invertebrates. Japanese Knot Weed (pest) was present on the western boundary outside the site on Network Rail land.

A summary of the recommended mitigation measures identified in the Preliminary Ecological Appraisal area as follows:

- Further bat surveys
- Measures to protect breeding birds, badgers, hedgehogs and foxes which may be potentially present
- Measures to avoid the spread of Knotweed
- Recommendation for soft landscaping to include substrate and plant species that are of similar value to Open Mosaic habitat
- Recommendation for bat and bird boxes

These measures are recommended in the supporting Preliminary Ecological Appraisal and will be secured by appropriately worded conditions if the council is minded to approve the application.

In respect of soft landscaping, this is maximised where possible throughout the development including the podium between blocks C, D, E and F as well as in the rear Gardens of G block as well as the public amenity spaces. It should be noted that although Ecological (green) roofs were sought in pre-application negotiations and in the course of the application assessment, they have not been included owing to evidence of the cost implications on the viability of the scheme and the corresponding impact on other priorities such as maximising affordable housing. Furthermore, the aspects of the scheme

mentioned above are already contributing positive benefits in terms of landscaping and biodiversity.

3.9 CIL and Planning Obligations

S106 obligations & viability

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.

The financial viability of the scheme has been independently reviewed. The abnormal costs associated with bringing a heavily contaminated for industrial site back into use for residential development as well as inherent constraints of diverting and reinstating a watercourse, have a significant bearing on what the scheme can afford to deliver, compared to an alternative site which does not have these same development constraints. Nevertheless, the viability assessment has been through several iterations of review and negotiations have resulted in an improved affordable housing offer from 5% to 14%. This is considered to be the maximum that the scheme can afford. Nevertheless, positive cascade review clauses will be secured as part of the planning agreement to capture any additional value if the viability of the scheme improves as the successive phases of the development come forward in the future.

In accordance with development plan policies and the Council's supplementary planning documents the following obligations are required to be secured through a legal agreement with the developer:

- **Affordable housing**: 14.5% (44 units) including positive cascade review mechanism
- **Transport**:
 - Pedestrian bridge removal and replacement with suitable alternative link and further improvements to the pedestrian path to the west of Network Rail land
 - Financial contribution towards CCTV monitoring of the pedestrian link
 - Victoria Road pedestrian crossing
 - Victoria Road / East Barnet Road puffin crossing
 - Stopping up orders and highway adoption
 - Travel Plan (Incl. monitoring £30k, £300 travel plan incentive, welcome pack per unit, bi-annual doctor bike for 5yrs, travel plan champion)
 - Travel plan – commercial
 - 2 no. car club spaces
 - Albert Road East and West improvement including footway widening
 - Victoria Road and West Road including footway widening
 - Victoria Road and Barnet Road junction widening
 - PERS audit pedestrian improvements

- TRO review for Albert Road East and West, Victoria Road, East Barnet,
- £25k bus stop improvement
- Safety Audit remedial works
- Employment and training: Notting Hill Housing Construction Training Initiative AND apprenticeships in line with National Apprenticeship Service Framework.
- Monitoring contribution: A contribution in accordance with the planning obligations SPD, index linked towards the monitoring and management of the S106 planning obligations.

It should be noted that the highways improvements identified will also be secured separately pursuant to s278 of the Highways Act.

These obligations as well as the mitigation secured through various conditions of approval, will mitigate the impacts of the scheme, making it acceptable. Other impacts not mitigated through s106 or conditions related to infrastructure improvements, whose mitigation is through the CIL mechanism.

Mayoral CIL

Pursuant to the Table 3: Mayoral CIL Charging Rates of the Mayor's April 2013 SPG 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy', a flat rate charge of £35 applies to LB Barnet. Allowing for indexation, the latest estimate of the CIL liability is **£1,658,853.09** based on the floorspaces proposed as part of the application. It should be noted that this is an estimate only and CIL is calculated at the time it becomes chargeable, which is at commencement of development.

LB Barnet CIL

Pursuant to the LB Barnet Planning Obligations SPD, the CIL charging rate is £135 per sqm. In the case of Barnet's CIL, ancillary car parking space is chargeable (SPD Para 2.2.14). Allowing for indexation, the latest estimate of the CIL liability is **£4,788,985.18** based on the floorspaces proposed as part of the application. It should be noted that this is an estimate only and CIL is calculated at the time it becomes chargeable, which is at commencement of development. The estimate also excludes any CIL relief on affordable housing.

As noted in SPD para 2.2.11, The purpose of Barnet's CIL is to secure capital funding to help address the gap in funding for local infrastructure. The money raised by Barnet's CIL will be used to pay for infrastructure required to mitigate the impact of development across the Borough.

However, the most common recurring comment in the public response the notification process was that this area is suffering from a lack of investment and this scheme and its impact on local infrastructure should be mitigated. CIL was identified as the means by which infrastructure impacts could be addressed, with section 1.3 of this report identifying the full range of

suggestions made by the public.

Although CIL is a borough-wide funding mechanism, specific priorities for CIL funding can be identified through the Regulation 123 list. For example, public realm improvement to New Barnet town centre is already identified. Similarly, other specific priorities could be identified such as improvement to Victoria Recreation Ground. A benefit of the CIL mechanism is the certainty that the monies will be collected without an associated requirement to establish at the time of determining a planning application how much and/or what it will be spent on as is the case with s106 planning obligations. This avoids some of the challenges inherent in negotiation of individual s106 heads of terms where a planning application may be pre-empting the detailed design and costing of infrastructure in a locality. Nevertheless, it is helpful to identify the needs and priorities at the time of the application for the separate consideration of apportioning CIL monies in the future, including the following priorities:

- Health
- Education
- Community
- Open space and recreation:
- Town Centre

It should be noted that the above list is in no particular order of priority and based on an assessment of the scheme impacts and the means to mitigate these to make the scheme acceptable in planning terms. However, it is not an guarantee of how CIL monies will be spent which is administered through the separate capital program This separate process is also whereby local priorities for CIL spending could be considered for the Council's Regulation 123 list.

Note that other infrastructure impacts such as transport are already mitigated through the s106 planning agreement.

4. EQUALITY AND DIVERSITY ISSUES

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

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

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

- age;
- disability;
- gender reassignment;

- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- 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.

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

10% of the flats will be wheelchair accessible and/or able to be modified to accommodate a wheelchair occupier.

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

7. CONCLUSION

The site is identified in the New Barnet Town Centre Framework which brings together existing spatial and other strategies and establishes further guidance, being an opportunity to respond to transform the town centre by virtue of sites coming forward for redevelopment such as the former gas works. The Framework is a guide to developers, reflecting community aspirations and assists council in determining of applications along with the full range of planning policies and guidance including NPPF, London Plan and LB Barnet Core strategy as well as associated supplementary guidance.

The development principle is considered acceptable. In respect of density, whilst this exceeds the maximum range for an 'urban' site with PTAL 3, there are no overdevelopment symptoms evidenced. The landuse proposed accord with policies and guidance and will support and reinforce the New Barnet town centre. There is concern with the loss of the former site uses, which is not protected under the London Plan or under Barnet policy.

In respect of housing quality, a high quality development is proposed, with a mix of units reflecting LB Barnet priorities for family sized accommodation. All the accommodation meets the required standards for minimum floorspace as well as Lifetime Homes and wheelchair housing and amenity space provision.

In respect of design, extensive pre-application discussions have formed the basis of the submitted scheme. Its layout responds to the guidance of the New Barnet Town Centre Framework as well as the site and neighbour constraints and opportunities. For example, the constraint inherent in the complex land assembly to the south of the site, where properties like the Salvation Army hall are not included and shall remain in situ. Also, the requirement to improve connections to Victoria Recreation ground and also, to orient blocks towards this open space. In respect of character and appearance, the scheme employs a limited pallet of high quality materials, emphasising brick facades with set back bronze tops floors. The materials and contemporary architecture are applied across the site. Buildings are broken down into elements of a base, middle and top and a balance between consistency, differentiation and interest between the blocks is maintained across the site. The height, bulk, scale and massings responds to the neighbours as well as optimising the site density. The design is not considered to give rise to any safety, security or crime issues and there are no listed properties or archaeology in and around the site to consider.

In respect of amenity for neighbours and occupiers, there are no privacy, overlooking or outlook impacts. Relationships with neighbours and within the site do not involve any direct habitable room window to window relationships because they either exceed 21m separation, are oblique relationships or have been addressed through modified windows such as oriel windows. Privacy screens, fencing and landscaping borders will maintain privacy between amenity spaces. There are no noise and disturbance impacts to neighbours, whilst improved glazing for Blocks B, G and H will ensure a suitable living environment having regard to surround potential noise sources. There are no air quality impacts identified and the affect to levels of daylight, sunlight and overshadowing satisfy the BRE guide other than in the case of very few windows which may notice a minor change in the level of light received. In a couple of cases where amenity space of the proposed development has shadows exceeding the BRE guidance, other amenity space supplements the provision. Potential impacts during the construction phase will be mitigated by the requirement for a construction management to be agreed in advance with the council.

In respect of transport, the scheme reflects the existing routes around and points of access to the site and proposes to renew these. A key aspect of the development are the s106/s278 transport improvements to junctions and pedestrian connectivity that will be made to outside the site boundary to ensure the continued functioning of the local highway network. In regards to public transport contributions in the form of bus stop upgrade contribution and improvements to pedestrian connectivity to the overland station are included as part of the planning obligations. In respect of further pedestrian improvements, the scheme improves the connectivity between the town centre and park via a series of interconnected public spaces. It also improves the east-west connections via the Network Rail foot tunnel by removing the elevated pedestrian bridge and reinstating a surface level link and new staircase. In respect of cyclists, the scheme provides cycle parking throughout the development. In respect of servicing and car parking, there has been

ongoing liaison with the agent and the GLA to strike a balance between providing sufficient car parking for future occupiers and users having regard to the PTAL and also to mitigate the impact to surrounding streets whilst also ensuring that the scheme does not result in an over reliance on car based modes of transport.

The scheme makes adequate provision for waste and recycling storage and collection.

In respect of energy and sustainability, a comprehensive package of measures are proposed which addresses the Mayor's energy hierarchy. The initiatives including an on-site energy centre and photovoltaics will result in a 35.7% reduction in CO2 emissions, which is considered to be maximum saving achievable. In addition the scheme will achieve CFSH Level 4 and BREEAM 'Excellent' will also be required by condition.

Having regard to landscaping and biodiversity although not a Site of Importance to Nature Conservation, the Preliminary Ecological Appraisal submitted in support of the application has considered the species evident and potentially likely to use the site and recommended mitigation measures to protect bats, breeding birds, badgers, hedgehogs foxes as well as mitigating against the spread of Japanese Knot Weed. The appraisal also recommends that soft landscape planting reflects the Open Mosaic Habitat already found on site, it being noted that landscaping as well as the mitigation will be conditioned.

In respect of planning obligations, this will include Affordable housing, transport, employment and training and monitoring contributions. The application has been the subject of an independent viability appraisal and the package of planning contributions including the affordable housing is considered the maximum that the scheme can afford. Given the level of affordable, the planning agreement will include a positive cascade review clause to capture additional contributions if the viability of the scheme improves in the future as the successive phases come forward.

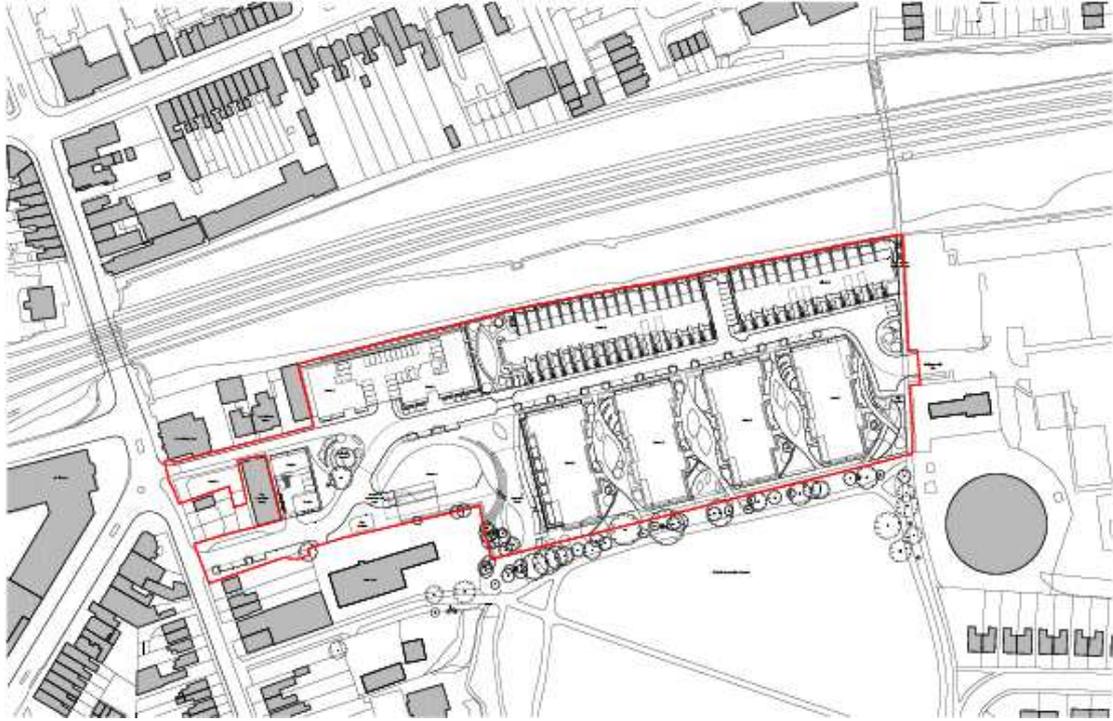
Mayoral and Barnet CIL charging is also applicable to this scheme and an estimate has been provided. A key response to the public consultation exercise, amongst the full range of matters raised, was the request for CIL monies to be spent locally to mitigate the impacts of the scheme. It is noted that priorities for spending CIL moneys can be identified through the Regulation 123 list in accordance with the CIL Regulations. It is noted that the New Barnet Town Centre is already identified on the list. Therefore, it is possible that other infrastructure provision not limited to and including Open space and recreation (i.e. Victoria Recreation Ground improvements), healthcare, education community and town centre improvements could be considered for the Regulation 123 list.

In summary, a high-quality, residential-led redevelopment of the site will bring a disused and contaminated brownfield site back into active use, supplying housing which is a key strategic priority in London, as well as helping to

support and revitalise the town centre with complimentary uses and improving the linkages to and from it and Victoria Recreation Ground. No significant impacts are identified to neighbours and future occupiers and to the environment. Where there are impacts such as to the functioning of the highway network, the scheme includes a comprehensive set of improvements to maintain the functioning of the network, secured through s106/s278 planning obligations. This is part of full range of planning contributions to mitigate the scheme as well as CIL charging to address infrastructure impacts, with the opportunity to identify and prioritise local needs through the Regulation 123 list mechanism. For these reasons the scheme is considered acceptable on balance, accords with the policies and guidance identified in the report. Therefore, the proposal is recommended for approval, subject to Stage II Mayoral referral as well as conditions (including grampion conditions requiring watercourse consent and revocation of hazardous substance consent), and planning obligations.

APPENDIX 1: PLANS OF THE PROPOSED DEVELOPMENT

Site layout and context as proposed



APPENDIX 2: INFORMATIVES

Transport

1. Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle route on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement. Turning facilities for refuse collection vehicles must be provided within the site for vehicles entering the development.
2. Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.
3. The applicant is advised that East Barnet Road and Victoria Road are Traffic Sensitive Roads; deliveries during the construction period should not take place during AM and PM peak periods. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
4. The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
5. For construction works adjacent to the public highways, the applicant must contact the Council on 0208 359 2000 for any necessary Highways Licenses.

EA

6. Advice to applicant on surface water condition:
In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:
 - a) A clearly labelled drainage layout plan showing pipe networks and any attenuation areas or storage locations. This plan should show any

pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

b) Confirmation of the critical storm duration.

c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

d) Where on site attenuation is achieved through ponds, swales, geocellular storage or other similar methods, calculations showing the volume of these are also required.

e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.

f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the 'Planning Practice Guidance: Flood Risk and Coastal Change'. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

7. In order to protect groundwater we recommend:
 - a. No Infiltrations SUDs/ soakaways should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
 - b. Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
 - c. Site investigations should be carried out in accordance with best practice guidance for site investigations on land affected by land contamination.

Thames Water

8. Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
9. Surface Water Drainage - 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 groundwater. 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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

10. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those 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 come 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 0845 850 2777 to discuss the options available at this site.
11. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk
12. With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Building Control

13. For any queries relating to Building Regulations approval services offered by LB Barnet, please contact Andy Hardy on email andy.hardy@barnet.gov.uk or Tel: 0208 359 2618

Biodiversity

14. As per **<document>** please be in contact well before the commencement of works to discuss any approvals required under the **<legislation>**.

Waterways Approval

15. In respect of approvals for works to the culverted watercourse, the Flood and Water Management Act 2010 passed the responsibility for ordinary Watercourse consents from the EA to the local authorities. This is referred to as 'Regulatory Powers for Consenting and Enforcement on Ordinary Watercourse Consents', or Schedule 2 of the

FWMA 2010. This came into effect on 6 April 2012. In advance of works on site it is recommended that you contact LB Barnet officer Chris Chrysostomou on Tel: 020 8359 7200 or email Chris.Chrysostomou@barnet.gov.uk to discuss the requirements for approval for any works to or within 7 m any watercourse.

Metropolitan Police

16. **<Secured by Design accreditation>**

Policies

17. A summary of the development plan (London Plan 2011, Barnet Core Strategy 2012 and Development Management Policies DPD 2012) policies relevant to this decision is set below:

The London Plan (2011)

- 1.1 (Delivering the strategic vision and objectives for London)
- 2.2 (London and the wider metropolitan area)
- 2.6 (Outer London: vision and strategy)
- 2.7 (Outer London: economy)
- 2.8 (Outer London: transport)
- 2.15 (Town Centres)
- 2.18 (Green Infrastructure: the network of open and green spaces)
- 3.2 (Improving health and addressing health inequalities)
- 3.3 (Increasing housing supply)
- 3.4 (Optimising housing potential)
- 3.5 (Quality and design of housing developments)
- 3.6 (Children and young people's play and informal recreation facilities)
- 3.7 (Large residential developments)
- 3.8 (Housing choice)
- 3.9 (Mixed and balanced communities)
- 3.10 (Definition of Affordable Housing)
- 3.11 (Affordable Housing Targets)
- 3.12 (Negotiating Affordable Housing on Individual Private residential and Mixed Use Schemes)
- 3.13 (Affordable Housing Thresholds)
- 3.19 (Sports Facilities)
- 4.7 (Retail and Town Centre Development)
- 4.8 (Supporting a Successful and Diverse Retail Sector)
- 4.12 (Improving Opportunities for All)
- 5.1 (Climate change mitigation)
- 5.2 (Minimising carbon dioxide emissions)
- 5.3 (Sustainable design and construction)
- 5.5 (Decentralised Energy Networks)
- 5.6 (Decentralised energy in development proposals)
- 5.7 (Renewable energy)
- 5.9 (Overheating and cooling)
- 5.10 (Urban greening)
- 5.11 (Green roofs and development site environs)

- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 5.14 (Water quality and wastewater infrastructure)
- 5.15 (Water use and supplies)
- 5.17 (Waste capacity)
- 5.21 (Contaminated land)
- 5.22 (Hazardous Substances and Installations)
- 6.1 (Strategic approach)
- 6.3 (Assessing effects of development on transport capacity)
- 6.7 (Better streets and surface transport)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.12 (Road Network Capacity)
- 6.13 (Parking)
- 7.1 (Building London's neighbourhoods and communities)
- 7.2 (An inclusive environment)
- 7.3 (Designing out crime)
- 7.4 (Local character)
- 7.5 (Public realm)
- 7.6 (Architecture)
- 7.7 (Location and design 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 and enhancing soundscapes)
- 7.18 (Protecting local open space and addressing local deficiency)
- 7.19 (Biodiversity and access to nature)
- 7.21 (Trees and woodlands)
- 7.24 (Blue Ribbon Network)
- 7.28 (Restoration of the Blue Ribbon Network)
- 7.30 (London's Canals and Other Rivers and Waterscapes)
- 8.1 (Implementation)
- 8.2 (Planning obligations)
- 8.3 (Community Infrastructure Levy)

Core Strategy DPD (2012)

Policies 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)

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 DPD (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)
- DM14 (New and Existing Employment Space)
- DM15 (Green belt and open spaces)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)