

LOCATION: 1201 High Road, London, N20 0PD

REFERENCE: 14/07670/FUL

Registered: 01 December 2014

Expiry: 02 March 2015

WARD: Totteridge

APPLICANT: Spring Grove International Ltd

PROPOSAL: Demolition of the existing buildings and the erection of 124 residential units (C3) comprising 24 houses (3-4 storey) and four apartment blocks (3-6 storey) providing 100 new flats. Associated facilities including 125 car parking spaces (basement and surface level), cycle parking, refuse facilities, landscaping and external amenity space

APPLICATION SUMMARY

The application proposes the redevelopment of the site involving the demolition of the existing building and the erection of 124 residential units.

The 124 Residential (C3) units would be provided through the erection of four apartment blocks containing 100 flats on the front of the site and 24 Residential (C3) dwelling houses on the rear of the site.

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, which incorporates children's play space.

The development would provide an appropriate mix of unit sizes. The application proposes that 19 of the 124 C3 residential units would be offered as affordable units (Intermediate – shared ownership). This equates to 15% 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 application site has a PTAL rating of 4 and the scheme provides an appropriate level of car parking on site in the form of 126 car parking spaces which would serve the proposed 124 residential units. Of the 126 car parking spaces, 88 would be located in the proposed basement and 38 at surface level.

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, financial contributions have been agreed towards the monitoring of the travel plan, a travel plan incentive fund for future residents and a controlled parking zone (if required).

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 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 19 Intermediate (Shared Ownership) affordable housing units comprising:

- 10 x one bedroom 2 person flats
- 9 x two bedroom 4 person flats

(d) Affordable Housing – Review Mechanism

Upon occupation of 80% of the private market housing units, the viability of the development shall be re-appraised and, if deemed viable to do so, a financial contribution shall be paid towards the provision of affordable housing in the Borough.

(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 ATTtrBuTE and itrace compliant and that will have a lifespan of at least 5 years.

(f) Travel Plan Incentives

The Strategic Level Residential Travel Plan (required under item (e) above) shall include financial incentives to a total value of £37,200 (equivalent to £300 per unit) such that upon the first occupation of each new residential unit, regardless of tenure, the occupier shall be given a voucher to a minimum value of £300 per dwelling. The voucher provided shall allow the occupier to purchase two of the following Travel Plan incentives up to a limit of £150 per incentive:

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

In line with the incentives above, the provision of a car club and the allocation of one car parking spaces within the site is to be provided and retained for use by the car club.

(g) Travel Plan Monitoring

Payment of a financial contribution of £15,000 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 Shelter Contribution

Payment of £20,000 towards improvement works to two bus shelters.

(i) Controlled Parking Zone

Payment of £44,000 towards the implementation of a controlled parking zone within the vicinity of the site

(j) Highway Works

Payment of £10,000 comprising:

- £5,000 towards the introduction of a right turn restriction on the A1000 southbound and any necessary associated works on the public highway
- £5,000 towards modifications to waiting restrictions on the A1000 including changes to the traffic order, consultation, signs and road markings.

(k) Pedestrian Environment Review System

Payment of £10,000 towards the implementation of off-site highways improvement works identified in the PERS submission

(l) S278 agreement – Off Site Highways Improvement Works

A S278 agreement to include the following:

- Works necessary from the PERS audit
- Site vehicle access, construction and any necessary associated works on the public highway

(m) 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:

- 9 places for progression into employment [<6mths]
- 5 places for progression into employment [>6mths]
- 15 Apprenticeships
- 18 Work experience placements (+16yrs)
- 99 School/college/university pupils visiting the site
- 93 pupils being involved in School/college workshops

(n) Monitoring of the Section 106 Agreement

A contribution of £3,636 index linked towards the monitoring and management of the S106 planning obligations.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, the Assistant Director – Development Management and Building Control approve the planning application reference 14/07670/FUL under delegated powers and grant planning permission subject to the following conditions and any changes to the wording of the conditions considered necessary by the Assistant Director - Development Management and Building Control:

COMMENCEMENT

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

Reason:

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

PLANS OF THE DEVELOPEMNT

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: (00)00.1, (00)00.2, (01)00 revG, (01)06 rev D, (01)07 rev C, (01)11.1 rev A, (01)11.2 rev A, (01)12.1 rev A, (01)12.2 rev A, (01)13.1 rev A, (01)13.2 rev A, (01)14.1 rev A, (01)14.2 rev A, (01)14.3 rev A, (01)21.1, (01)21.2, (01)22 rev A, (01)23.1 rev A, (01)23.2, (01)24.1 rev A, (01)24.2, (03)00.1, (03)00.2, (03)01, (03)02, (03)03, (03)04, (03)05 rev A, (03)11 rev A, (03)12 rev A, (03)13 rev A, (03)14 rev A, (03)21 rev A, (03)22 rev A, (03)23.1 rev A, (03)23.2 rev A, (03)24 rev A, (04)01, (05)01.2, (05)02, (05)03, (05)04, (05)12.1 rev A, (05)12.2 rev A, (05)12.3 rev A, (05)12.4, (05)12.5, (05)12.6, (05)22.1 rev A, D0221_001P, D0221_003_E, SK-150114-01, SK_001 rev A, SK_002, SK_003, SK_004, SK_014, SK_015, TR24 revP1, TR24 revP0, Planning Statement by Savills, Design and Access Statement by Softroom (and Addendum 1 dated 10 March 2015), Geotechnical & Environmental Engineering Desk Study & Risk Assessment by Price&Myers, Air Quality Assessment by Royal Haskoning DHV, Drainage Feasibility Report Revision 02 by Price&Myers, Extended Phase 1 Habitat Survey prepared by Ecoconsult Wildlife Consultancy, Report on Community Engagement by GKA Planning Communications, Sustainability statement by Metropolis Green, Energy statement by Metropolis Green, Historic Environment Assessment by Mola, Sound Insulation Assessment by Acoustics Plus. Flood Risk assessment revision C by Price & Myers, Daylight and Sunlight report by Brooke Vincent + Partners, Transport Assessment by Royal Haskoning DHV, Residential Travel Plan by Royal Haskoning DHV, Arboricultural Impact Assessment (tree survey, tree protection plan and preliminary arboricultural method statement dated 27 February 2015) by S J Stephens Associates in association with LUC and Accommodation Schedule by Softroom (dated 12 March 2015)

Reason:

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

MATERIALS

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

Reason:

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

SITE LEVELS

4. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence unless and until details of the levels of the proposed buildings, roads, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with such details as so approved before the dwellings otherwise hereby approved are first occupied or brought into use.

Reason:

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

REFUSE AND RECYCLING

5. Notwithstanding the details submitted with the application and otherwise hereby approved, before the development hereby permitted is brought into use or occupied the following information shall be submitted to and approved in writing by the Local Planning Authority:
 - i. A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider.
 - ii. Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where

applicable.

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

Reason:

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

6. Prior to the occupation of the development a Waiver of liability and indemnity agreement in relation to the non-adopted roads within the development must be signed by the developer and be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that refuse vehicles can access the site in accordance with London Borough of Barnet's Local Plan Policy CS14 of Core Strategy (Adopted) September 2012.

ACCESSIBILITY

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

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan and policy DM02 of the Barnet Local Plan.

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

residents who are wheelchair users. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

Reason:

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

CONTAMINATED LAND

9. Part 1

Before development commences other than for investigative work:

- a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and any other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

- b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-
 - a risk assessment to be undertaken,
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

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.

Reason:

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

Plan

10. Part 2

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

Reason:

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

BIODIVERSITY

11. Prior to the commencement of the development (other than for Ground works and Site Preparation Works) details comprising a scheme of measures to enhance and promote biodiversity at the site as redeveloped shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats, birds and the implementation and management of the soft landscaped areas on the site. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development.

Reason:

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

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

Reason:

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

SUSTAINABILITY

13. The residential dwellings (use class C3) of the proposed development hereby permitted shall all be constructed to achieve not less than a standard of 'Code Level 4' in accordance with the Code for Sustainable Homes (or the equivalent standard in such measure of sustainability for house design which may replace that scheme). None of the residential dwellings shall be occupied until formal certification from a suitably qualified party has been issued confirming that not less than a Code Level 4 has been achieved (using this methodology) for these properties and this certification has been submitted to the Local Planning Authority.

Reason:

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

WATER AND DRAINAGE

14. The development hereby permitted shall not commence (other than for Ground works and Site Preparation Works) unless and until a Water Infrastructure and Drainage Strategy detailing all on and off site water infrastructure and drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning.

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

Reason:

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

15. The residential dwellings (Use Class C3) 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.

16. 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 revision C, surface water plans and drawing number

SK01 titled 'GA Site Plan with Living Roofs to Blocks B and C' has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off to 15.45l/s and surface water storage on site as outlined in the FRA, including at least 360m² of green roofs and 540m³ of storage tanks. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason:

To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with Development Management policy DM04.

17. Prior to the commencement of development a foul drainage strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall detail any on and/or off site drainage works. The approved details shall be implemented in full prior to the first occupation of the units hereby approved.

Reason:

To encourage the efficient use of water, prevent the increased risk of flooding, improve and protect water quality and improve habitat and amenity in accordance with policy CS13 of the Barnet Local Plan, policy 5.15 of the London Plan and Development Management policy DM04.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

18. 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.

19. 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.

20. 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).

21. 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 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.

22. 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.

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

23. 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 buildings hereby permitted shall not be extended or altered in any manner whatsoever without the prior receipt of express specific planning permission in writing from the Local Planning Authority.

Reason:

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

DETAILS OF ARCHITECTURAL FEATURES

24. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence (other than for Ground works and Site Preparation Works) unless and until details of the following features and elements of the scheme have been submitted to the Local Planning Authority and approved in writing:

- Brick bonding and brick and stone detailing (annotated plans at a scale of not less than 1:20).
- External windows, balconies, winter gardens, doors, metal screens and

- balustrading (annotated plans at a scale of not less than 1:10).
- Depth of window reveals (annotated plans at a scale of not less than 1:20).
- Rainwater goods (annotated plans at a scale of not less than 1:10).
- Privacy screens (annotated plans at a scale of not less than 1:10).
- Any means to be used for enclosing the basement car parking areas (annotated plans at a scale of not less than 1:20).
- All means of enclosure proposed for the sites pedestrian and vehicular access points (annotated plans at a scale of not less than 1:10).

The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason:

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

25. 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:

- the siting and design of all privacy screens that are to be installed as part of the development

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

Reason:

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

TRANSPORT

26. Prior to the first occupation of the development hereby approved a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. The location and layout of car parking spaces
- ii. The allocation of car parking spaces;
- iii. The location and layout of cycle parking spaces
- iv. On-site parking controls
- v. The enforcement of unauthorised parking
- vi. The location of disabled parking spaces
- vii. Electrical Vehicle Charging Points (20% active and 20% passive).

The approved details shall be implemented in full prior to the first occupation of the development hereby approved and the approved car parking and cycle

parking spaces shall not be used for any purpose other than the parking of vehicles in connection with the approved development thereafter.

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

27. 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. All works must be carried out in full in accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

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

28. Prior to the commencement of development a full Delivery and Servicing Plan shall be submitted to and agreed by the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of the development and shall be retained thereafter.

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.

29. Prior to the commencement of development, the applicant shall submit details of the proposed internal road layout to the local planning authority for approval. The details submitted shall include the layout and ramp gradient details for internal roads and access to car parks, details of swept paths and turning movements for Heavy Goods Vehicles and Refuse Collection vehicles entering the site and the specification of a carriageway construction that is sufficient to enable refuse vehicles to enter the site. The approved details shall be implemented in full prior to the first occupation of the development.

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

30. Prior to the commencement of the development, details of any roads or footpaths within the development which are required to be stopped up under Section 247 of the Town and Country Planning Act to facilitate the

development shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that adequate public access is provided throughout the development in accordance with Development Management policy DM17

LIGHTING

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

Reason:

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

LANDSCAPING

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

Reason:

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

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

- The position of any existing trees to be retained and removed.
- New tree, hedge and shrub planting proposed including species, plant sizes and planting densities, as well as planting for the areas of green roof proposed, including herbaceous / climbers / grasses / ground cover plants.

- Means of planting, staking and tying of trees, including tree guards as well as a detailed landscape maintenance schedule for regular pruning, watering and fertiliser.
- Existing contours and any proposed alterations such as earth mounding.
- Areas of hard landscape works including proposed materials samples.
- Details of all techniques to be used to provide conditions appropriate for new plantings.
- The timing of planting.

Reason:

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

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

Reason:

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

35. Any trees, hedges and 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, shrubs or other planting of appropriate size and species in the next planting season.

Reason:

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

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

Reason:

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

the London Plan.

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

Reason:

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

- 38.** The foundation of houses 3, 4, 5, 6 and 7 (located adjacent to the western boundary of the site) shall be constructed as per the details submitted in section 5.3.10 and appendix K of the submitted Arboricultural Impact Assessment dated 27th February 2015.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011).

- 39.** a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority. The services shall not be located in proximity to the route protection areas of any trees that are subject to a Tree Preservation Order. The development shall thereafter be implemented in full accordance with details approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011).

- 40.** a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority.

b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2011.

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

Reason:

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

ARCHAEOLOGY

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

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

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

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

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

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

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

The London Plan

The London Plan (2015) 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 relevance to the determination of this application are:

Core Strategy (Adopted 2012):

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

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

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

CS5 (Protecting and enhancing Barnet’s character to create high quality places)

CS6 Promoting Barnet’s Town Centres

CS7 (Enhancing and protecting Barnet’s open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet’s character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet’s Heritage and Conservation)

DM08 (Ensuring a variety of sizes of new homes to meet housing need)

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet’s town centres)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

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

Local Supplementary Planning Documents:

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

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Health Issues in Planning (June 2007)
Wheelchair Accessible Housing (September 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)
Land for Industry and Transport (September 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
Housing (November 2012)

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

Please see Appendix 1 for the relevant planning history.

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

9 responses were received from residents. None of the respondents have requested to speak at committee. 7 of the responses received were objecting to the proposal and 2 responses were in support of the proposal.

Objections

- 1) B&Q brings people into Whetstone.
- 2) Presence of B&Q supports local businesses and loss of retail unit will have a detrimental impact on local economy.
- 3) Loss of light to neighbouring properties.
- 4) Loss of privacy to neighbouring properties.
- 5) Traffic congestion on local roads.
- 6) Local infrastructure and services including education and health facilities will be detrimentally impacted by increase in population resulting from the proposed development.
- 7) Detrimental impact on character and appearance of area including uncharacteristic height of proposed building.
- 8) Inadequate parking provision will lead to overflow parking on Baxendale Road.
- 9) Loss or effect on trees.
- 10) Density proposed on the site is too high.
- 11) The proposed materials are unattractive.
- 12) Loss of employment.
- 13) The two entrances to the development appear unnecessary and undesirable as the entrance opposite Friern Barnet Lane would add to the traffic pressures at this busy junction.
- 14) Insufficient affordable housing provision.

Statements of Support

- 1) Sensible number of homes on site compared to other local developments.
- 2) Will provide more homes for local people.
- 3) There is a lot of traffic resulting from existing retail use and the proposed residential use will reduce traffic.
- 4) Proposed building is attractive
- 5) B&Q had a negative impact on Whetstone High Street.

6) Development will have positive impact on streetscape.

Comments

- 1) Adequate screening should be planted to the north, south and west boundaries.
- 2) Boundary walls between the application site and Baxendale provide visual and security protection and should not be damaged during demolition/construction
- 3) Street lighting should be directed away from nearby residents
- 4) Developers must be required to take all necessary steps to ensure that all sub-ground water flows are properly understood and managed.
- 5) Community facilities should be increased for the increased population.

Consultation Responses from Statutory Consultees and Other Bodies

Transport for London (TfL):

Have raised no objections to the proposal subject to the securing of necessary works that are identified through a PERS audit, the provision of car club spaces within the site and contributions towards improvement works towards nearby bus shelters.

Highways Agency:

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

Metropolitan Police Service:

Have no objection to raise with the proposal

London Fire and Emergency Planning Authority:

Have no objection to raise with the proposal and recommend the use of sprinkler systems

Environment Agency:

Have responded to the consultation and following discussions have not raised any objections to the proposal, subject to conditions in respect of a drainage strategy and the use of green roofs.

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 subject to conditions requiring a foul drainage strategy

National Grid:

No response received

Internal Consultation responses

Traffic and Development Team:

The response concludes that the proposal would provide a sufficient parking allocation and does not raise any concerns in respect of access or highway safety. There is therefore no objection to the proposal subject to conditions and appropriate S106 contributions being provided towards highway improvement works and measures to reduce reliance on car travel.

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.

Waste and Refuse team:

Have no objection to the proposal subject to conditions requiring indemnity to be provided to refuse vehicles entering the site.

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

The application site is located to the west of the High Road and measures approximately 1.01 hectares. A B&Q retail store currently occupies the site.

The site is designated within an area of Special Archaeological Significance and there are TPO trees on the adjoining neighbouring sites along the northern and western boundaries. There is a Grade II Listed Building (St. John the Apostle Church) located on the neighbouring site, to the south of the site. The site lies outside the Whetstone 'District Centre' designation and is considered to be an 'edge of centre' location. The site also falls outside the main Retail Frontage designation of the town centre. The site has a Public Transport Accessibility Level (PTAL) rating of 4, with the closest London Underground station to the site located approximately 280m to the north-west at Totteridge and Whetstone Station.

Two points of vehicular access are provided from High Road (A1000), providing separate customer and service vehicle accesses. The customer car park comprises a total of 140 car parking spaces. The Baxendale residential estate runs to the rear (to the west) of the site and is accessible from the High Road at the north-east corner of the site. A site location plan can be viewed at Appendix 4.

The area to the west of the site is predominantly residential (3 storey terraces in the Baxendale Estate), whilst to the east of the site there are a number of low-rise commercial premises (some with residential units on the upper floors) including a builders merchants (Travis Perkins) and petrol filling station. There is a 12 storey office building (Barnet House) to the north of the site.

2.2 Description of the Proposed Development

Full planning permission is sought for the demolition of the existing buildings and the erection of 124 new residential units. The proposals include a mixture of apartments and houses on the site, comprising a range of apartments across 4 blocks fronting the High Road ranging from 3-6 storeys, with a row of terrace houses to the rear ranging from 3-4 storeys.

A plan showing the overall layout of the proposed development has been provided at Appendix 2 of this report.

The development would provide a mix of high quality residential accommodation including family sized units (3 beds) and smaller units (1 and 2 beds). It also provides a mix of unit types including single storey flats, duplex apartments and houses. 19 of the 124 units would be affordable housing units (15% of the overall scheme based on units) of which all of the units would be for intermediate tenures.

There would be the creation of private amenity spaces in the form of private gardens (for houses), balconies, terraces and landscaped communal shared amenity spaces (including children's play space, through the centre of the development site).

Direct pedestrian access to Blocks B and C of the development will be provided from the High Road site frontage, with access to Blocks A and D from the rear.

126 car parking spaces would be provided on the site, which is just over 1 space per dwelling. 88 of these spaces would be provided in the proposed basement which would be located underneath blocks A, B, C and D. The remaining 38 spaces would be provided at surface level. Vehicular access to the site will be provided via the existing servicing and car park entrances.

Cycle storage for the apartment buildings is provided at basement level and also at ground floor level within the apartment blocks, with a total of 229 cycle spaces provided.

In terms of its detailed architectural design, the buildings would seek to use the natural gradient of the site and address the site context (particularly the height of adjoining buildings) through a rise in the building heights along the High Road (towards the northern boundary). The façade treatment of Blocks A, B, C and D which affront The High Road will be predominantly brick, with natural slate tiled roofs. The final materials used would be controlled through the conditions recommended (should the application be granted consent).

All of the dwellings proposed would meet or exceed the minimum internal floor space standards for the type of residential unit (specified in Table 3.3 of the London Plan) and achieve the relevant Lifetime Homes Standards. 10% 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 19 affordable housing units on site (comprising 10X1 bed 2 person units and 9X2 bed 4 person units). This equates to approximately 15% of the total dwellings proposed. The affordable housing units would be provided as intermediate (shared ownership) units.

The areas surrounding the proposed buildings would contain a mixture of hard and soft landscaping features. The development would involve the removal of the small trees that are located within the existing car parking area on the site. None of the trees to be removed are covered by a Tree Preservation Order. The landscaping scheme proposed has considered the retention of all TPO trees that are located on adjoining sites, towards the western and northern boundaries of the site. The majority of the existing site boundary wall would be retained.

Site access would be provided from the High Road (A1000) in the approximate location of the existing B&Q customer access. The access will utilise the existing High Road access and will accommodate all turning movements under give-way priority control. A second site access, would accommodate entry movements only and would be provided from the High Road (A1000) at the location of the site's existing service vehicle access.

The layout within the site has been designed to enable sufficient access to council refuse vehicles and access has been considered on the basis that all large service vehicles can route through the site in a forward gear.

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

- Planning Statement by Savills dated November 2014
- Design and Access Statement by Softroom dated 19 November 2014 (and Addendum 1 dated 10 March 2015)
- Arboricultural Report and Tree Survey prepared by SJ Stephens Associates;
- Geotechnical & Environmental Engineering Desk Study & Risk Assessment by Price&Myers.
- Air Quality Assessment by Royal Haskoning DHV
- Drainage Feasibility Report Revision 02 by Price&Myers dated 29 October 2014.
- Extended Phase 1 Habitat Survey prepared by Ecoconsult Wildlife Consultancy dated October 2013.
- Report on Community Engagement by GKA Planning Communications dated November 2014
- Sustainability statement by Metropolis Green dated 30 October 2014
- Energy statement by Metropolis Green dated 29 October 2014
- Historic Environment Assessment by Mola - October 2014
- Sound Insulation Assessment by Acoustics Plus

- Flood Risk assessment revision C by Price & Myers
- Daylight and Sunlight report by Brooke Vincent + Partners
- Transport Assessment by Royal Haskoning DHV
- Residential Travel Plan by Royal Haskoning DHV

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

3. PLANNING CONSIDERATIONS

3.1 Principle of redeveloping the site

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

The application site has not been identified for any specific use in planning policies and forms previously developed land. It is also noted that the areas surrounding the site contain a mixture of uses, including residential and various business occupiers. The site has good access to public transport (a Public Transport Accessibility Level of 4) and is located within walking distance of a number of bus stops.

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

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 contains A1 (retail) use and has good access to public transport (a Public Transport Accessibility Level of 4) and is located within walking distance of a number of bus stops and an a northern line underground station.

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.

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. The proposal would result in the demolition of the existing building and the provision of 124 residential (C3) units.

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 good access to public transport facilities (with a PTAL rating of 4). 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.

Conclusions on the principle of the proposed residential (C3) use.

In light of the various considerations outlined above, the principle of re-developing the site to provide a residential 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, tacking 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:

- 37 x one bedroom flats (approximately 30% of the dwellings)
- 49 x two bedroom flats (approximately 39.5% of the dwellings)
- 26 x three bedroom flats (approximately 21% of the dwellings)
- 12 x four bedroom flats (approximately 9.5% of the dwellings)

Of these dwellings 19 would be delivered as on-site affordable housing units. The on-site affordable housing units would be provided as 19 intermediate (Shared Ownership) units comprising 10 x 1b 2 person, 9 x 2b 4 person.

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. An independent review of the viability of the scheme (discussed in section 3.7) 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) of 4. 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 strongly suburban characteristics.

Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 55 and 225 units per hectare or 200 to 700 habitable rooms per hectare (see table above). The proposed 124 dwellings include 423 habitable rooms. As the site has an area of 1.01 hectares this equates to a density of approximately 122.8 units per hectare and 419 habitable rooms per hectare. The proposal therefore falls within the appropriate density range in respect of the number of units and habitable rooms proposed.

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

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

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

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

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

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

housing to achieve acceptable amenities for its future occupiers.

Dwelling size

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

Minimum Space standards for new development

	Dwelling type (bedroom/persons-bed spaces)	Gross Internal Area (m 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 units proposed would have a gross internal floor area which meets or exceeded the requirements for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Dwelling layout and daylight, sunlight and overshadowing conditions

The submission documents include an assessment of the daylight and sunlight that would be received in the habitable rooms of the dwellings proposed. It also includes an assessment of the extent to which the amenity spaces proposed as part of the development would be overshadowed. These assessments were carried out 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 application has been accompanied by a Daylight and Sunlight report (by Brooke Vincent + Partners). The results of the study demonstrate that for the proposed residents of the site, BRE requirements for sunlight have been met or exceeded. BRE requirements have also been met or exceeded in all but one of the proposed units (first floor block D), but in this case the impact is considered negligible at less than 1% below BRE standards. Further to this,

BRE requirements have also been met or exceeded for overshadowing, in all but one area of amenity space (which is located adjacent to the northern boundary of the site). In this instance, given that the site context, the scale of the proposed development and the fact that the amenity space provision for future residents of the site has been exceeded (in respect of Barnet's standards), this is not considered to warrant the refusal of the application on these grounds.

Officers consider that the design put forward includes good sized windows and glazed doors to living spaces and find the design to be sound in this respect. Taking this into consideration, officers find good levels of sunlight and daylight would be available to future occupiers of the proposed dwellings.

External amenity space provision

The council's Residential Design Guidance SPD 2013 indicates that there should be the following amenity space provision:

Flats:

5sqm per habitable room

Dwelling houses:

55 sqm for a 3 bed house (5 hab rooms)

70 sqm for a 4 bed house (6 hab rooms)

Based on the proposed number and size of the units proposed, the council's standards (above) indicate that there should be approximately 2,885m² of private amenity space provision in the development.

The proposed 24 terrace houses have been designed to provide the required amenity areas via a mix of rear gardens and terraces/balconies. The proposed 100 apartments have been designed to provide the required amenity area with a private external amenity space accessible directly from each apartment. This is provided via private balconies for raised apartments, private roof terraces for penthouses, private gardens/terraces for ground floor apartments and shared external amenity space which has been provided in the form of landscaped gardens and play areas.

There would be a total amenity space provision of approximately 3,680m² on the site which would comprise approximately 836m² of communal amenity space (providing play space in the centre of the site), 965m² in private balconies/terraces for flats and 1,879.5m² in private gardens/terraces for the proposed houses.

Based on the above considerations, the design, quality and size of the proposed amenity space proposed is considered to provide sufficient external amenity space to exceed the requirements of Barnet guidance for the flats and dwellings proposed. The proposal is therefore considered to be acceptable in this regard.

London Plan policy 3.6 states that proposals for housing should make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. Using the approach to play space provision requirements in Mayoral guidance the scheme proposed would be expected to provide approximately 280m² of play space. The proposed scheme includes areas of communal amenity space (centrally within the site) that would be designed specifically to include play. This would cover an area of approximately 430m² in size and the conditions recommended include controls to ensure that the spaces concerned would be implemented in a suitable manner. Subject to these controls the scheme is found to be compliant with London Plan policy 3.6 and acceptable in terms of the provision of play space.

Dwelling outlook

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

Privacy and overlooking

The distance between directly facing clear glazed windows to habitable rooms in the proposed dwellings would not be less than 21m. The 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 only exceptions to this are in circumstances where suitable privacy screening can be provided (and conditions have been recommended to ensure that these are delivered). The proposal would therefore comply with the requirement (as set out in the Barnet Residential Design Guidance SPD) that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden.

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

Noise, vibration and air quality

The application has been accompanied by a Sound Insulation Assessment which has been carried out by Acoustics Plus. The report provides an assessment on potential noise sources and potential noise mitigation measures that could be used in the development in respect of glazing and ventilation.

In terms of potential noise related impacts on future occupiers of the proposed

dwellings, the surveys provided in the submission show that proposal would have an acceptable impact. The council's environmental health department have reviewed the submitted information and have stated that the submitted noise report addresses the issues of noise levels within the external and internal amenities for the proposed development and the proposed mitigation measures are acceptable subject to conditions.

In terms of air quality matters, the London Borough of Barnet has been declared an Air Quality Management Area (AQMA). Accordingly, the application has been accompanied by an Air Quality Assessment (by Royal Haskoning DHV) which has assessed the local air quality at existing receptor locations. The report concludes that subject to the suggested mitigation measures specified in the report, the air quality levels would be considered acceptable.

The council's environmental health department have reviewed the submitted documentation and have stated that the proposal is considered to deliver acceptable air quality conditions for future occupiers of the proposed dwellings and would be compliant with planning policies, subject to the inclusion of conditions in the event of approval.

Light pollution impacts

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

Conclusions on the amenities of future occupiers

For the reasons set out above, the development, as controlled by the conditions and obligations recommended, is found to be compliant with development plan policy as it relates to the provision of suitable amenities for the future occupiers of the dwellings proposed. Officers consider that the submission has taken account of the environment and uses surrounding the site in an appropriate manner 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. Policy DM05 of the Local Plan identifies that proposal for the redevelopment or refurbishment of existing tall buildings will be required to make a positive contribution to the townscape.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment. Policy 7.7 of the London Plan sets out specific principles for tall and large buildings.

The buildings and spaces proposed in the scheme are considered to respond well to their context and have an acceptable relationship with the neighbouring buildings, streets and spaces, including the properties in Baxendale and the adjoining Grade II Listed Building. They are also of a suitable design quality in their own right.

The proposal would involve the erection of four blocks along the frontage of the High Road (to the east of the site). These would contain 100 flats and would rise in height (between 3-6 storey) towards the northern side of the site. The 6 storey building on the north-eastern corner of the site, in proximity to the High Road and Baxendale would feature a recessed, largely glazed top floor, which would minimise its impact from the surrounding street frontages.

There would be 24 residential dwellings along the western rear boundary of the site and these would be between 3-4 storeys tall. The dwellings would feature variations in roof designs, with recessed and flat roofs being used to minimise the presence of mass and bulk from within the site.

The proposed use of use of brick throughout unifies all of the different buildings on the site and helps give the development as a whole its strongly residential character. Brick gable end walls give a very distinct character to three of the southern elevations of the apartment buildings which would be prominently visible from both within the site and along the street frontage.

The four apartment buildings along the High Road and the houses to the west of the site would be separated from the site boundary by soft landscaping, which would enable the proposed buildings in the development to be viewed within a landscaped setting. A shared surface of hard paving would create a route for pedestrians, cyclists and cars through the whole length of the site and creates a street setting for the terrace of houses.

A significant proportion of the parking proposed is delivered in the basement of the building. This aspect of the design approach is welcomed as it reduces the impact of the parking on the design of the rest of the site. Vehicular and pedestrian routes into and within the site have appropriately considered pedestrian and vehicular movement. These aspects of the scheme are considered to be of a sufficient quality and the proposal is found to provide an acceptable overall approach to the design and layout of the development at the site.

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

3.6 Impacts on amenities of neighbouring and surrounding residential occupiers:

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

Barnet's Adopted Residential Design Guidance SPD (adopted April 2013) provides further guidance on safeguarding the amenities of neighbouring and surrounding residential occupiers and users. This includes identifying that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms and a distance of 10.5m to a neighbouring garden, in order to avoid overlooking.

Overlooking and loss of privacy

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

The proposal would also retain the majority of the existing boundary wall and has fully considered the impact and preservation of the mature TPO trees that are located on the adjoining western and northern boundaries of the site, which provide further screening between the rear of the proposed dwelling

houses and the dwellings to the west of the site within Baxendale.

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

As discussed previously, the application has been accompanied by a Daylight and Sunlight report (by Brooke Vincent + Partners) which has considered the impact of the proposal on neighbouring properties. The results of the study demonstrate that any impact on daylight, sunlight and overshadowing to neighbouring residential properties would all comply with BRE standards.

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

Outlook and visual impact

The documents submitted with the application include 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. These documents are considered to be sufficient to enable the full assessment of the proposed developments 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 the visual impact of the proposal on the area surrounding the site, the application has been accompanied by both plans and CGI images and Officers are satisfied that this is sufficient to enable the evaluations of schemes visual impacts.

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 not result in unacceptable levels of noise and disturbance to neighbouring occupiers.

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. The application has been accompanied by an Air Quality Assessment (by Royal Haskoning DHV) which has assessed the local air quality at existing receptor locations. Officers in the Council's Environmental Health Service have carefully assessed the proposal and concluded that the nature of the scheme is such that it would not be expected to result in any significant adverse impacts on air quality. The proposal is therefore found to be acceptable in this regard.

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

Light spillage and pollution

Policy DM01 of the Barnet Local Plan requires that proposals for lighting schemes not have a demonstrably harmful impact on residential amenity. In this instance conditions have been recommended to control any external lighting erected at the site as part of the development. Subject to these controls it is considered that the design of the development has taken reasonable steps to prevent unacceptable levels of light spillage and light pollution occurring. The proposal is found to be adequate and compliant with development plan policies in this respect.

Conclusions

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

3.7 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 19 intermediate (shared ownership) affordable housing units on the site comprising:

- 10 x 1b 2 person
- 9 x 2b 4 person

This provision equates to approximately 15% of the total dwellings proposed.

To explain and justify this level of contribution the applicant has submitted a confidential report which evaluates the economic viability of the proposed development making a contribution to affordable housing provision. The Council then commissioned Lambert Smith Hampton to independently review this report and examine its findings.

The site is currently occupied by a DIY store which generates a high existing use value. 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, Lambert Smith Hampton 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.

3.8 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 hard standings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife habitat and trees.
- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

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

The application is accompanied by a Tree Survey and Arboricultural Impact Assessment, which identifies and evaluates the impacts of the proposal on existing trees within and around the site. This report sets out and assesses the potential impact of the proposal on the health of TPO trees that are located on neighbouring sites, adjacent to the western and northern boundaries of the site. The information submitted provides details of special foundations, information identifying tree route size and location (through sonic radar scanning) and suitable tree protection measures to ensure that TPO trees are not adversely effected by the proposed development.

The council's tree and landscaping officer has reviewed this information and has stated that subject to the inclusion of suitable conditions in the event of approval, including details of levels, foundations, services and tree works, the proposal would not impact adversely on the health of trees.

It is concluded that the development provides sufficient detail to assess the likely impact of the proposal on the health of adjoining TPO trees. Subject to the inclusion of conditions in the event of approval, the scheme is acceptable and compliant with development plan policy in respect of tree and landscaping matters.

3.9 Transport, parking and highways matters:

Policy context

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

users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

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

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-site Public Transport Accessibility Level (PTAL) and the type of unit proposed. For the different types of unit the range of provision is as follows:

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

Using the standards set out in the Barnet Local Plan the residential element of the development generates a maximum car parking provision of between 93 to 173.5 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 application has been accompanied by a Residential Travel Plan (by Royal Haskoning DHV). The Travel Plan aims to reduce car driver modal share by 10% over a 5-year period compared to the base conditions that

would otherwise prevail.

The council's highways officer has reviewed the submitted information. In this instance, the proposed parking provision of 126 spaces is within the range that planning policies would expect to be provided for the residential element of the scheme. Given the sites circumstances, including its location in an area that has a Public Transport Accessibility Level of 4 and which is on the edge of Whetstone Town Centre (and the amenities it offers), the parking provision proposed for the residential element of the scheme is found to be acceptable in this instance. Based on the circumstances of the site and the nature of the scheme the level of parking proposed is found to strike the appropriate balance between the need to minimise the impact of parking associated with the development on the surrounding area and the requirement to not undermine the use of more sustainable modes of transport (walking, cycling and public transport).

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 a travel plan, travel incentive funds and improvements to two nearby bus shelters (as requested by Transport for London) have been recommended. These will assist in encouraging travel by non-car modes of transport. In addition to this, the applicant will provide a car club space on the site and financial contributions to surveys and subsequent implementation costs (if necessary) to assess whether a controlled parking zone is necessary in Baxendale to mitigate against the impact of the development.

Subject to the controls in place under the conditions and obligations recommended the provision of a total of 126 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 10% of the 126 spaces proposed to a disabled parking space standard. This is considered to be an acceptable approach that is compliant with the requirements of development plan policies.

Development Plan policies require that schemes provide 1 in 5 parking spaces (both active and passive) with electric vehicle charging points (EVCP). The conditions recommended require that not less than 26 (20%) of the car parking spaces proposed are provided with active EVCP and that a further 20% of the residential parking spaces proposed would have passive EVCP provision. Subject to these conditions the scheme is found to be acceptable comply with planning policy in this regard.

The development includes dedicated areas for the storage of 229 cycles for the proposed 100 flats and would provide the ability for cycle storage in the

proposed 24 dwelling houses. This level of provision is considered to be acceptable and policy compliant and a condition has been recommended to ensure it is carried through into the implementation of the scheme.

Access and site layout

Site access would be provided from the High Road (A1000) in the approximate location of the existing B&Q customer access. The access will utilise the existing High Road access and will accommodate all turning movements under give-way priority control. A second site access, would accommodate entry movements only and would be provided from the High Road (A1000) at the location of the site's existing service vehicle access. The access will accommodate all turning movements. The site's internal estate road will provide access to all surface level and basement car parking.

The application has been accompanied by a Transport Assessment (by Royal Haskoning DHV). The assessment states that a stage 1 road safety audit has been undertaken and that no problems have been identified which impact on the delivery of the development. Census data has been used to indicate car ownership levels and a review of collision data has been undertaken in establishing the proposal.

In terms of trip generation, the trip generation information that has been submitted has been considered by the council's highways officer and it has been noted that the proposal is expected to result in an overall reduction of vehicle trips to the site at peak hours with an expected reduction of 57 and 120 vehicle trips in the AM and PM peak hours respectively. The submitting information also demonstrates that at the existing service vehicles entrance (southern vehicle access), the number of vehicles entering the site is expected to increase, however these movements will consist of mostly car trips instead of the current heavy goods vehicles which use this access. The predicted number of vehicle arrival trips assessing the site via both vehicle accesses of 7 in the am peak and 16 in the pm peaks, would not represent a significant increase of vehicle movements at the southern vehicle access, which will be used for entry only. The council highways officer has concluded that there will be no detrimental impact on the public highway as a result of the proposed development. However, they have stated that in order to avoid further impact on the operation of this junction, it will be required that a restriction on right turn movements is introduced at the southern vehicle access to the proposed development at 1201 High Road, for vehicles travelling southbound on the A1000 High road. In addition to this, it has also been stated that amendments to the traffic regulation order and waiting restrictions on the A1000 High Road would be required and that contributions should be made towards these works. Accordingly, the applicant has confirmed that the necessary contributions would be made through a S106 agreement.

In terms of pedestrian access, three pedestrian access points from the A1000 High Road are proposed, the first at the northern vehicle access, a second access via the southern vehicle access and a further access for pedestrians

only alongside the frontage of the site.

A PERS Audit has been carried out and has concluded that the pedestrian environment is in good condition with a good quality environment and generally well maintained infrastructure particularly in the immediate vicinity of the site along High Road. Footways are generally provided with adequate width to accommodate existing and proposed volumes of pedestrians.

The council's highways officer has reviewed the submitted information and has stated that the proposed access at the southern end of the site should be amended to provide a suitable pedestrian route within the site. A condition to provide details of proposed estate road is included and the design to be submitted should reflect this requirement. As such, this has been included in the recommended conditions. In addition to this, the applicant has confirmed that contributions will be provided through a S106 agreement towards highway improvement works brought about through a PERS audit.

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.

3.10 Creating inclusive environments for all members of the community:

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

The documents submitted with the application identify a number of ways in which the design of the proposal has been influenced by the desire to make it accessible for all members of the community. The Design and Access Statement provided sets out that the proposed dwellings would all meet the relevant Lifetime Homes standards and that level access will be provided to the main entrance of each block. At least 10% of the dwellings proposed (13 in total) would be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements and 10% (13 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 place 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.

3.11 Contaminated land and water quality issues:

The application has been accompanied by a Geotechnical & Environmental Engineering Desk Study & Risk Assessment (by Price&Myers). This has identified the potential risks for engineering based on the site history.

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 subject to the imposition of conditions in the event of consent being granted.

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.

3.12 Safety and security matters:

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

The London Fire and Emergency Planning Authority and Metropolitan Police Service have not raised any objection to the proposal or requested that conditions are placed upon any grant of consent. A condition has been recommended to ensure that the development provides suitable access for emergency vehicles.

Conditions have been recommended to ensure that appropriate means of enclosure and landscaping are implemented as part of the development. Subject to these controls officers consider that the proposal would provide a safe and secure development for future occupiers and neighbouring properties with an environment which reduces opportunities for crime and the fear of crime.

3.13 Flooding and water infrastructure matters:

The application site is located in flood zone 1 and has been accompanied by a Flood Risk assessment revision C by Price & Myers. The report identifies and assesses the risks of all forms of flooding to and from the development and concludes that the proposal would not adversely effect on site or neighbouring properties.

The application has also been accompanied by a Drainage feasibility report (by Price&Myers) which considers peak flow rates and the potential for SUDS and surface water storage through a large attenuation tank.

The application site does not fall within an area identified as being at risk of flooding (Flood Zone 1). The Environment Agency has responded to the

consultation and has not raised any objection to the proposal but has stated that conditions should be placed on a grant of consent in respect of flood risk matters.

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

3.14 Energy, climate change and sustainable construction matters:

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

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

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.

Carbon dioxide emissions

The application has been accompanied by an Energy statement (prepared by Metropolis Green). The report indicates that a total regulated carbon emissions reduction of 35.1% (64.8t Co₂/year) can be achieved for the proposed development. The proposal would involve the use PV panels, space heating, DHW, cooling, lighting, pumps, fans and gas fired CHP engine (backed up with gas fired boilers, connected in a communal system)

Such an improvement is sufficient for this element of the scheme to comply with the requirements of policy on the reduction of carbon dioxide emission in its own right. A condition has been recommended to ensure that this part of the development achieves the level of carbon dioxide reductions identified in the Energy Strategy as a minimum at implementation.

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 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 and certain other key elements of developing sustainably are carried through to implementation conditions on these aspects of the proposal have been recommended. Such an approach allows a degree of flexibility as to the precise sustainable design and construction measures that are incorporated in the development, while ensuring that, taken in the round, the scheme achieves an appropriate level of sustainability.

To address policies on urban greening specifically the development includes areas of planting and soft landscaping at a ground level and areas of green roof (confirmed in the Flood Risk Assessment submitted). Conditions have been recommended to ensure that suitable landscaping and the green roofs are delivered at the implementation stage of the. Subject to these conditions the proposal is found to be acceptable in this regard.

3.15 Biodiversity matters

The application has been accompanied by an Extended Phase 1 Habitat Survey (prepared by Ecoconsult Wildlife Consultancy). The report states that there are no international nature conservation sites located within 5km of the site or statutory nature conservation sites located within 1km of the site. It concludes that the site is dominated by modern buildings and hard standing and is of a low ecological value and no further surveys are considered necessary.

Subject to the controls in place under the conditions recommended and the requirements in place under other legislation the proposal is found to be

acceptable and compliant with development plan policy on biodiversity and nature conservation matters.

3.16 Environmental Impact Assessment Regulations:

The development for which consent is sought is not considered to be of a description identified in Schedule 1 of the Regulations (Town and Country Planning (Environmental Impact Assessment) Regulations 2011). However, the development is considered to be of a description identified in column 1 of Schedule 2 of the Regulations. The development described in the submission is deemed to fall within the description of 'urban development projects'. The site identified in the plans accompanying the application is not considered to be in or partly in a sensitive area as defined in Regulation 2. As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is that the area of development exceeds 0.5 hectares. The area of development identified in the information submitted exceeds this threshold. The proposal is therefore Schedule 2 development.

The characteristics, location and the impacts of the development proposed are described in significant detail in other sections of this report and so are not repeated here. Having considered the characteristics of the development, the location of the development and the characteristics of the potential impacts of the proposal (the criteria set out in Schedule 3 of the Regulations) it is concluded that in each of these respects and taken in totality the proposal would not be likely to give rise to significant effects on the environment in the sense intended by the Regulations. It is considered that the proposal is not a major development which is of more than local importance, is not a proposal situated in (or partially within) a particularly environmentally sensitive or vulnerable location and is not a development with unusually complex or potentially hazardous environmental effects. This is considered to support the conclusion that the proposal would not be likely to give rise to significant effects on the environment in the sense intended by the Regulations.

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

3.17 Refuse and recycling

The application provides details of refuse and recycling stores and has been designed to enable council refuse vehicles to enter the site. A condition has been recommended to ensure that appropriate refuse and recycling facilities are delivered within the development and that a suitable strategy for the collection of refuse and recycling from the site is in operation at the point that the development is brought into use. Subject to such controls the proposal is found to be acceptable in this respect.

3.18 Archaeology

The application site is located in an Area of Archaeological Significance and the application has been accompanied by a Historic Environment Assessment by Mola (dated October 2014). The report provides an initial assessment of the potential archaeological impact of the proposed development. English Heritage have been consulted on the application and have stated that there are no objections to the proposal subject to the inclusion of conditions. The appropriate conditions would be included in the event of consent being granted.

3.19 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:

19 Intermediate (Shared Ownership) units in total comprising:

- 10 x 1b 2 person
- 9 x 2b 4 person

As set out in the heads of terms towards the start of this report (at Recommendation 1), officers recommend that a review mechanism should be established. 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.

Employment and Training

In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would deliver the employment and training opportunities through an employment agreement. The employment agreement will need 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

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 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 (totalling £37,200) for the first occupier of each residential unit. These incentives are discussed in further detail in the relevant section of this report but they would comprise a voucher to a minimum value of £300 per dwelling to encourage the use of more sustainable modes of transport.

A contribution of £15,000 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.

In line with the incentives above, the provision of a car club and the allocation of one car parking spaces within the site to be provided and retained for use by the car club.

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 £3,636 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.

Bus Shelter Contribution

A payment of £20,000 towards improvement works to two bus shelters in the vicinity of the site.

Controlled Parking Zone

A payment of £44,000 towards the implementation of a controlled parking zone within the vicinity of the site.

Highway Works

A payment of £10,000 comprising £5,000 towards the introduction of a right turn ban on A1000 southbound and any necessary associated works on the public highway and £5,000 towards modifications to waiting restrictions on the A1000 including changes to the traffic order, consultation, signs and road markings.

Pedestrian Environment Review System

A Payment of £10,000 towards the implementation of off-site highways improvement works identified in the PERS submission

S278 agreement – Off Site Highways Improvement Works

A S278 agreement to include the following:

- Works necessary from the PERS audit
- Site vehicle access, construction and any necessary associated works on the public highway

3.20 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 floor space on the site has been occupied lawfully for 6 of the last 36 months. As such it is possible that only the new floor space generated by the development (less the area of undercroft car parking proposed) would be potentially liable for charge under the Barnet CIL. Taking account the relief from a CIL charge which the affordable housing element of the scheme could be eligible for the development might be expected to generate a Barnet CIL payment.

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

3.21 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 floor space on the site has been occupied lawfully for 6 of the last 36 months. As such it is possible that only additional floor space 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.

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.

Conditions recommended for the application would ensure that in several regards the buildings which form part of the development proposed would exceed the minimum requirements of legislation such as Part M of the Building Regulations. Examples of this include all the proposed residential units being constructed to meet the relevant Lifetime Homes standards, not less than 10% of the residential units proposed being constructed to be wheelchair accessible or easily adaptable for residents who are wheelchair users and the inclusion of disabled standard parking spaces (as set out in greater detail in earlier sections of this report).

With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters. This has been achieved by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The design of the buildings to which the application relates is such that they would be an improvement over the existing buildings on the site, in terms of achieving equality and diversity objectives specifically. The development would therefore have a positive effect in terms of equalities and diversity matters.

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

5. COMMENTS ON GROUNDS OF OBJECTIONS

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

6. CONCLUSION

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

For the reasons set out in the previous sections of this report it is concluded that the proposed development generally and taken overall accords with the relevant development plan policies and constitutes a sustainable form of development. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, APPROVAL subject to conditions is recommended, as set out in the recommendations section at the beginning of this report.

APPENDIX 1: PLANNING HISTORY FOR THE APPLICATION

Reference: B/03784/14

Address: 1201 High Road, London, N20 0PD

Decision: Environmental Statement not Required

Decision Date: 5 August 2014

Description: Environmental Impact Assessment (Screening Opinion).

Reference: B/04363/11

Address: 1201 High Road, London, N20 0PD

Decision: Prior Approval Required and Refused

Decision Date: 2 December 2011

Description: Installation of a 15m high mast containing 3 antennas and adjacent equipment cabinet., TELECOMMUNICATIONS APPLICATION

Reference: N04091AN/06

Address: 1201 High Road, London, N20 0PD

Decision: Lawful

Decision Date: 15 March 2007

Description: Installation of mezzanine level and lift shaft.

Reference: N04091AF

Address: 1201 High Road, London, N20 0PD

Decision: Approve subject to conditions

Decision Date: 03 June 1994

Description: Variation of condition 11 of planning permission N04091P to enable the retail premises to be used for the sale of goods excluding food other than confectionary

Reference: N04091P

Address: 1201 High Road, London, N20 0PD

Decision: Approve subject to conditions

Decision Date: 19 August 1986

Description: Retail warehouse and garden centre

APPENDIX 2: PLAN OF THE PROPOSED DEVELOPMENT

Site layout and context as proposed:



APPENDIX 3: INFORMATIVES

INFORMATIVES

1. Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.
2. The applicant is advised that the council will not adopt the estate road(s). However, if the councils refuse vehicles are required to enter the site, the estate road(s) must be constructed to adoptable standards. Details of the road construction requirements can be obtained from, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP. The submitted refuse collection details are not suitable for council's refuse collection and alternative collection arrangements must be submitted.
3. The applicant is advised that High Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Environment and Operations should be consulted in this respect.
4. The applicant is also advised that the development is located on a Strategic Road Network (SRN) and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.
5. The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed new vehicular access and alterations to the existing vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, including reinstatement of redundant vehicle access, will be borne by the applicant. The applicant is advised that Transport for London will be consulted regarding the impact on the bus stop in the vicinity of the proposed vehicle access.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section – Environment, Planning and Regeneration Directorate, London Borough of Barnet, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP

6. The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
7. For construction works adjacent to the public highways, the applicant must contact the Council on 0208 359 2000 for any necessary Highways Licenses
8. In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
 - 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.
9. The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non-residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality

Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

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

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

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

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 – Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

To be requested for small developments without a noise report (bespoke informative) :

11. Please supply the following information for all extraction units (including air conditioning, refrigeration):

1. The proposed hours of use of the equipment.
2. The sound pressure levels of the ventilation/ extraction system to be installed in decibels dB(A) at a specified distance from the equipment.
3. Details of where the equipment will be placed i.e. within or outside of the building, marked on to a scale map.
4. Details of silencers to be fitted, and other sound insulation measures to reduce any noise impacts on neighbours including their noise reduction in dB(A).
5. Distance away from noise sensitive premises and the nature of these premises e.g.: offices, housing flats or storage.

12. 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.

APPENDIX 4: SITE LOCATION PLAN

