

LOCATION: Homebase, Rookery Way, London, NW9 6SS
REFERENCE: H/05828/14 **Registered:** 30/10/2014
WARD: Colindale

APPLICANT: Neat Developments Ltd and DTZ Investment Management
PROPOSAL: Demolition of the existing buildings, and the erection of eight blocks of apartments of 6-8 storeys with a building of 14 storeys adjacent to The Hyde (the A5, Edgware Road) and three terraced blocks comprising housing and duplex apartments, providing 386 residential units (Class C3), 936sqm of Class B1 (Business Hub), 97sqm of Class A3 use (Cafe), 295sqm of Class D1 use and 96sqm of Class D2 use. Associated car and cycle parking, storage and plant space located at basement level with private and shared residential external amenity space and landscaping.

APPLICATION SUMMARY

The application proposes the redevelopment of the site involving the demolition of the existing buildings to provide a mixed use development incorporating residential, commercial and community uses.

The 386 Residential (C3) units would be provided through the erection of eight blocks of apartments of 6-8 storeys with a building of 14 storeys adjacent to The Hyde. The proposal would also provide B1, A3, D1 and D2 uses on the site with associated car and cycle parking and shared amenity space.

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

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

The development would provide an appropriate mix of unit sizes. The application proposes that 78 of the 386 C3 residential units would be offered as affordable units (37 Affordable Rent units and 41 Intermediate Units). This equates to 20% affordable housing by unit number as a proportion of the overall development which is considered to be the maximum level possible, having regard to the viability of the development. This has been verified by an independent consultant.

The scheme provides car parking on the site in the form of 318 basement car parking spaces and 473 cycle parking spaces, of which 309 car parking

spaces and 455 cycle parking spaces would serve the residential aspect of the scheme. A travel Plan will encourage users of the site to use more sustainable modes of transport and further mitigation will be secured by condition to control details of construction, delivery and servicing and car parking management. Alongside this, contributions have been agreed towards the monitoring of a travel plan, modifications to waiting restrictions, local bus services and a travel plan incentive fund for future residents.

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

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

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

RECOMMENDATION

Approve the application subject to:

Recommendation 1

The 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 – On Site
The provision within the development of 78 affordable housing units comprising the following mix:
37 Affordable Rented units
41 Intermediate Units
- (d) Affordable Housing – Review Mechanism
Provision of a review mechanism to reappraise the viability of the development
- (e) Travel Plan
A requirement that the applicant shall enter into Travel Plans that seek to reduce reliance on the use of the private car, promote sustainable means of transport and include the appointment of an appropriately qualified Travel Plan Champion. The following Travel Plans of this nature shall be entered into:
- A Full Residential Travel Plan that is ATTrBuTE and TRAVL compliant and that will have a lifespan of 5 years after first occupation of the final unit.
 - A Travel Plan Statement that is ATTrBuTE and itrace compliant and that will have a lifespan of at least 5 years.

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

- (f) Travel Plan Incentives
The applicant shall enter into a Strategic Level Residential Travel Plan for the residential uses on the site that seeks to reduce reliance on the use of the private car. 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:
- Provision of a Travel Incentive Fund of £300 per unit (£115,800 total cost to the applicant) to be provided to the first occupier of each residential unit within the development to provide two of the three incentives set out below:
 - (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.
 - In line with the incentives above, the provision of a car club and the allocation of three car parking spaces at different locations within the site are to be provided and retained for use by the car club.
- (g) Travel Plan Monitoring
Payment of a financial contribution of £25,000 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.
- (h) Bus Service Contribution
Payment of £275,000 towards improvements to bus services in the vicinity of the site for 5 years.
- (i) Controlled Parking Zone
Payment of £150,000 towards the implementation of a controlled parking zone within the vicinity of the site
- (j) Junction Improvement Works
Payment of £20,000 towards junction improvement works at A5/Kingsbury Road/Rookery Way
- (k) S278 agreement – Off Site Highways Improvement Works
The applicant shall, at its own expense, implement off-site highways improvement works identified in the PERS submission (including but not limited to) to mitigate the impact of the development, with agreement of the Highways Authority. These works shall be undertaken under S278 of the Highways Act 1980.
- (l) Employment and Training
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. The employment agreement will need to secure the following minimum levels unless justification is provided and agreed with the council as to why they are not possible given the specific circumstances of this site and a reduced number subsequently agreed to by the council:
- 13 places for progression into employment [<6mths]
 - 9 places for progression into employment [>6mths]
 - 23 Apprenticeships
 - 30 Work experience placements (+16yrs)
 - 269 School/college/university pupils visiting the site
 - 148 pupils being involved in School/college workshops
- (m) Hendon Hub
The submission of a management plan with the approved details being implemented in full prior to the first occupation of the facility
- (n) Monitoring of the Section 106 Agreement

A contribution of £11,216 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 H/05828/14 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:

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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: D2117 L.100, D2117 L.200, D2117 L.300, D2117 L.400, D2117 L.401, D2117 L.402, D2117 L.403, D2117 D001 and Planning Statement October 2014 by Rolfe Judd, NEAT Developments Ltd and DTZ Investment Management, Design and Access Statement October 2014 by Rolfe Judd, NEAT Developments Ltd and DTZ Investment Management, Residential Travel Plan October 2014 by Waterman Infrastructure & Environment Limited, Transport Assessment October 2014 by Waterman Infrastructure & Environment Limited, Designer's Response to Road Safety Audit Stage 1, September 2014 by Waterman Infrastructure and Environment Limited, Daylight and Sunlight Report by GVA, NEAT Developments Ltd and DTZ Investment Management, Landscape Design and Access Statement by NEAT Developments Ltd, Pedestrian Level Wind Microclimate Assessment Desk Study by RWDI Consulting Engineers and Scientists, Energy Statement by NEAT Developments Ltd, Dispersion Modelling for the Proposed Energy Centre October 2014 by Cambridge Environmental Research Consultants, Desk Study Report – Revision 3 October 2014 by Card Geotechnics Limited, NEATS Development Ltd and DTZ Investment Management, Sustainability Statement by NEAT Developments Ltd and Flatt Consulting, Air Quality Assessment by JMP Consultants Ltd, Environmental Noise Assessment October 2014 by Paragon Acoustic Consultants, Flood Risk Assessment by Walsh Associates, Pedestrian Audit October 2014 by Waterman Infrastructure and Environment Limited, Archaeological Desk Based Assessment August 2014 by CGMS Consulting.

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.

3. The development hereby permitted shall not commence unless and until a phasing strategy is submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved strategy.

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

MATERIALS, DETAILING & CONTROL

4. Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not proceed above ground floor damp proof course level unless and until:
 - (a) 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; and
 - (b) a sample panel shall be constructed on site, inspected 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 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.

5. Notwithstanding the details shown on the plans otherwise hereby approved, the development shall not proceed above ground floor damp proof course level unless and until detailed bay studies at an appropriate scale (1:10, 1:20 or 1:50) showing details of the construction of the below features have been submitted and approved in writing by the Local Planning Authority:
 - window reveals
 - residential core entrances
 - brickwork features and brick banding
 - parapets, fascias and brick on edge details
 - projecting and recessed balconies
 - rainwater goods

The development shall be carried out and constructed in accordance with the details approved.

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.

6. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the building(s) hereby permitted shall not be extended in any manner whatsoever.

Reason:

To ensure the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties, as well as to ensure appropriate amenity space provision for future occupiers of the development, in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and the Council's Supplementary Planning Document: Residential Design Guidance (2013).

7. The 936m² of floor space hereby approved for purposes falling within Use Class B1a shall only be occupied for uses falling within Use Class B1a Office and shall not be used for any other purpose, including any other purpose within Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason:

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

8. The 295m² of floorspace falling within Class D1 use and the 96m² of floorspace falling within Class D2 use shall be occupied for education and community purposes only and shall not be used for any other purpose, including any other purpose within Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason:

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

residential occupiers in accordance with policy DM01 of the Barnet Local Plan.

9. The 97m² of floor space hereby approved for purposes falling within Use Class A3 shall only be occupied for uses falling within Use Class A3 and shall not be used for any other purpose.

Reason:

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

10. The C3 residential units hereby approved shall only be occupied for uses falling within Use Class C3 and shall not be used for any other purpose.

Reason:

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

SITE LEVELS

11. Notwithstanding the details submitted in the drawings hereby approved no phase of the development hereby approved is to commence (other than ground works and site clearance) 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 in that phase 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 ENSURE PRIVACY

12. Notwithstanding the details shown on the plans submitted and otherwise

hereby approved none of the buildings shall be occupied until details are submitted to the Local Planning Authority and approved in writing which specify:

- (a) the siting and design of all privacy screens that are to be installed as part of the development; and
- (b) a schedule of the parts of the roofs of the buildings hereby permitted that are to be used for amenity purposes and those which are to be restricted access for maintenance only.

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

Reason:

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

13. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no phase of the development hereby permitted shall 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 that phase 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 polices DM01 and DM02 of the Barnet Local Plan.

REFUSE AND RECYCLING

14. Notwithstanding the details submitted with the application, before any phase of the development hereby permitted is brought into use or occupied details of the:

- 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

shall be submitted to and approved in writing by the Local Planning Authority. 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 polices CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

15. Prior to the occupation of the development a Waiver of liability and indemnity agreement must 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.

ACCESSIBILITY

16. 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 units specified on the approved drawings to be easily adaptable for wheelchair use or to be 'Wheelchair Homes' standards complaint 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.

SUSTAINABILITY

17. 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.

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.

18. The non-residential units (use classes B1 and D1) within the development hereby permitted shall all be constructed to achieve not less than a standard of 'Excellent' when assessed against a suitable and up to date (not prior to 2011) scheme under the Building Research Establishment Environmental Assessment Method (BREEAM). No non-residential unit within the

development shall be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a standard of 'Excellent' has been achieved (under the relevant BREEAM methodology) for the unit concerned and this certification has been submitted to the Local Planning Authority.

Reason:

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

19. Prior to the commencement of the development, 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.

CONTAMINATED LAND

20. Construction method statement

a) 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.

b) 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).

21 Contaminated land

Part 1

Before development commences other than for investigative work:

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.

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.

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

Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with 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.

22 Extraction & Ventilation Equipment

a) No development 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.

b) 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).

23 Impact of Noise on Development (road/rail noise)

a) 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

b) 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.

24 Impact of noise from Ventilation and Extraction Plant on Development

a) No development 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, 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.

b) 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.

25 Insulation against Internally / Externally Generated Noise

a) No development shall take place until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally 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 **AIN**; as measured within habitable rooms of the development shall be no higher than 30dB(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.

b) 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 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.

26 Air Quality Report

a) Before 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.

b) 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.

c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any 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.

27 Biomass Boiler

a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler shall be submitted to and approved by the Local Planning Authority.

It shall also 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.

b) 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.

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

Reason: To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development in accordance with the Sustainable Design and Construction SPD (adopted April 2013).

28 Noise from Plant

The level of noise emitted from the (specify machinery) plant 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.

BIODIVERSITY

- 29** Prior to the development proceeding above ground floor damp proof course level for each phase details comprising a scheme of measures to enhance and promote biodiversity at the site as redeveloped shall be submitted to the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats and birds. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development in each relevant phase.

Reason:

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

WATER AND DRAINAGE

- 30** The development hereby permitted shall not commence (other than ground works and site clearance) until a drainage strategy detailing all on and off site drainage works for each phase of development (including Sustainable Urban Drainage Systems, such as permeable paving, attenuation measures and rainwater harvesting) to be carried out in respect of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. No foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the drainage works referred to in the strategy have been completed in their entirety for that phase of development.

Reason:

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

- 31** The dwellings hereby approved shall have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters.

Reason:

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

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

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.

LANDSCAPING

33 Notwithstanding the details submitted and otherwise hereby approved, development shall not proceed above ground floor damp proof course level in each phase until a detailed scheme of hard and soft landscaping (to include green and brown roof details) 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;
- 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.

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.

- 34** All work comprised in the approved scheme of hard and soft landscaping for each phase shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building or completion of the construction of the phase of 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.

- 35** 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 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.

- 36** No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard trees adjacent to and within 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 for each phase of development. The tree protection measures approved shall remain in place until after the development works hereby consented are completed for each phase and no material or soil shall be stored within any of the protected areas during the works associated with any phase of 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.

- 37** Prior to the commencement of the any phase of 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 for each phase.

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.

- 38** Notwithstanding the details shown on the plans otherwise hereby approved, prior to the first occupation of any phase of the development a scheme detailing all play equipment to be installed in the central square and communal 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.

- 39** The dwellings 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.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

- 40** 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.

TRANSPORT

- 41** Before the development hereby permitted is occupied, a revised parking layout drawing showing the parking allocation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not be used for any

purpose other than the parking and turning of vehicles in connection with 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 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.

- 42** Before the development hereby permitted commences a Car Parking Management Plan shall be submitted to and agreed in writing by the Local Planning Authority.

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.

- 43** The approved development shall make provision for 588 cycle parking for residential use in accordance with TfL requirement as per TfL's FALP Inspector's Report which was published by GLA on the 16th December 2014. The revised provision will be submitted to and approved by the Local Planning Authority. Such spaces shall be well located in relation to the entrances and lifts to encourage and their use permanently retained 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.

- 44** No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to

- v. mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason:

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

45 Before the permitted development is occupied a full Delivery and Servicing Plan 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.

46 Before the permitted development is occupied a full Construction Logistic Plan 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

47 Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include for the provision of 20% active and 20% passive parking spaces with electric vehicle charging facilities. The development shall be implemented in full accordance with the approved details prior to first occupation and maintained thereafter.

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

48 Before the permitted development commences details of the refuse and

recycling collection arrangements 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.

49 Before the development is occupied details of improvement works identified in Pedestrian Environment Review System (PERS) Audit on public highway shall be submitted to the Local Planning Authority for approval. The improvements identified in the PERS audit shall be carried out at the applicant's expense.

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.

LIGHTING

50 Prior to the first occupation of the dwellings hereby approved full plans, details and specifications of all external lighting to be installed as part of that phase of 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 each phase 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.

51 Prior to the first occupation of each 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 the phase of the proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to the first occupation of the new dwellings in each phase of the development.

Reason:

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

TELECOMMUNICATIONS EQUIPMENT

- 52** Prior to the development hereby permitted proceeding above ground floor damp proof course level, a scheme for the provision of communal/centralised satellite and television reception equipment to be installed on the roof of all blocks in that phase of development 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 townscape and character of the area, so that it accords with policies CS5 and DM01 Barnet Local Plan.

- 53** 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 townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policies CS5 and DM01 Barnet Local Plan.

- 54** 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) 'Flood Risk Assessment for The Hyde, Rookery Way, Hendon, Rev D' 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.

- 55** A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the

applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to the local planning authority.

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before development, other than demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

C) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (B).

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF

Informatives:

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

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

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

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

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

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

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

The London Plan

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

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.15 (Town Centres); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

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

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.8 (Supporting a Successful and Diverse Retail Sector); 4.10 (Support New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.4 (Retrofitting); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land)

London's Transport:

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

London's Living Places and Spaces:

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

Implementation, Monitoring and Review:

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

Barnet Local Plan

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

Core Strategy (Adopted 2012):

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

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

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

places)

- CS6 Promoting Barnet's Town Centres
- CS7 (Enhancing and protecting Barnet's open spaces)
- CS8 (Promoting a strong and prosperous Barnet)
- CS9 (Providing safe, effective and efficient travel)
- CS10 (Enabling inclusive and integrated community facilities and uses)
- CS11 (Improving health and well being in Barnet)
- CS12 (Making Barnet a safer place)
- CS13 (Ensuring the efficient use of natural resources)
- CS14 (Dealing with our waste)
- CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

- DM01 (Protecting Barnet's character and amenity)
- DM02 (Development standards)
- DM03 (Accessibility and inclusive design)
- DM04 (Environmental considerations for development)
- DM05 (Tall Buildings)
- DM06 (Barnet's Heritage and Conservation)
- DM08 (Ensuring a variety of sizes of new homes to meet housing need)
- DM10 (Affordable housing contributions)
- DM11 (Development principles for Barnet's town centres)
- DM13 (Community and education uses)
- DM14 (New and existing employment space)
- DM15 (Green belt and open spaces)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

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

Local Supplementary Planning Documents:

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

National Planning Guidance

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

provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010

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

1.2 Relevant Planning History

Details of site history are listed in appendix 3 of this report.

1.3 Public Consultations and Views Expressed

Public Consultation

To publicise this application letters were sent to 1680 addresses in November 2014. The application was also advertised on site and in the local press at that time. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and Barnet's own adopted policy on the consultation to be carried out for schemes of this nature.

Number of Responses from Residents

26 responses objecting to the proposal were received from residents. **Four** of these objectors have requested to speak at committee. **No** responses supporting the proposal were received from residents.

Comments

Andrew Dismore AM: Objection. Inadequate affordable housing provided. Concern about overdevelopment of the area generally, leading to overpopulation of this ward. Excessive height proposed would have a detrimental impact on the suburban character of this part of Colindale. Local roads and public transport will not cope and there will be an impact on the health service and utilities. The viability report should be published online. The parking provision would be inadequate, leading excessive on-street parking on neighbouring roads. The scheme should make provision for additional GP services. The development should contribute towards public transport improvements.

Officer Response: The applicant's viability assessment is a confidential document that cannot be made public, as it contains sensitive commercial information. The offer of 20% affordable housing per unit is the maximum viable contribution this development can make. There is no clear policy requirement to provide employment uses but the proposal would provide employment in the proposed 'Hendon Hub'. Further responses are contained in the relevant appraisal sections. CIL payments will contribute to

infrastructure and services in the borough.

Cllr Narenthira: Concern over lack of affordable housing. The scale of development is too high and will lead to overcrowding. The height of the proposed development would appear unattractive in relation to the local surroundings. Public transport and the local highway network will not cope. Inadequate car parking provision. The scheme should make provision for sports and recreational facilities for young people.

Officer Response: The offer of 20% affordable housing per unit is the maximum viable contribution this development can make. The council highways department and Transport for London have not raised an objection to the application as contributions have been made towards highway improvement works, travel incentive funds and a travel plan. CIL payments will contribute to infrastructure and services in the borough.

Cllr Sargeant: Concern over the height, bulk and density of the scheme. Inadequate supporting infrastructure, particularly health and education services. Lack of car parking, open space or sports facilities. Lack of new housing provision for local residents.

Officer Response: The height and bulk of the development has been considered in respect of the wider site context. The parking provision is in line with CAAP and Barnet Local Plan policy for sites such as this, which have low accessibility credentials. CIL payments will contribute to infrastructure and services in the borough. Further responses are contained in the relevant appraisal sections.

Cllr Langleben:

Concern over lack of affordable housing and infrastructure to support the proposed development.

Officer Response: The offer of 20% affordable housing per unit is the maximum viable contribution this development can make. The council highways department and Transport for London have not raised an objection to the application as contributions have been made towards highway improvement works, travel incentive funds and a travel plan. CIL payments will contribute to infrastructure and services in the borough.

Brent Council:

Significant predicted increase in morning peak hour trips. Concern over impact on capacity and road safety of adjacent junction of Kingsbury Road/Edgware Road including poor pedestrian crossing facilities. No measures to improve junction capacity or safety have been suggested.

Comments from Residents

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

Summary of responses:

- Need more industrial space and not more flats
- Reduce light in Rookery way
- Increase congestion in area
- Concern with the height of the proposed buildings
- Concern that infrastructure and services will be unable to cope with the cumulative impact of increased residents from this site and adjoining development sites and there will be an adverse impact on transport (bus, train, cars), library services, NHS services, schools, police services, utilities (gas, electricity, water), vehicular movements (roads, parking)
- Concern with the processing of the EIA for the site
- Concern with the impact on nearby transport facilities
- Concern that the cumulative impact of multiple developments will lead to overcrowding in the area
- Concern with the impact of the proposal on local NHS services, particularly doctors and dentists which are already struggling
- The proposal will impact adversely on local school services which are already struggling
- The proposal lacks a community aspect
- Concern that the proposal will impact adversely on crime levels in the area
- The loss of the Homebase would impact adversely on the community
- The proposal would result in the overdevelopment of the site
- Concern that the proposal will impact adversely on parking in the area
- The proposal will increase pollution in the area
- Concern that there are inadequate vehicle movement facilities on primary and secondary roads
- The development is too tall and will be an eyesore
- There should be sporting facilities on the site for young people as this is lacking in the surrounding area
- The proposal will fail to provide sufficient affordable housing
- The proposal will impact adversely on the amenity of neighbours at Geneva Court through a loss of light, privacy, overlooking and noise
- The proposal would be detrimental to the character and appearance of the surrounding area
- The proposal would result in the loss of the existing car sales business
- The proposal would impact adversely on views through the site from the surrounding area
- The proposal would impact adversely on access to light from neighbouring sites
- The proposal will result in a cold wind tunnel
- The proposal will impact adversely on the amenity of existing residents in Rookery Way through loss of light and overlooking

Consultation Responses from Statutory Consultees and Other Bodies

The Greater London Authority (GLA):

The Mayor considers that the application is generally acceptable in planning

terms. There were queries raised with the potential for a restricted access to light from some of the north facing units in block E and a request for the principle entrance for ground floor units to be off the amenity space in order to provide an increased activation of these areas.

Transport for London (TfL):

In summary, TfL remains concerned about the proposed parking levels especially in the light of the anticipated additional peak traffic car-owning residents will add to the A5. This is a high frequency bus route which TfL does not wish to see subjected to further delays in service at peak time. Contributions are also required towards additional bus capacity and cycle network improvements.

Highways Agency:

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

Metropolitan Police Service:

Have no objections to raise with the proposal

Environment Agency: The revised Flood Risk Assessment is satisfactory and there is therefore no objection to the proposal subject to the inclusion of conditions.

London Fire and Emergency Planning Authority: The scheme is satisfactory with regard to fire brigade access.

Natural England:

Have responded to the consultation and have not raised any objections to the proposal

English Heritage Archaeology:

Have responded to the consultation and have not raised any objections to the proposal subject to the inclusion of conditions

Thames Water:

Have responded to the consultation and have not raised any objections to the proposal

National Grid:

No response received

Internal Consultation responses

Traffic and Development Team:

The proposal would result in an under provision of parking spaces and financial contributions would be necessary to mitigate against this by enabling the creation of a controlled parking zone, highway improvement works, a travel plan and travel plan incentive funds. Subject to necessary financial contributions and conditions, there is no objection to the proposal.

Environmental Health Service:

The response that was received states that subject to the imposition of suitable conditions in respect of air quality, contaminated land and noise matters, they raise no objection to the development and find the proposal to be acceptable.

Trees and Landscaping:

No objection to the proposal subject to the inclusion of conditions in the event of approval.

Refuse and recycling team

Do not object to the proposal subject to the inclusion of conditions requiring indemnity to be provided to the refuse team and the refuse collection to involve a management company placing bins ready for collection on the day of delivery

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL**2.1 Site Description and Surroundings**

The application site is located within The Hyde area to the north west of Hendon station. The site is accessed via Rookery Way which is a turning off The Hyde (A5). The site has frontages to The Hyde and to Rookery Way. The application measures approximately 1.46ha and currently features a Homebase retail store with associated external garden centre, hard standing surface level car parking, and a used car sales lot to the front of the site adjacent to the A5. The site is accessed from the public highway via Rookery Way, onto a private access road. The site slopes from west to east away from the A5.

The site is not located within or adjacent to a Conservation Area, Nature Conservation Area or area of any landscape importance. The buildings on site are not statutory or locally listed. Part of the car parking area is identified as being within an area of Special Archaeological Significance. A rear section of the site is located in Flood Zone 2.

The sites PTAL rating ranges across of the site, with the site featuring a PTAL rating of 3 on its western section in proximity to The Hyde (A5) and a PTAL rating of 2 elsewhere. Hendon Station is located within 0.75 miles and Colindale Underground Station is approximately 1 mile away.

The area surrounding the application site is within a mixed residential and commercial area. It is adjoined on the north side of Rookery Way by recently developed residential properties in the form of an apartment block, with further extensive areas of more traditional suburban housing to the north and north-west. To the east there is a small group of light industrial units (Connaught Business Centre) and Colindale House (occupied by BT) is located immediately to the south of the site. Hyde House (an office building) which

has recently undergone partial conversion to a Premier Inn Hotel is located to the north-west, facing The Hyde.

The site is also centrally located between three nearby designated Areas of Opportunity and Regeneration areas; Colindale Action Area to the north, and Brent Cross/Cricklewood and West Hendon Regeneration areas to the south.

2.2 Description of the Proposed Development

Full planning permission is sought for the demolition of the existing buildings and the erection of eight blocks of apartments of 6-8 storeys with a building of 14 storeys adjacent to The Hyde (the A5, Edgware Road) and three terraced blocks comprising housing and duplex apartments, providing 386 residential units (Class C3), 936sqm of Class B1 (Business Hub), 97sqm of Class A3 use (Cafe), 295sqm of Class D1 use and 96sqm of Class D2 use. Associated car and cycle parking, storage and plant space located at basement level with private and shared residential external amenity space and landscaping.

The proposal would involve the provision of 386 new residential dwellings. 78 of the 386 units would be affordable housing units (20% of the overall scheme based on units and 21% based on habitable rooms) of which 37 would be for affordable rent and 41 for intermediate tenures.

The development would provide a wide range and mix of high quality residential accommodation including family sized units (3-4 beds) and smaller units (studio, 1 and 2 beds). It also provides a mix of unit types including single storey flats, duplex apartments and townhouses.

There would be the creation of both private amenity spaces in the form of private gardens at ground level, balconies and terraces on upper levels and landscaped communal shared amenity spaces, including children's play space, through the middle of the development site at ground floor level.

318 car parking spaces would be provided at basement level (including 8 commercial spaces and 309 residential spaces). 39 of the car parking spaces are suitable for disabled users. The ratio for parking spaces to residential units is 0.8.

In terms of commercial floor space, the proposal would provide 936m² of B1a office space in the form of the 'Hendon Hub' within the ground and first floors of the 14 storey building adjacent to The Hyde frontage. There would be the provision of a public café (Class A3 - 97m²), fronting onto the piazza at the front of the site (fronting The Hyde) and adjacent to the entrance to the business hub. There would also be the provision of community uses including 294m² of Class D1 use and 96m² of Class D2 use to the northern side of the 14 storey 'anchor building' fronting The Hyde and Rookery Way respectively.

In terms of its detailed architectural design, the buildings would seek to use a distinctively contemporary approach. There would be eleven blocks of varying

heights. The façade treatment of Blocks B, C and D which affront Rookery Way will be predominantly brick, with the use of two bricks to provide light and dark contrast. The façade treatment to the internal courtyard blocks G and J and the rear of blocks B, C and E facing courtyards will feature a floating building form on a solid base. A layering effect would be created through the use of two green alternative coloured insulated panels and dark grey coloured uPVC windows. The façade treatment to the anchor building (on the western side of the site) would be predominantly brick, featuring two brick colours, grey uPVC window frames and glass balustrades. The facades on the mews houses would feature two types of bricks with perforated detailing on balconies.

The final materials used would be controlled through the conditions recommended (should the application be granted consent).

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

- 29 x studio flats (approximately 7.5% of the dwellings)
- 155 x one bedroom flats (approximately 40.2% of the dwellings)
- 133 x two bedroom flats (approximately 34.5% of the dwellings)
- 64 x three bedroom flats (approximately 16.6% of the dwellings)
- 5 x four bedroom flats (approximately 1.3% of the dwellings)

All of the dwellings proposed would meet or exceed the minimum internal floor space standards for that type of residential unit (specified in Table 3.3 of the London Plan) and achieve the relevant Lifetime Homes Standards. 39 of the units proposed would meet wheelchair accessible standards or be easily adaptable to achieve wheelchair accessible standards. All of the dwellings in the new build element of the development would achieve Code for Sustainable Homes Level 4.

The scheme would provide a total of 78 affordable housing units on site. This equates to approximately 20% of the total dwellings proposed. The affordable housing units would be provided as a mixture of affordable rent and intermediate (shared ownership) units. The proposed 37 affordable rent units and 41 intermediate (Shared Ownership) units would be located in blocks D and E.

The areas surrounding the proposed buildings would contain a mixture of hard and soft landscaping features. The development would involve the removal of the existing trees from the site. None of the trees to be removed are covered by a Tree Preservation Order. The landscaping scheme proposed would include the planting of substantial number of new trees. The site would be bounded by a range of different types of means of enclosure.

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

- Planning Statement October 2014 by Rolfe Judd, NEAT Developments Ltd and DTZ Investment Management
- Design and Access Statement October 2014 by Rolfe Judd, NEAT

- Developments Ltd and DTZ Investment Management
- Residential Travel Plan October 2014 by Waterman Infrastructure & Environment Limited
- Transport Assessment October 2014 by Waterman Infrastructure & Environment Limited
- Designer’s Response to Road Safety Audit Stage 1, September 2014 by Waterman Infrastructure and Environment Limited
- Daylight and Sunlight Report by GVA, NEAT Developments Ltd and DTZ Investment Management
- Landscape Design and Access Statement by NEAT Developments Ltd
- Pedestrian Level Wind Microclimate Assessment Desk Study by RWDI Consulting Engineers and Scientists
- Energy Statement by NEAT Developments Ltd
- Dispersion Modelling for the Proposed Energy Centre October 2014 by Cambridge Environmental Research Consultants
- Desk Study Report – Revision 3 October 2014 by Card Geotechnics Limited, NEATS Development Ltd and DTZ Investment Management
- Sustainability Statement by NEAT Developments Ltd and Flatt Consulting
- Air Quality Assessment by JMP Consultants Ltd
- Environmental Noise Assessment October 2014 by Paragon Acoustic Consultants
- Flood Risk Assessment by Walsh Associates
- Pedestrian Audit October 2014 by Waterman Infrastructure and Environment Limited
- Archaeological Desk Based Assessment August 2014 by CGMS Consulting
- Statement of Community Involvement October 2014 by Snapdragon Consulting Ltd

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

3. PLANNING CONSIDERATIONS

3.1 The principle of redeveloping the site

The loss of the existing use on the site

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

It is noted that the areas surrounding the site contain a mixture of uses,

including residential and various business occupiers. The site has reasonable access to public transport (a Public Transport Accessibility Level ranging between 2 and 3) and is located within walking distance of a number of bus stops.

The existing use on the site is comprised of a Homebase DIY/retail store (3,302m²) and a car sales yard which occupies land which previously formed part of the Homebase car park area. The application site is not located in a town centre, an area of primary retail frontage, a designated retail parade or a designated employment area. The application site has not been identified for any specific use in planning policies and forms previously developed land.

The applicant has provided a supporting statement which indicates that the existing uses on the site currently provide approximately 28 full time equivalent employment posts. They have also provided information to demonstrate that the proposed development would result in an increase in employment opportunities on the site increasing to between 85-123 full time equivalent employment posts.

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

The principle of the proposed uses

As stated earlier, the application site currently features an A1 (retail) DIY store and a car sales yard. The proposal would result in the demolition of the existing building and the provision of 386 C3 residential units, 936sqm of Class B1 (Business Hub), 97sqm of Class A3 use (Cafe), 295sqm of Class D1 use and 96sqm of Class D2 use.

C3 Residential use

The application site has not been designated in planning policies for any specific use. The London Plan identifies a general need to increase housing supply in London. For example policy 3.3 states that 'The Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners'. In this context it is considered that the site being redeveloped to include an element of residential use is acceptable in principle, subject to the specific proposal which comes forward being compliant with the other relevant aspects of planning policy (these are addressed elsewhere in this report).

The application site forms previously developed land and has reasonable access to public transport facilities (with a PTAL rating of between 2 and 3). The area surrounding the application site features a mixture of residential and commercial uses. In this instance it is considered that the principle of residential use on the site is acceptable, subject to the considerations

addressed further in further sections of this report.

Hendon Hub - B1(a) office use

In terms of the proposed ‘Hendon Hub’, this would be located within the ground and first floors of the 14 storey building adjacent to the frontage of the Hyde. This is envisaged to provide flexible working spaces in which new business start-ups and growing companies can build their businesses within a local entrepreneurial community by providing 936sqm of B1(a) office floor space divided into several small scale units suitable for start up companies. The applicant’s supporting documentation states that *“depending on discussions with partners and stakeholders, the centre has potential to provide high speed fibre optic broadband, Internet Protocol (IPTV) studio facilities, 3D printing, energetic co-working space and networking. New and growing companies will be enabled to access state of the art technologies, office space and conference facilities; maintaining the flexibility of provision, management and end-users is an essential component of the success of the facility”*.

Development management policy DM14 (New and Existing Employment Space) identifies that B1(a) office space specifically should be retained in town centres and edge of centre locations. It also states that *“all proposals for new office space should follow a sequential approach which considers town centre sites before edge of centre sites”*. In this instance it is considered that the proposed B1(a) office use would be located in an out of town centre location and a sequential test has not been submitted to demonstrate that there are no suitable alternative sites that would provide B1(a) office accommodation. However, the proposal offers an opportunity for the delivery of a unique facility that would provide a wider employment benefit to specific businesses and residents and this forms a material planning consideration.

To ensure that the scheme delivers the benefits envisaged in these regard conditions have been recommended which require that the new Class B1 floor space proposed is provided solely as office space and achieves a BREEAM standard of ‘very good’. Furthermore, a management plan will be secured for the ‘business hub’ through a S106 agreement which will secure the benefits of the facility.

In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would provide a local employment agreement to deliver the following apprenticeships and jobs:

Output summary	No.
<i>Jobs</i>	
1. Progression into employment [<6mths]	13
2. Progression into employment [>6mths]	9
<i>Apprenticeships/Work experience</i>	
3. Apprenticeships	23

4. Work exp (+16yrs)		30
5. School/college/uni site visits		269
6. School/college workshops		148

For the reasons set out above, officer's consider that the new Class B1(a) floorspace in the proposed 'Hendon Hub' is considered to be acceptable on the site, subject to the conditions and planning obligations recommended.

A3 (café) use

The proposal would result in 97sqm of Class A3 (Cafe) use on the site, fronting onto the piazza at the front of the site fronting The Hyde and adjacent to the entrance to the business hub. Paragraph 24 of the National Planning Policy Framework 2012 states that "local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan". It identifies an A3 use as an appropriate town centre use. However, in this instance it is considered that the proposal would provide a very modest level of floor space which would be ancillary to the other uses in the proposed building. The principle of the proposed A3 (café) use is therefore considered appropriate.

D1 and D2 uses

The application would provide 295sqm of Class D1 floorspace and 96sqm of D2 floor space to the northern side of the 14 storey 'anchor building' fronting The Hyde and Rookery Way respectively.

Development Management policy DM13 Community and Education Uses states that "*new community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres. New community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties*".

The applicant's supporting information states that the proposed D1 use could form a doctor's surgery, dentists. or crèche, It has also been indicated that the proposed D2 use would form a gym.

In this instance the proposed D1 and D2 uses would be situated in a location with reasonable accessibility by public transport, walking and cycling. As subsequent sections of this report explain in further detail, subject to the conditions recommended, the new Class D1 and D2 spaces would also not have a significant impact on the free flow of traffic and road safety or be detrimental to the amenities of neighbouring residential properties.

To ensure that the scheme delivers the benefits envisaged in this regard conditions have been recommended which require that the new Use Class D1 and D2 floorspace proposed is available for community and educational uses

(and not used for other purposes within Class D1 and D2 respectively) and designed to be accessible to all members of the community. For the reasons set out above the proposed new Class D1 and D2 floor space are both considered to be acceptable and compliant with development plan policies in principle, subject to the conditions recommended.

Conclusions on the principle of the uses proposed

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

3.2 Dwelling mix

Development plan policies require proposals to provide an appropriate range of housing sizes and types, taking account of the housing requirements of different groups. The council's Local Plan documents (Core Strategy and Development Management Policies) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Dwellings with 3 bedrooms and 3 or 4 bedrooms are the highest priority sizes of housing for 'social rented' and 'intermediate' affordable housing respectively.

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

TOTAL	Number of Flats	%	H.R
Studio	29	7.5%	29
1B	155	40.2%	310
2B	133	34.5%	399
3B	64	16.6%	256
4B	5	1.3%	25
TOTAL	386	100.0%	1019

Private	Number of Flats	%	H.R
Studio	29	9.4%	29
1B	126	40.9%	252
2B	97	31.5%	291
3B	51	16.6%	204
4B	5	1.6%	25
TOTAL	308		801

Afford. Rent	Number of Flats	%	H.R
1B	8	21.6%	16
2B	16	43.2%	48
3B	13	35.1%	52
TOTAL	37		116

Intermediate	Number of Flats	%	H.R
1B	21	51.2%	42
2B	20	48.8%	60
3B	0	0.0%	0
TOTAL	41		102

Of these dwellings 78 would be delivered as on-site affordable housing units. The on-site affordable housing units would be provided as 37 affordable rent units and 41 intermediate (Shared Ownership) units which would be located in blocks D and E.

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

confirmed that this is the maximum contribution that it is viable for the development to make to the provision of affordable housing in the borough.

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

3.3 Density of development

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

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

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

The application site covers an area which has a Public Transport Accessibility Level (PTAL) ranging between 2 and 3. In terms of its 'setting' the site is considered to fall within an area of transition using the features identified in the London Plan. The High Road has some urban characteristics, while surrounding residential roads have suburban characteristics.

Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 50 and 170 units per hectare or 150 to 450 habitable rooms per hectare (see table above). Using the approach in the London Plan the 386 dwellings proposed include 1019 habitable rooms. As the site has an area of 1.46 hectares this equates to a density of approximately 264 units per hectare and 698 habitable rooms per hectare which would exceed the 'optimum' density ranges in the London Plan and would marginally exceed the CAAP designation for units per hectare. However, London Plan policy 3.4 makes it clear that it is not appropriate to apply the density ranges mechanistically. Factors such as local context, design and transport capacity are important considerations.

The London Housing SPG has more detailed guidance on the concept and application of density standards. Paragraph 1.3.6 explains that density nowadays is 'an outcome of the implementation of policies to secure a better environment and the interplay of this with development viability'. Importantly, the London Housing SPG makes it clear that development which exceeds the density ranges will not necessarily be considered unacceptable, but will require particularly clear demonstration of exceptional circumstances and a sensitive balance must be struck.

Paragraph 1.3.41 of the SPG states that 'where proposals are made for developments above the relevant density range they must be tested rigorously, taking particular account of not just factors covered by [London Plan] policy 3.4 but also other policies which are relevant to exceptionally high density development'. Amongst the factors listed are dwelling mix, design and quality, physical access to services and the contribution of the scheme towards 'place shaping'. Massing, scale and character are also relevant and design should be exemplary. Impact on the capacity of local infrastructure and services will also be an important consideration.

In this instance, a design-led approach has been taken to the proposal, with the majority of the scheme comprising residential apartment blocks. The range of dwelling types proposed, including the proposed family housing, is strongly supported. The quality of residential accommodation is high, with the majority of units being dual aspect and a high standard of external amenity space provided. The scheme has specifically been designed to provide basement car parking to take as much car parking off the street and surface areas as possible, to further enhance the character and appearance of the scheme.

The site is also large enough to develop its own character and influence the future character of this part of Colindale. Design and visual impact is considered in more detail in later sections of this report. Overall, it is considered that the scheme would result in a high quality appearance and residential environment that would respect its surrounding context, whilst delivering a good standard of housing appropriate to its location and achieving a sense of place.

As the other sections in this report outline the proposal is considered to be compliant with the objectives of policies on good design, local context and character, providing acceptable amenities for future occupiers of the new development, transport matters and protecting the amenities of neighbouring occupiers.

Overall, taking account of the factors outlined above officers consider that the density of development proposed is acceptable in this instance.

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

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

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

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

Dwelling size

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

Minimum Space standards for new development

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

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

Dwelling layout and daylight, sunlight and overshadowing conditions

The submission documents include an assessment of the daylight and

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

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

Officers find that generally the proposed dwellings are well proportioned, with rooms that are not excessively deep or narrow. The siting of buildings has been established to provide spacing that allows natural daylight and sunlight to permeate between them through. All of the dwellings proposed are considered to have an adequate plan form and layout, with the significant majority of bedrooms and other living spaces in the scheme having access to dual aspect windows.

In terms of daylight levels, the Internal Sunlight and Daylight Report submitted assesses the rooms that are most likely to receive the lowest levels of daylight due to their location and outlook. The report identifies four rooms that would not meet the relevant Daylight Factor (ADF) in line with the recommendations set out in BRE guidance for a room of that type. In three cases the rooms which do not meet the relevant ADF figure are affected by recessed balconies but these rooms *“still achieve ADF values in excess of 1%df and will therefore still receive a reasonable amount of internal lighting”*. The report also finds that *“the only room that was below target was a first floor bedroom in Block C which is below the relevant ADF target due to its direct outlook onto neighbouring Block B”*.

In this instance, officers consider that the level of shortfalls are minimal for a scheme of this nature and that the design put forward includes good sized windows and glazed doors to living spaces and find the design to be sound in this respect. Taking this into consideration, officers find the levels of sunlight and daylight available to future occupiers of the proposed dwellings to be adequate in this instance. Having weighed the findings of the sunlight and daylight assessment submitted against the benefits provided to future occupiers through the inclusion of good sized private amenity spaces it is considered that the development has struck a reasonable balance for the circumstances of the site and that, taken as a whole, the design put forward provides adequate amenities for the occupiers of each of the proposed dwellings (with the conditions recommended). It is not considered that a reason for refusal on the grounds of inadequate daylight and sunlight for future occupiers of the proposed development would be justified in this instance. Notwithstanding that officers have found that this aspect of the scheme is adequate in its own right, the case for coming to this view is

supported further by the wider planning benefits of the proposed development.

External amenity space provision

The proposal would provide 9,157sqm of amenity space in the form of:

- 5,884sqm in balconies/gardens/private terraces in blocks A-K
- 1,798sqm in communal roof terrace in blocks A-E, G, J and K
- 1,475sqm in communal landscaped amenity areas

In terms of the London Plan, this indicates that there would be 2,071m² of private amenity space in the proposed development. The majority of the proposed flats would have access to their own private amenity space in the form of a balcony or terrace. In each case this amenity space would be of sufficient size to meet or exceed the requirements of Mayoral guidance on the provision of private external amenity areas (5m² for 2 person dwellings with an extra 1m² for each additional bed space) for the size of flat proposed.

Barnet Local Plan policy DM02 states that new development should comply with minimum standards for outdoor amenity space provision set out in the Sustainable Design and Construction SPD. The same guidance is set out in Barnet's Residential Design Guidance SPD, providing minimum standards for outdoor amenity space provision in new residential developments. Flats are expected to be provided with 5m² of usable outdoor communal or private amenity space per habitable room proposed. For both houses and flats kitchens over 13m² are counted as a habitable room and habitable rooms over 20m² are counted as two habitable rooms for the purposes of calculating amenity space requirements. Based on this criteria, the proposal would be required to provide approximately 5,165sqm of private amenity space and this requirement has been exceeded in the proposed scheme.

In addition to the private amenity space and roof terrace areas, the scheme seeks to provide communal landscaped amenity areas within the application site. These spaces would cover an area of approximately 1475sqm in total and include areas of lawn, trees, hedges and other forms of soft landscaping, hard landscaping and play features (the precise details of which are to be agreed under the conditions recommended). The design, quality and size of these three areas is considered to be such that they would provide sufficient external amenity space to exceed the requirements of Barnet guidance for the residential units proposed. The proposal is therefore considered to be acceptable in this regard.

In summary, the proposal would provide 9,157sqm of amenity space which would meet or exceed the local requirements and would comply with both local policies and the GLA's standards. All of this space would be fully usable, would receive adequate light, natural surveillance and has the potential to accommodate high quality planting and other features (seating etc).

Dwelling outlook

Development plan policy requires that new dwellings are provided with

adequate outlook. The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties. An example of a way in which this is achieved is the careful siting and orientation of windows in the proposed buildings. In this instance, given the site constraints and the scale of the proposed development, it is considered that each of the dwellings proposed in this instance has an acceptable outlook.

Privacy and overlooking

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

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

Noise, vibration and air quality

The submission documents include an assessment of the impacts of the noise and vibration environment in the area on the amenities of the future occupiers of the proposed dwellings. This was carried out by Paragon Acoustic Consultants. The design and layout of the buildings and spaces proposed on the site has taken account of the need to create an acceptable noise, vibration and air quality environment for future occupiers of the proposed dwellings.

In terms of potential noise related impacts on future occupiers of the proposed dwellings, the submitted report indicates that *“the existing noise climate in the vicinity of the site is dominated by noise from transportation sources specifically road traffic from the A5 Edgware Road and to a lesser extent Rookery Way and Hyde Estate Road”*. The findings and content of the report explore the potential noise sources affecting the proposed development site and indicate a noise control strategy for the most affected blocks (A and K) based on adoption of commercially available, proprietary, acoustically rated products. It indicates that for all the other buildings, no special facade sound insulation measures are deemed necessary.

The council's environmental health department have reviewed the submitted information and have stated that there is no objection to the proposal subject to the inclusion of conditions.

In terms of air quality matters, the London Borough of Barnet has been declared an Air Quality Management Area (AQMA). Accordingly, an air quality assessment is included in the application documentation. This assessment includes a prediction of pollutant concentrations within the site as proposed, to indicate the likely level of exposure for future occupants. Based on an assessment including the impact of nearby roads, dust during construction and CHP systems, the findings of the report indicate that with mitigation in place, the overall air quality impacts of the development would be 'insignificant'.

The council's environmental health department have reviewed the submitted documentation and have stated that there is no objection to the proposal subject to the inclusion of conditions. For these reasons the proposal is considered to deliver acceptable air quality conditions for future occupiers of the proposed dwellings and to be compliant with planning policies in this respect.

Refuse and recycling

The application is accompanied by a preliminary refuse strategy which indicates that the location of refuse stores and collection points. The council's refuse and recycling team have commented on the proposal and have stated that there are no objections to the proposal subject to the inclusion of indemnity being conditioned for refuse collection vehicles entering the site and a management plan requiring that the management company who deal with the refuse on the site ensuring that bins are arranged so that they are pulled out and ready for collection by the council's refuse staff on collection days. In addition to this, the council's highways team have not raised a concern with the proposed arrangement, subject to conditions. Officer's consider that the relevant conditions are necessary in the event of approval.

Conclusions on the amenities of future occupiers

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

3.5 Design, appearance and character matters:

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take

the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

The application site currently features a single storey building used for retail purposes and its associated car park. There is also a car sales business in operation on part of the car park area. The site features changing levels and a variety of adjoining buildings on its boundaries.

Layout

The proposed development would involve the demolition of the existing on site buildings and the erection of eight blocks of apartments of 6-8 storey with a building of 14 storeys adjacent to the Hyde (A5).

The proposal would result in the introduction of residential buildings along Rookery Way, which will improve activity of the street frontage and establish building lines on this road. In addition, within the proposed layout there is good definition between public and private space, which has an overall security benefit for the wider community, and results in a more legible and permeable environment for pedestrians. The central green open space would also provide a setting for part of the development. The principle of this layout is therefore supported.

Within the site, the street network is conceived as a series of landscaped residential thoroughfares, providing a pleasant outlook for future occupiers and a choice of routes for pedestrians. The landscape strategy in the submitted Design and Access Statement shows a variety of hard surfacing

materials to be used, which would ensure a high quality finish and different treatments would denote different areas of the street. Conditions are recommended requiring samples of these materials to be submitted and approved.

The walkways would reflect the proposed residential character, which would result in intimate spaces for future occupiers to look out on and would provide an appropriate setting for the scale of building proposed. The submitted drawings and Landscape Strategy demonstrate that the opportunities for the provision of planting has been maximised and this would be secured through planning conditions recommended at the beginning of this report.

Public realm

As mentioned, the scheme would deliver central green spaces, which would provide a green 'break' in the development, as well as delivering usable public amenity space and play space. The space is laid out to ensure the legibility of the main pedestrian route through the site, which is supported. Details of materials and boundary treatments would be sought by condition, but the Design and Access Statement envisages the public amenity space to be enclosed by railings and incorporating a variety of surface treatments, which is supported.

Overall, the proposed layout of buildings, walkways and green spaces would complement the residential character of the scheme and provide a high quality outlook for the dwellings proposed. As mentioned, conditions are recommended to require details of planting plans and hardsurfacing treatments to be submitted and approved.

Building height and scale – tall buildings

The scheme proposes a 14 storey building located adjacent to the Hyde (A5). This would comprise commercial floorspace on the ground and first floors including the Hendon Hub and café, accessed via a new public square or piazza to the front of the building. The upper floors of this building will provide further residential apartments.

London Plan Policy 7.7 sets out the approach to tall buildings in London requiring that appropriate locations are identified in Local Plan's. The policy sets out design criteria that tall buildings should comply with. Further to this, London Plan para 7.25 defines a tall building as one that is substantially taller than its surroundings, or significantly changes the skyline.

Barnet's Local Plan policy CS5 states that 'tall buildings (8 storeys (or 26 metres) or more) may be appropriate' in the Colindale Avenue or Edgware Road Corridor of Change, within the Colindale Area Action Plan area (CAAP). Policy DM05 follows on from this to set out five criteria for judging the acceptability of such proposals:

- i) an active street frontage where appropriate;*
- ii) successful integration into the existing urban fabric;*

- iii) a regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline;*
- iv) not cause harm to heritage assets and their setting;*
- v) that the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm.*

Policy 5.3 of the CAAP states that 'taller buildings (in excess of 6 storeys) will only be located in the most sustainable locations which benefit from good access to public transport facilities and shops and services'. In addition, the policy specifies that a tall building should be of excellent design quality in its own right, should enhance the qualities of its setting and provide a positive landmark. Proposals for tall buildings should be assessed having regard to Guidance on Tall Buildings (2007) by English Heritage and CBE, as well as London Plan Policy 7.7 – Location and Design of Tall and Large Buildings.

It is noted that the site does not fall within the Colindale Avenue or Edgware Road Corridor of Change and is therefore not identified in the development plan as a location that would normally be suitable for tall buildings. However, the proposed 14 storey feature corner would be located on the main road and would be viewed in the context of tall buildings nearby, which are of a similar height (the BT Exchange and Hyde House). This building would mark the development and would aid legibility in this part of Colindale, providing a positive visual feature in the skyline

Officers therefore consider there to be a clear justification for the principle of a marker building on this key corner, as a departure from development plan policy. This feature corner would be the only part of the scheme that would exceed 8 storeys, with the rest of the development being lower than this.

Turning to the criteria set out in Barnet Local Plan policy DM05, the tall building would have an active street frontage (criteria (i)), with residential entrances provided on all elevations. There are no listed buildings or conservation areas in the vicinity of the site. Given the separation distances, there would be no discernible effect on the setting of listed buildings, or any other local heritage assets, as a result of the proposal (criteria (iv)). The submission concludes that the proposed development has been designed to meet the Lawson Criteria for Distress and Comfort (criteria (v)).

In terms of criteria (ii) and (iii), these relate primarily to visual impact and character. It is noted that the part of the site that would be occupied by the 14 storey building is the lowest part of the site and is well away from neighbouring buildings, which would minimise visual impact. The proposal would not affect local viewing corridors or protected views, nor would it adversely affect the skyline. In fact, the scheme would be a similar height to nearby buildings at Hyde House and the BT Exchange which are also visible from the front of the Hyde (A5).

In this context, the application documents demonstrate that the scheme would sit well within its context, without having an overbearing impact on nearby buildings or uses. The feature corner would provide an appropriate landmark

for the development on this prominent corner and the design rationale behind this approach is supported.

The corner feature would comprise a cluster of built elements, principally the main 14 storey brick element, with subservient 10 storey shoulders. Each of these elements would be broken up by recesses and shadow gaps, having a strong vertical emphasis and two contrasting brick types. The visual relief in the elevations created by the recesses, balcony reveals, balconies and window reveals would create visual interest and soften the scale and bulk of this part of the scheme. The use of good quality brick and glazed balustrading will ensure a high quality finish and conditions are recommended to ensure that a satisfactory sample panel is constructed on site, and approved by officers, before construction commences.

English Heritage and CABE Guidance on Tall Buildings

The criteria for evaluation of tall buildings set out in Guidance on Tall Buildings (2007) by English Heritage and CABE is discussed below:

- *Relationship to context:* As mentioned, the tall building would be located on the frontage of the Hyde (A5) where it would sit in the context of tall buildings nearby, including Hyde House and the BT exchange. There would be no undue impact on locally important views or the wider skyline. The building would also respect the local urban grain, helping to create a distinct new character for this part of Colindale.
- *Effect on the historic context:* Due to the separation distances and intervening development, there would be no discernible impact on the setting of any local heritage assets.
- *Effect on world heritage sites:* There are no world heritage sites in the vicinity of the development, so this is not applicable.
- *Relationship to transport infrastructure:* The building would not impact on any aircraft flight paths. It is noted that the site is not located in an area of high public transport accessibility, although it is expected that bus services in the vicinity of the site will improve. However, the corner feature is an architectural marker, intended to aid legibility in this part of Colindale. It would not lead to a cluster of tall buildings or excessively dense development in an area of low public transport accessibility.
- *Architectural quality of the building:* As discussed, the bulk and massing of the tall building is broken down into a series of elements by recesses. The building would have the use of a restrained palette of materials and would result in a high quality finish that would match the rest of the scheme. Overall, the tower is considered to exhibit the highest standards in architectural design.
- *Sustainable design and construction:* The development would be designed to the highest levels of sustainability, meeting Code for Sustainable Homes level 4.
- *Credibility of the design:* Conditions are recommended to ensure that the highest quality of materials are used in construction, as well as to ensure that the necessary detailing is carried, by approval of construction drawings. The necessary controls are therefore in place to ensure that the standard of design is not diluted following planning approval.

- *Contribution to public space and facilities:* As mentioned, the development relates positively to its surroundings, by providing residential entrances and overlooking of the public realm surrounding it.
- *Effect on the local environment:* The submitted Sustainability Report states that the scale of the building would not adversely affect levels of comfort in the public realm, or microclimate more generally.
- *Contribution made to permeability:* As discussed, the building will aid legibility in the area, by providing a marker for this corner of Colindale. The tower will be visible from wide views. The scheme generally would provide for improved pedestrian permeability through the introduction of walkways.
- *The provision of a well-designed environment:* The development would provide a high standard of residential accommodation for future occupiers, along with high quality outdoor amenity space in the form of balconies, roof terraces and landscaped courtyards.

Overall therefore, the proposal is considered to satisfy all the criteria set out in the English Heritage and CABA guidance.

London Plan Policy

London Plan policy 7.7 states that ‘applications for tall or large buildings should include an urban design analysis that demonstrates the proposal is part of a strategy that will meet the criteria below’. It emphasises that this will be particularly important on sites such as this, which are not identified as locations for tall buildings.

The criteria states that tall and large buildings should:

- Generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport:* The site is located in proximity to Opportunity Areas.
- Only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a tall or large building:* As discussed, the proposed tall building would be sited well away from existing buildings, facing out onto the railway and M1 motorway. The building would be set back from the boundary of the site and would generally only be seen in wider views. As mentioned, there are a number of other tall buildings adjoining the site and the proposal would be seen in this context.
- Relate well to the form, proportion, composition, scale and character of public realm (including landscape features), particularly at street level:* As discussed, the building would be set back from the boundary of the site, with existing and proposed trees and vegetation softening its impact. There would also be an appropriate design response to the surrounding public realm, which maximises building entrances and natural surveillance. The tall corner element would not be overbearing on the public realm, as it faces out onto an open area, rather than other buildings or a constrained public space.
- Individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London:* As discussed, the proposal would ‘mark’ the street corner and would aid legibility. It is

considered that the skyline would be enhanced as a result.

- e) *Incorporate the highest standards of architecture and materials, including sustainable design and construction practices:* As mentioned, the development would meet the highest standards of sustainable design and construction. It is considered that the architectural quality of the tower is also of the highest standard, incorporating design features to reduce the apparent massing of the building. Conditions are recommended to ensure that the highest standard of materials and detailing are incorporated into the design.
- f) *Have ground floor activities that provide a positive relationship to the surrounding streets:* As mentioned, the design response maximises building entrances and natural surveillance.
- g) *Contribute to improving the permeability of the site and wider area, where possible:* As discussed, the building will aid legibility in the area, by providing a marker for this corner of Colindale. The tower will be visible from the surrounding area. The scheme generally would provide for improved pedestrian permeability through the introduction of additional footpaths.
- h) *Incorporate publicly accessible areas on the upper floors, where appropriate:* Given the residential nature of the scheme, this is not considered appropriate.
- i) *Make a significant contribution to local regeneration:* there are far-reaching regeneration benefits arising from the scheme including housing delivery, the Hendon Business Hub and Community floorspace provision (D1 and D2 uses)

Furthermore, tall buildings should:

- a) *Should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise reflected glare, aviation, navigation and telecommunication interference:* The submitted Sustainability Report states that the scale of the building would not adversely affect levels of comfort in the public realm, or microclimate more generally. The building would not have a significant impact on light to the adjacent streets. It is not expected that a building of such size would impact on telecommunication, aviation or navigation.
- b) *Should not impact on local or strategic views adversely:* Locally important views would not be impacted upon and there would also be no impact on any of the strategic views identified in the London Plan.

In summary, the proposal would meet all the criteria set out in the London Plan for the assessment of tall buildings. The building would not be located in a 'sensitive area' or an area that would be inappropriate for tall buildings, as set out in London Plan policy 7.7.

Summary

The remainder of the scheme would be between 6 and 8 storeys. There would also be a variation in height throughout the scheme to add visual interest and reduce any enclosing effect in the adjacent streets and spaces.

In summary, the height and scale of the various components of the scheme would be in keeping with the pattern of new development in this part of Colindale, particularly given its context in proximity to Hyde House and The

BT Exchange buildings. The scheme would deliver high density housing in a quality environment, whilst respecting its surrounding local context and skyline. Subject to the use of high quality materials and detailing, as discussed below, the proposal would have an acceptable visual impact.

Architecture, materials and detailing

The applicant's supporting documentation states that the design rationale for the scheme is "to create a 'metaphorical' extension of the Silk Stream through the centre of the site to encourage flow through the scheme... the building forms will float to encourage inward looking views (and) a tall building to the corner of the Hyde and Rookery Way has been considered as a 'anchor' to identify the site and create a focal point to encourage public use through the site".

The façade treatments of blocks B, C and D will be comprised predominantly of two bricks which will provide contrast and interest whilst the façade treatment to the internal courtyard blocks B, C and E facing courtyards will be predominantly lightweight with solid bases. Further to this, it is intended that the anchor building will be predominantly constructed of two contrasting brown bricks with grey metallic window frames, which will establish a definitive street edge to the Hyde (A5).

The use of rusticated coursing, timberwork and glazed brick reveals/cutaways maintains a consistent palette of material treatments, along with two main buff brick types. As with any development of this scale, there would be long elevations and large expanses of brickwork. It will be important therefore that high quality materials are used throughout and that sufficient detailing is incorporated into the design. Conditions are therefore recommended requiring detailed drawings and material samples to be submitted and approved, to ensure an acceptable appearance.

Overall, the scheme is considered to exhibit the highest standards in contemporary architecture, creating a distinct identity and sense of place as required by CAAP policy 5.1. The development would also reflect principles of classic suburban architecture, which will help it to integrate with surrounding buildings. It is therefore considered that the proposal achieves the high standard of design required by London Plan, Barnet Local Plan and CAAP policies.

3.6 Impacts on amenities of neighbouring and surrounding residential occupiers:

Local Plan policies seek broadly to promote quality environments and protect the amenity of neighbouring residential occupiers and users through requiring a high standard of design in new development. More specifically policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users. Policy DM04 identifies that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses, such as residential dwellings, will not normally be permitted.

Overlooking and loss of privacy

It is recognised that a small number of the dwellings proposed have windows and private amenity areas (such as balconies or terraces) which could potentially result in a degree of overlooking of neighbouring properties, particularly in Rookery Way. However, the proposal is located within a built up area and therefore

Given the importance of this issue conditions have been recommended to require the obscured glazing and privacy screens to be implemented in full accordance with details that have previously been approved by the Local Planning Authority and maintained as such thereafter. With such conditions the development would comply with the specific privacy distances set out in the Barnet Residential Design Guidance SPD. This potential issue is therefore considered to be fully addressed by the controls recommended.

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

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

Daylight and sunlight

The application is accompanied by an assessment of the proposals impact on the neighbouring residential properties which has been carried out by GVA.

The report identifies and assesses the impact of the proposed development on the amenity of neighbours. It finds that the proposed development will satisfy the BRE standards for Vertical Sky Components (VSC), which is the principle test for daylight, at:

- 1-16 Rookery Way

- 1-9 Rookery Close
- 73 The Hyde
- 75 The Hyde
- 77 The Hyde
- Ashton Lodge Care Centre

Following this, the report elaborates on the impact of the proposal on: 79 - 87 The Hyde, 89 – 93 The Hyde and Geneva Court.

The site currently features a car parking and a single storey building which enables the existing neighbours to benefit from high levels of day light and sunlight with unobstructed outlook. As such, it is considered reasonable that any development on the application site will result in a reduction in sunlight and daylight levels to neighbours, to an extent whereby it may be considered inappropriate for the numerical targets in the BRE Guidelines to be applied strictly and the appropriate targets in the current circumstances should be set using the advice contained at Appendix F of the BRE Guidelines.

The report concludes that *“whilst there will not be full compliance with the BRE recommendations in respect of 79-87 The Hyde, and in Geneva Court, the residual VSC values that were recorded following the Development, show that daylight levels will achieve VSC values in the mid-teens, and rise steadily upwards, and this demonstrates that those lighting levels will be comparable to a typical urban environment and leave the neighbouring residents with a reasonable and adequate level of daylight”*.

Based on the onsite circumstances and the findings of the submitted report, officers accept the findings of the assessment submitted and conclude that the application is acceptable in terms of its impact on daylight and sunlight at neighbouring residential properties for a scheme of this scale.

Outlook and visual impact

The documents submitted with the application include verifiable photomontage images, computer modelling and plans. These show the impact of the proposed development from key locations within the area surrounding the site and the relationship of the proposed buildings with neighbouring properties and spaces.

The submission also provides documentation which enables the full assessment of the proposed development’s impacts on neighbouring properties in respect of visual impacts, the relationships between buildings and spaces (in terms of whether or not they are overbearing) and impacts on outlook.

In terms of potential impacts on outlook, the key sensitive viewpoints are those from the residential properties at Geneva Court. These properties currently look out towards the existing western boundary of the site on Rookery Way. In the event that the proposed development is constructed the views from front windows and gardens of properties Geneva Court will look onto residential units in the proposed development that will be based on

Rookery Way.

As stated previously, the majority of the scheme has been designed to ensure that the distance between directly facing clear glazed windows to habitable rooms in the proposed dwellings would not be less than 21m and the distance from a habitable room window to a directly facing private external amenity area (garden, balcony, terrace or winter garden) within the development would not be less than 10.5m. The exception to this is the relationship of the proposed development in relation to Geneva Court. The applicant's supporting statement puts forward the case that the *"immediate setting in this location is more in keeping with an 'urban' rather than suburban environment, where Geneva Court is located very close to the back of the pavement. As a consequence of this, on Rookery Way, where the road turns north to meet Rushgrove Avenue the proposed distance is 17-18metres between the existing and new buildings. The siting of the new buildings 10.5 metres from the centre line of the road respects the existing building lines and maintains the residential amenity of the existing dwellings"*. It is appreciated that the proposed buildings along Rookery Way will continue the existing building and plot lines to the north and will reinforce the activity along this street scene. It is also considered that the proposed buildings would be located 10.5 metres away from the centre of Rookery Way and set back from the edge of the site and the result of the development will result in a high quality urban environment that would not be uncommon in this location or warrant the refusal of the application on these grounds.

Noise and disturbance

The residential dwellings proposed in the development are of a nature that they would not be expected to generate unacceptably high levels of noise and disturbance, to such an extent that they would harm the amenities of the occupiers of neighbouring properties (which include residential uses), in the normal course of their occupation. The conditions recommended are considered sufficient to ensure that any extraction and ventilation plant used, would be located so as to no result in unacceptable levels of noise and disturbance to neighbouring occupiers.

Given the scale, location and nature (Business Hub (B1a), D1, D2, A3) of the uses proposed it is also considered that the non-residential element of the development would not be likely to result in levels of noise and disturbance to such an extent that they would harm the amenities of the occupiers of neighbouring properties. However, to ensure that the part of the development proposed falling within Use Classes B1(a), D1, D2 and A3 does not result in unacceptable levels of noise and disturbance at neighbouring residential properties conditions controlling its hours of occupation have been included in those recommended. Subject to these controls the proposal is found to be acceptable in this regard.

Conditions have been recommended to ensure that the construction of the development does not result in unacceptable levels of noise and disturbance and to minimise the amenity impacts arising from the construction of the development more widely. These include the carrying out of the works within

certain hours and in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

Air quality

Barnet Local Plan policies seek to ensure that new development is not contributing to poor air quality. It is noted that the part of the application site which is situated alongside the Hyde is a location within the borough where European Union Standards for air quality in respect of Nitrogen Dioxide levels are exceeded. This is typical of several major roads in the borough and also many other major roads in London more widely.

The application is accompanied by an Air Quality Assessment which has been prepared by JMP Consultants Ltd. The Council's Environmental Health Service have carefully assessed the proposal and concluded that the nature of the scheme is such that it would not be expected to result in any significant adverse impacts on air quality (including Nitrogen Dioxide levels) during its operational phase. The proposal is therefore found to be acceptable in this regard.

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

Conclusions

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

3.8 Affordable Housing

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual residential schemes, having regard to:

- Current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11.
- Affordable housing targets adopted in line with Policy 3.11.
- The need to encourage rather than restrain residential development (Policy 3.3).
- The need to promote mixed and balanced communities (Policy 3.9).
- The size and type of affordable housing needed in particular locations.
- The specific circumstances of individual sites.
- The resources available to fund affordable housing and maximise affordable housing output

- The priority accorded to affordable family housing provision

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

This approach is reflected in Local Plan policy DM10 which requires the maximum reasonable amount of affordable housing to be provided on site, subject to viability, having regard to a borough wide target that 40% of housing provision should be affordable. Local Plan policy CS4 identifies that on sites which are suitable for the provision of an element of affordable housing the Council may exceptional accept the provision of off site affordable housing or a commuted payment instead of such provision.

The proposal would provide a total of 78 affordable housing units on site (37 Affordable Rent units and 41 Intermediate Units). This provision equates to approximately 20% of the total dwellings proposed

To explain and justify this level of contribution NEAT Developments Ltd have submitted a confidential report which evaluates the economic viability of the proposed development making a contribution to affordable housing provision. The Council then commissioned BNP Paribas to independently review this report and examine its findings.

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

As set out in the heads of terms towards the start of this report (at Recommendation 1), officers recommend that a subsequent re-appraisal of the viability of the development is carried out if the development is not substantially implemented within 12 months of the date when the period under which the application is potentially challengeable under judicial review proceedings has passed (or 12 months after the date on which any Judicial review is resolved). This would ensure that should circumstances change and the scheme became more economically viable a correspondingly appropriate financial contribution to the provision of affordable housing within the borough would be made to the Council. This would be up to a maximum of the equivalent value of 20% of the units proposed (reduced from 40% due to the on-site contribution to affordable housing agreed) and such a payment would be in addition to the on-site affordable housing obligation set out above.

3.9 Trees and Landscaping:

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

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

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

There are no TPO or significant trees on the site but the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting) and provides an appropriate setting for the buildings proposed. Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate design and quality and makes a positive contribution to the area, including assisting in the creation of a safe and secure environment. Matters relating to access, parking biodiversity and habitat provision are addressed in other sections of this report in full. However, in each of these regards the landscaping proposed is found to be acceptable.

It is concluded that the scheme is acceptable and compliant with development plan policy in respect of tree and landscaping matters.

3.10 Transport, parking and highways matters:

Policy context

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

reduce the need to travel.

Major development proposals with the potential for significant trip generation will be expected to be in locations which are, or will be made, highly accessible by a range of modes of transport and supported by a Transport Assessment that fully assesses the transport implications of the development across all modes. Schemes are also required to implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Parking provision

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

For the different types of unit the range of provision is as follows:

Four or more bedroom units - 2.0 to 1.5 parking spaces per unit

Two and three bedroom units - 1.5 to 1.0 parking spaces per unit

One bedroom units - 1.0 to less than 1.0 parking space per unit

Using the standards set out in the Barnet Local Plan the residential element of the development generates a car parking provision of between 205 and 489.5 car parking spaces. The Barnet Development Management Policies Document recommends that flexibility is applied when assessing residential parking provision. More specifically paragraph 18.8.2 states that:

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

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

The 2011 Census for the Colindale Ward and super output area indicates a slight decline over the past decade in car ownership – currently 61% of households have access to a car. This is significantly below ownership across the Borough which averages at 73%. The development is served by bus

routes 32, 83, 183, 642, 653, 683, N5 and N16 with bus stops located in the close vicinity on Edgware Road and Kingsbury Road. The nearest rail service to the development site is Hendon Railway Station which is approximately 1.2 km walking distance from the site. The nearest Underground Station to the development site is Colindale Underground Station which is approximately 1.8 km walking distance from the site. Based on this information TFL have stated that they would like to see a reduction in the level of car parking proposed. However, the Barnet council highways team have maintained their view that the proposed level of car parking is an under provision according to the borough's car parking standards.

In this instance the development would provide a parking provision of 309 car parking spaces for residential units (0.8 per unit) of which 39 would be suitable for disabled users. Given the sites circumstances, including its location in an area that has a Public Transport Accessibility ranging between 2 and 3, the car parking provision of 309 spaces for the residential element of the scheme is found to be below the recommended standard. The council's highways department have reviewed the application and have stated that to mitigate this impact, it will be necessary for contributions to be made to a new CPZ in the area, the monitoring of a travel plan, the requirement to provide car club spaces and highway improvements works. Furthermore, TFL have stated that contributions will need to be made to providing an additional return journey on a bus. These contributions have been agreed by the applicant.

In terms of the non residential development, this would be provided with 8 car parking spaces. Barnet Local Plan policies (in the Development Management Policies Document) identify (at paragraph 18.8.2) that 'all non-residential development should comply with the parking standards set out in the London Plan'. The parking standards at Table 6.2 of the London Plan recommend a provision of up to 1 car parking space per 100 to 600m² of Class B1 office use proposed. The London Plan does not identify specific standards for uses within Class D1. Instead parking provision for such uses is to be assessed individually. The policy requirement for car parking in relation to the non-residential aspect of the scheme is set out below:

	Use Type	Parking STD	Parking Provision
97.2m ²	A3 Restaurant Use	Disabled Parking only	Disable Parking Space
936.0m ²	B1 Use	100-600/m ²	=10 to 2 parking spaces
294.6m ³	D1 Use	Disable parking spaces	-
96.3m ²	D2 Use	No Designated parking required	-
1424.1m²			

Taking into consideration the circumstances of the site and the accepted contributions (as outlined above), the level of parking is considered to strike the appropriate balance between the need to minimise the impact of parking associated with the development on the surrounding area and the requirement to not undermine the use of more sustainable modes of transport (walking, cycling and public transport).

Conditions have been recommended to ensure that the parking spaces proposed are provided prior to the occupation of the development and allocated and managed in an appropriate way. Conditions and planning obligations requiring the provision of appropriate Travel Plans have also been recommended. These will assist in encouraging travel by non-car modes of transport. Subject to the controls in place under the conditions and obligations recommended the provision of a total of 318 car parking spaces for the development proposed is considered to be acceptable and compliant with the objectives of development plan policy.

Development Plan policies require that proposals provide 10% of the car parking spaces in a scheme to a disabled parking space standard. The application proposes to provide 39 of the 318 spaces proposed to a disabled parking space standard, and this is considered to be an acceptable approach that is compliant with the requirements of development plan policies.

The application proposes that 20% of all car parking spaces will be provided with electric vehicle charging points with an additional 20% passive provision. Development Plan policies require that schemes provide 1 in 5 parking spaces (both active and passive) with electric vehicle charging points (EVCP). The conditions recommended require that not less than 64 (20%) of the car parking spaces proposed for the residential element of the scheme are provided with active EVCP and that a further 20% of the residential parking spaces proposed would have passive EVCP provision. The conditions recommended also require that not less than 2 (20%) of the car parking spaces proposed for the non-residential element of the development are provided with active EVCP and that a further 10% (in accordance with the standards identified on Table 2 of the London Plan) of the non-residential spaces proposed would have passive EVCP provision. Subject to these conditions the scheme is found to be acceptable comply with planning policy in this regard.

In terms of cycle parking, the development includes dedicated areas for the storage for 473 cycles (of which 455 would be for residents).

For C3 residential use the proposed cycle parking standards are as follows:
1 cycle parking space for 1 or 2 bed units + 1 cycle parking space for 40 units for visitor.
2 cycle parking spaces for 3+ bed units + 1 cycle parking space for 40 units for visitor.

TfL has stated that the 455 cycle spaces are proposed for residents does not comply with the latest policy provision which includes two spaces for units of two or more bedrooms and as such 588 spaces should be provided. The applicant has stated that they will comply with this. As such, it is considered that a condition should be imposed which details the number and position of these spaces to ensure they are well located in relation to entrances and lifts to encourage their use. On this basis the proposed level of cycle parking is considered to be acceptable and policy compliant and a condition has been

recommended to ensure it is carried through into the implementation of the scheme.

The application proposes the provision of 3 car club vehicles on Rookery Way where residents will be offered free membership for 2 years. A report from an existing Operator in the area states a car club could work well at this location, which is welcomed and should therefore be secured as appropriate through the s106 agreement.

Access and site layout

The site is located on the east side of The Hyde (A5), part of the Strategic Route Network (SRN), accessed at two points off Rookery Way which abuts the north of the site and adjoins the A5 to the west by way of a signalised junction at the north-west corner of the site. Right turn movements out of Rookery Way onto the A5 and vice versa are not permitted. There are two access points on Rookery Way, one serving the Homebase car park and the eastern-most access serves the service yard area. The accesses form simple priority junctions with Rookery Way.

The applicant has confirmed that the proposed access to the basement car park is in the approximate position of the existing service yard access from Rookery Way. The pedestrian access to the site is provided from Edgware Road and Rookery Way to ensure maximum permeability for residents.

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

Trip generation

The site is fairly remote from rail and tube connections. Hendon Rail station is approximately 950m walking distance from the site and is served by regular First Capital Connect Thameslink to central London. The Northern Line provides direct access to central London from Hendon Central station to the south east and from Colindale station to the north east. Although Colindale is fractionally the nearest tube station (1300m away), a greater number of people are expected to travel to/ from Hendon Central Underground station (1500m distance), using the local bus service. A number of bus routes operate along The Hyde including routes 83, 183, 142 and 32. The northbound stop is within 107m of the site's centre and the southbound stop is within 165m.

To establish the trip generation associated with the existing uses on the site traffic and pedestrian surveys were carried out.

The accident analysis report found that in general no trends were apparent. However, it identified that 9 collisions were recorded at the junction of

Edgware Road and Kingsbury Road junction 4 of which were vehicles travelling north on Edgware Road colliding with vehicles travelling south and turning west into Kingsbury Road. The council's highways team have identified that the increased trip generation to and from the site will require junction improvement works to improve pedestrian safety and as such have requested a contribution of £20,000 to assist in mitigating any additional impact on the junction as a result of the proposed development.

The submission documentation estimates the impact of the proposal on public transport facilities, including the bus, London Underground and rail networks. Transport for London (TFL) have stated that "Combining tube/train and bus trip totals and assigning all trips to buses, a total of 112 trips would be added to bus network during the AM peak hour. Assuming all 57 Underground trips will use route 83 to travel to Hendon Central plus 8 (quarter of departing bus trips), this leads to a total of 65 passengers added to route 83 towards Golders Green". As a result, they have stated that contributions are necessary to mitigate the impact of the proposal on the bus network, specifically the provision of one return journey funded for 5 years at a total cost of £275,000. This contribution has been agreed by the applicant.

The London Borough of Brent has raised an objection to the proposal in relation to its impact on the junction at Edgware Road/Kingsbury Road. The objection states that the proposed development will increase the vehicular use and pedestrian use of this junction and as such they suggest that improvements to the junction need to be secured. Following on from the submission of these comments, the applicant has submitted additional modelling data to TFL who have reviewed this and have stated that in TFL's view "the data shows an acceptable level of impact on traffic movement, notwithstanding that the network is congested currently". They have also confirmed that "TFL is intending to implement the traffic adaptive urban traffic control system 'scoot' at the Rookery Way junction.

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

Transport management plans

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

Travel Plan incentives up to a limit of £150 per incentive:

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

Based on the 386 residential units, the travel plan incentives for the proposed residential development will equate to £115,800. The applicant has agreed to provide this.

As the commercial uses proposed exceed the relevant criteria a Commercial Travel Plan Statement is required in conjunction with the development. Conditions and obligations are therefore recommended to ensure that an acceptable and policy compliant Commercial Travel Plan is provided prior to the occupation of this element of the scheme.

In order to ensure that the objectives of the Travel Plans are being met a monitoring contribution of £15,000 is included in the planning obligations recommended. This contribution has been accepted by the applicant.

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

Parking, highways and transport conclusions

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

3.11 Creating inclusive environments for all members of the community:

Planning policies make it clear that new developments should be accessible, usable and permeable for all users. Statements should be submitted with proposals explaining how the principles of inclusive design have been integrated into the development for which consent is sought.

The documents submitted with the application identify a number of ways in which the design of the proposal has been influenced by the desire to make it accessible for all members of the community. The Design and Access Statement provided sets out that the proposed dwellings would all meet the relevant Lifetime Homes standards. At least 10% of the dwellings proposed (39 in total) would be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements and over 10% (39 in total) of the parking spaces proposed would be provided to a disabled parking space

standard.

Conditions have been recommended to ensure that all the proposed dwellings would meet the relevant Lifetime Homes standards, not less than 10% of the dwellings proposed would meet or be easily adapted to meet wheelchair accessible standards, the site would be developed at appropriate levels and 10% of the parking spaces proposed are provided to a disabled parking space standard.

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

3.12 Contaminated land and water quality issues:

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

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

3.13 Safety and security matters:

Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.

The London Fire and Emergency Planning Authority and Metropolitan Police Service have not raised any objection to the proposal or requested that conditions are placed upon any grant of consent.

The design and layout of the development proposed is considered to be such that, as controlled through the conditions recommended it would provide a safe and secure environment. The proposal is deemed to be acceptable in respect of providing a safe and secure development with an environment which reduces opportunities for crime and the fear of crime.

3.14 Flooding and water infrastructure matters:

The application site partially falls within a flood plain. The Environment Agency has responded to the consultation and following discussions has not raised any objection to the proposal subject to conditions.

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

3.15 Energy, climate change and sustainable construction matters:

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

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

Residential and non-domestic developments should currently achieve a 40% reduction in carbon dioxide emissions when compared to a building constructed to comply with the 2010 Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

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

Carbon dioxide emissions

The application is accompanied by a Sustainability Statement and Energy Statement, which include an assessment of the options considered under the Mayor's hierarchy.

The Sustainability Statement sets out the applicant's commitment to achieving level 4 under the Code for Sustainable Homes. Code for Sustainable Homes pre-assessments have been included, which demonstrate compliance with these standards. A condition has been recommended to ensure that the development achieves these levels of carbon dioxide reductions as a

minimum. Subject to this condition the proposal is found to be acceptable and policy compliant in respect of reducing carbon dioxide emissions.

Other aspects of sustainable design and construction

A Sustainability Statement has been submitted with the application. This identifies a number of sustainable design features that the proposal would incorporate to develop in a sustainable way, mitigate and adapt to climate change, conserve resources and minimise pollution. These include elements such as measures to reduce water consumption, the provision of appropriate recycling facilities, the inclusion of energy efficiency measures, the construction of 10% of the new dwellings as wheelchair accessible units and the installation of facilities for cyclists.

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

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

3.16 Archaeology

The applicant's have submitted an archaeological desk based assessment by CGMS which states that *"the available archaeological historic, and topographic information indicates that there are no designated archaeological assests on or particularly near the site"*.

English Heritage have responded to the application and have stated that 'the application site frontage on to the Edgware Road lies within the Archaeological priority area for Hyde medieval and post-medieval settlement. Based on this, they have recommended that a condition be attached requiring an archaeological survey to be carried out prior to the commencement of development. Officer's have recommended that the relevant conditions are attached in the event of approval.

3.17 Environmental Impact Assessment Regulations:

In June 2014, prior to the submission of the current application a formal 'Screening Opinion' under Regulation 5 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 ("EIA Regulations")

was submitted. This was assessed by the local planning authority under application reference H/03491/14.

The screening opinion assessed the proposal in terms of the characteristics of development, location of development and the characteristics of the potential impacts of the proposal. It is concluded that the proposal would not be likely to give rise to significant effects on the environment in the sense intended by the Regulations, despite the schemes possible conflict with several aspects of planning policy.

On the basis of this analysis it is concluded that the proposal is not a major development which is of more than local importance, is not situated in (or partially within/adjacent to) a particularly environmentally sensitive or vulnerable location and is not a development with unusually complex or potentially hazardous environmental effects. The complexity and extent of the impacts of the development is not considered likely to be such that they would result in significant effects on the environment in the sense intended by the Regulations.

Taking account of the criteria set out in Schedule 3 of the Regulations and all other relevant factors it is considered that the development described in the information accompanying the submission would not be likely to have significant effects on the environment, in the sense intended by the Regulations. Therefore an EIA is not necessary and an Environmental Statement, in line with the Regulations, is not required to be submitted with this application.

3.18 Planning obligation matters:

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

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

Affordable Housing

In accordance with policy 3.12 of the London Plan and policies CS4, CS15 and DM10 of the Barnet Local Plan Officers recommend that a Section 106 Agreement be used to secure the following number and mix of affordable housing unit types and sizes at the application site. There would be 37 units for affordable rent and 41 for intermediate housing.

As set out in the heads of terms towards the start of this report (at

Recommendation 1), officers recommend that a subsequent re-appraisal of the viability of the development is carried out if the development is not substantially implemented within 12 months of the date when the period under which the application is potentially challengeable under judicial review proceedings has passed (or 12 months after the date on which any Judicial review is resolved). This would ensure that should circumstances change and the scheme became more economically viable a correspondingly appropriate financial contribution to the provision of affordable housing within the borough would be made to the Council. This would be up to a maximum of the equivalent value of 20% of the units proposed (reduced from 40% due to the on-site contribution to affordable housing agreed) and such a payment would be in addition to the on-site affordable housing obligation set out above.

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

Employment and Training

In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would deliver a local employment agreement, securing apprenticeships and employment. Alongside the other planning benefits which the application would deliver this obligation is considered to assist in mitigating the loss of employment generating floor space the development would result in.

Travel Plan and Travel Plan Monitoring

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

The Residential Travel Plan provided would be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives for the first occupier of each residential unit. These incentives are discussed in further detail in section 3.10 of this report, but they would comprise a voucher to a minimum value of £300 per dwelling to encourage the use of more sustainable modes of transport. In this instance, the contribution would total £115,300.

A contribution of £25,000 is required towards the monitoring of the Travel Plans for the development. This contribution is to enable the Local Planning Authority to continue to monitor the scheme to ensure the development is making reasonable endeavours to meet travel related sustainability objectives in accordance with policy DM17 of the Local Plan.

The provision of 3 car club spaces within the vicinity of the site for the duration of the development.

Controlled Parking Zone

The council's highways department have stated that due to the limited parking

being proposed for the residential units, contributions totalling £150,000 are required towards the establishment of a CPZ in the area.

Junction Improvement Works

The council's highways department have stated that due to the increased movements in the vicinity of the site, a contribution of £20,000 will be required towards junction improvement works.

Local Bus Services

TFL have stated that contributions totalling £275,000 will be required towards an additional return journey for a local bus service due to the increased pressure on bus services in the area as a result of the proposed development.

Monitoring of the Section 106 Agreement

The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore requires the payment of £11,216.00 towards the costs of undertaking the work relating to securing the planning obligations recommended in line with the adopted Supplementary Planning Document for Planning Obligations.

S278 Agreement - PERS

The applicant shall, at its own expense, implement off-site highways improvement works identified in the PERS submission (including but not limited to) to mitigate the impact of the development, with agreement of the Highways Authority. These works shall be undertaken under S278 of the Highways Act 1980.

3.19 Barnet Community Infrastructure Levy

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

As the exact figure that the development would be liable to pay under the Barnet CIL regime can only be estimated at the planning application stage the heads of terms recommended (set out in full at Recommendation 1 towards

the beginning of this report) a planning obligation which requires that should the applicant pay less than the predicted sum under the Barnet CIL the difference between what was anticipated to be paid and what is actually paid is provided as financial contribution towards the delivery of affordable housing in the borough.

Concerns have been raised by respondents in respect of the ability of local infrastructure to deal with the additional development proposed in the proposed scheme. This is a matter that would be dealt with through CIL contributions.

3.20 Mayoral Community Infrastructure Levy

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

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

4. EQUALITIES AND DIVERSITY ISSUES

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

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

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

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

Officers have in considering this application and preparing this report had regard to the requirements of this Section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

With the conditions recommended both the residential and non-residential elements of the proposal are found to accord with development plan policies as they relate to the relevant equalities and diversity matters. This has been achieved by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development.

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

5. COMMENTS ON GROUNDS OF OBJECTIONS

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

6. CONCLUSION

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

For the reasons set out in the previous sections of this report it is concluded that the proposed development generally and taken overall accords with the relevant development plan policies and constitutes a sustainable form of development. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly,

subject to the satisfactory completion of the Section 106 Agreement, APPROVAL subject to conditions is recommended, as set out in the recommendations section at the beginning of this report.

APPENDIX 1: KEY PLANNING HISTORY FOR THE APPLICATION

Site Address: Retail Store (Homebase) at junction of and to the south of properties in Edgware Road; Rookery Way; Rookery Close NW9
Application Number: W00612BG
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 17/06/1987
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Retention and continued use of retail store and garden centre, without compliance with conditions 4, 11, 13, 14, 16 and 25 of planning permission W612AS/HQ934J dated 22.06.83, relating to parking, loading and turning spaces, refuse facilities, hours of op**

Site Address: Homebase Rookery Way LONDON NW9
Application Number: W00612BM
Application Type: Full Application
Decision: Approve
Decision Date: 07/04/1994
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey extension to provide covered area to garden centre.**

Site Address: HOMEBASE LTD ROOKERY WAY The Hyde London NW9 6SS
Application Number: W00612BR/03
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 27/10/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of conservatory to replace existing canopy and new fabric top canopy to garden centre.**

APPENDIX 2: PLAN OF THE PROPOSED DEVELOPMENT

Site layout and context as proposed:



APPENDIX 3: INFORMATIVES

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance. In this case, formal pre-application advice was sought prior to submission of the application.
2. For the purposes of this decision notice 'Groundworks and Site Preparation Works' are defined as and limited to the following works:
 - Demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing up foundations.
 - Removal of existing and surplus rubble from the site.
 - Removal of services on the site including service trenches.
 - Carrying out CAT scans on site to confirm all existing services are clear.
 - The Erection or re-establishment of a hoarding line for the construction site.
 - Providing piling matting.
 - Providing clear health and safety information on the site.
 - Piling works.
 - Substructure and underground drainage works.
3. The gradient for the proposed vehicular ramps leading to the underground and other parking areas should have a gradient not steeper than 1:10 otherwise it would need to be constructed in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks.
4. The applicant is advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular access in accordance with the Manual for Streets.
5. 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 parking bay on day of collection. The applicant is

advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

6. Transport for London has recommended that during the construction/ renovation of the existing building, no construction vehicles shall stop/ park/ load/ unload on the SRN (Edgware Road), in particular at the area in the vicinity of the bus stop adjacent to the site. This is to ensure the safe and effective operation of London Bus services would not be adversely affected.
7. The applicant is advised that Edgware Road NW9 is Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00am-9.30am & 4.30pm-6.30pm Mon-Sat. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP should be consulted in this respect.
8. The costs of any off site works on the public highway associated with the development, including reinstatement works and PERS improvements 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.
9. The applicant is advised that the proposed development may involve alterations to the existing on-street waiting and loading restrictions. Alterations to on-street waiting and loading restrictions will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process.
10. The applicant is advised that any public or private rights of way within the development site will require to be stopped up to facilitate the development under Section 247 of the Town and Country Planning Act.
11. Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.