

Location **Land To The Rear Of Former Golders Green Police Station, 1069 Finchley Road, London, NW11 0QE**

Reference: **15/01377/FUL** Received: 4th March 2015

Accepted: 4th March 2015

Ward: Garden Suburb Expiry 29th April 2015

Applicant:

Proposal: Erection of a new building up to five storey including 11no. off street parking spaces, solar panels to roof, refuse/recycling facilities and cycle storage to create 9no. self-contained flats, following demolition of existing buildings

Recommendation: Approve subject to conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: 1415-PL-011, 1415-PL-013, 1415-PL-014, 1415-PL-015, 1415-PL-016, 1415-PL-210, 1415-PL-212, 1415-PL-213, 1415-PL-214, 1415-PL-215A, 1415-PL-216, 1415-PL-217, 1415-PL-218, 1415-PL-221B, 1415-PL-222A, 1415-PL-230, Daylight Sunlight and Shadow Assessment, Noise Impact Assessment Report, 1069FR.LA001A, Construction Management Plan, Foul Sewage & Utilities Assessment, Transport Statement, Site Location Plan, Air Quality Assessment, Planning Statement, Design and Access Statement.

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 plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

2 This development must be begun within three years from the date of this permission.

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

3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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 safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

4 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

5 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (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, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) 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 first 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 appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

6 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 DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

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

b) The details approved by 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 enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2011.

8 Part 1

Before development commences other than for investigative work:

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

If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

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

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

9 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

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

10 The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011.

11 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic noise has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic 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.

12 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

13 Before the building hereby permitted is first occupied the proposed window(s) in the second floor west elevation facing Temple Gardens shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

14 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies

DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

15 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

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

c) Other than the areas marked specifically as balconies on the approved plans, no part of the roof of the building shall be used as a balcony, sitting out or amenity area.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

16 The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

17 Prior to occupation the approved development shall make provision for cycle parking and cycle storage facilities shall be provided in accordance with a scheme submitted with the planning application. Such spaces shall be permanently retained thereafter.

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

18 Before the development hereby permitted is occupied, parking spaces shall be provided in accordance Drawing No 1415-PL-214 submitted with the planning application and that area shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development.

Reason: To ensure and promote easier access for disabled persons to the approved building 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.

19 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

20 The disabled parking space shall be provided and permanently retained for the use of disabled persons and their vehicles and for no other purpose.

Reason: To ensure and promote easier access for disabled persons to the approved building 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.

21 Prior to the commencement of the development, detailed drawing of the one way access arrangement with vehicular entrance at the rear of the site from Temple Gardens and egress from Finchley Road only shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied until the proposed one way operation has been implemented and signed in accordance the approved details. The access thereafter shall only be used as approved.

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

22 Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% active and 20% passive of the approved parking spaces to be provided with electric vehicle charging facilities. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

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

23 The development shall be implemented in accordance with the approved Construction Management Plan.

Reason: To safeguard the amenities of neighbouring occupiers and highway and pedestrian safety.

24 The existing access to Finchley Road shown on plan 1415-PL-214 shall be retained and shall not be closed at any time.

Reason: To ensure unimpeded vehicle movements through the site.

25 Prior to the first occupation of the new dwellinghouses (Use Class C3) hereby approved they shall all have been constructed to meet and achieve all 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 in future). The development shall be maintained as such in perpetuity thereafter.

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 (2015) and policy DM02 of the Barnet Development Management Policies document (2012).

26 Prior to the first occupation of the new dwellinghouses (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures so that mains water consumption would meet a standard of 105 litres per head per day or less. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

27 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement in compliance with the minimum Target Emission Rate requirements of the 2013 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason:

To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

28 The access between Temple Gardens and Finchley Road serving the development shall be one way with entrance from Temple Gardens and egress to Finchley Road.

Reason: To ensure free flow of traffic and to protect neighbouring amenity.

29 Prior to the first occupation of the development details of boundary treatment including any gates shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these details.

Reason: To ensure satisfactory appearance for the development and ensure the free flow of traffic.

Informative(s):

- 1 Informative: In case if any modification is proposed or required to the existing access off the public highway then it will be subject to a detailed investigation by the

Crossover Team in Development Regulatory Services. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of any existing street furniture. This would need to be done by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on public highway from DRS, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Removal or relocation of any existing street furniture or alteration to road markings or Controlled Parking Bays would be subject to public consultations and would be done at the applicant's expense by the Council's term contractor for Highway Works. The applicant is advised that the vehicular access on Dunstan Road close to its Junction with Finchley Road is directly fronting a signalised junction and any proposal to intensify the use of the access or relocation of the access may have a detrimental impact on the use of the junction. It would therefore be necessary to consult the highway authority prior to any future proposal for amendment to the access.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team/Tree Section as part of the crossover application. The outcome of this assessment cannot be prejudged. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, DRS, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP

Informative: Any details submitted in respect of the Demolition Construction and Traffic Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and 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 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.

- 3 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.

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

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

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

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

- 5 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

- 6 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 7 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

Officer's Assessment

1. Site Description

The site is a terraced building on the west side of Finchley Road. The building is two storeys with an additional two storeys within a mansard roof. The building features larger parapet walls to either side. To the rear, the building steps down to three storeys with basement. There is also a detached two storey block to the rear close to dwellings on Temple Gardens.

2. Site History

None Relevant

3. Proposal

The proposals are for the erection of a new building up to five storey including 11no. off street parking spaces, solar panels to roof, refuse/recycling facilities and cycle storage to create 9no. self-contained flats, following demolition of existing buildings

The plans have been amended following discussions with the applicant. The following changes have been made:

- Removal of terrace on roof of two storey part of building
- Submission of Construction Management Plan

4. Public Consultation

Consultation letters were sent to 137 neighbouring properties.

72 responses have been received, comprising 58 letters of objection, 14 letters of support.

The objections received can be summarised as follows:

- o Impact from vehicular and pedestrian movements would cause harmful level of noise and disturbance due to the associated activity and comings and goings from the use.
- o Concern is whether Temple Gardens is proposed or sufficient to act as the main entrance for all construction traffic.
- o Parking spaces are very limited in Temple Gardens. Residents who rely on on-street parking are often unable to park near their houses. I am a disabled man so I have my own designated parking space in front of my house.
- o Increased traffic flow for all the surrounding streets.
- o Uncertainty over what may happen with front building
- o The fact that this access sits on a 90 degree bend makes it dangerous.
- o We have had for many years an agreement with the police station that no cars are to come through the back entrance at any given time except for emergency's only. We strongly demand that this agreement remain the same with the new development.
- o Access from Temple Gardens would be the main entrance for all heavy vehicles and lorries during construction. Has the council any idea how our street functions on a daily basis? This is the most dangerous plan that will put public safety and us residents at risk. The street is too narrow for the wide or heavy long vehicles. There isn't space for two cars to pass each other.more parked cars will be damaged. Already, lorries that mistakenly

come down our street cannot get around the bend and end up reversing back, with cars coming up behind them.

- o The application states that nearby parking stress is reasonably low based on two days of surveys. In reality, residents are often unable to even park near their houses. Many residents have lived here for over a decade and are much more informed about the demand for parking on our street.
- o Because of the one-way system in Temple Gardens, the increased traffic during construction and after the block is constructed, will affect not just Temple Gardens but Bridge Lane and Leaside Crescent.
- o The proposal also mentions that a banksman will prevent any traffic proceeding down Temple Gardens while a site vehicle is reversing. It is unreasonable to expect the residents of Temple Gardens to have their movement regularly impeded in this way.
- o The new wall situated to the rear of the gardens on Temple Gardens looks substantially higher than the existing structure, this will cast a deeper shadow for the morning, affecting our amenity (enjoyment) of sunlight in the garden, and rear of the property.
- o We will be able to see this building, from our upper floor, which will be a loss of amenity, (loss of a view).
- o A five storey block is uncharacteristic of the surrounding area, and will not only affect the view, but the density of population will also increase the noise levels in a quiet residential street, contrary to Policies DM01 and CS5.
- o The patios will potentially offer a direct line of sight into the windows of our upper floor, which will result in an invasion of our privacy.
- o This application only covers part of the site and any further development to the front of the site will further increase both traffic and parking stress. We believe that as the whole site has the same owners, both potential developments should be considered as one application.
- o Object in the strongest possible terms to the demolishing of the boundary wall behind numbers 10-16. It will radically change the secluded view from our garden along the street - and have a huge impact on the character, privacy and isolation of all our gardens. It is an unreasonable and unnecessary imposition on existing residents.

The representations received can be summarised as follows:

- o It will offer, additional, much needed housing in the area.

Additional consultation was undertaken following the receipt of amended plans.

Internal/Statutory Consultees:

Environmental Health: No objection, Comments Contained within Report

Highways: No objection, Comments Contained within Report

London Fire Brigade: No objection

TfL: Comments will be reported to committee

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material

considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

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

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

The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9, CS10, CS11, CS15
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM13, DM14, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of the development is acceptable
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposals would provide an acceptable level of amenity for future residents

- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on security in the vicinity of the site
- Whether the proposals would make adequate provision for drainage
- Sustainability Issues

5.3 Assessment of proposals

- Whether the principle of the development is acceptable

The proposals involve the loss of the former police station. There is no policy protection for police stations as such. Policy DM14 of the adopted Local Plan Development Management Policies could be considered relevant as the former use would have provided some employment. Whilst the applicant has stated in their planning statement that the policy is not strictly relevant given that a police station is a Sui Generis use, it would have nonetheless provided a level of employment and the loss of this is a material planning consideration irrespective of whether policy DM14 of the Barnet Development Management Policies is applicable.

It could also be considered that the police station use could constitute a community use by reason of its nature.

This site was sold as part of the Mayor's Office for Policing and Crime 2013-16 Estates Strategy, a programme to rationalise existing premises and reduce running costs.

The draft Further Alterations to the London Plan (FALP) (2014) recognises this and advises that the loss of social infrastructure facilities may be acceptable where it is part of a programme of re-provision, which is the case here.

Paragraph 3.87A states that:

Loss of social infrastructure in areas of defined need may be acceptable if it can be demonstrated that the disposal of assets is part of an agreed programme of social infrastructure re-provision (in health and community safety, for example) to ensure continued delivery of social infrastructure and related services.

Therefore the development of the site for residential use is considered acceptable.

The proposals would appear to comply with density standards in the Mayor's London plan. The site is located in an suburban area and is located in an area of PTAL rating 2. The London Plan advises that development should be at 200-450 units/hectare. The proposals appear to be at 153 habitable rooms/hectare.

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

The applicant has amended the scheme following discussions with officers of the Local Planning Authority.

The proposals involve the demolition of buildings on site except for the frontage building to Finchley Road which would remain.

Massing/Bulk

A new building would be constructed of part 2, part 3, part 4 and part 5 storeys on the site. At its highest point, this would be comparable in scale to the retained building on site. The building would drop to two storeys towards the west of the site where it is closest to Temple Gardens which consists of two storey residential dwellings and is suburban in character. The building would also relate satisfactorily to the postal delivery office to St. Georges Road which is two stories in height. The proposed development would satisfactorily respond to the taller buildings on Finchley Road as well as more suburban dwellings on Temple Gardens.

The scale and massing of the proposed building are considered acceptable.

Design/External Appearance

The design of the proposed building is mostly brick with metallic clad elements and glazing; with metal cladding and glazing to upper stories.

The proposed materials consist of a buff stock brick and zinc clad roof level, and aluminium windows. These materials are considered appropriate in principle however a condition is suggested in order to ensure that a suitable exact choice of materials is provided.

The proposed development would achieve a balance of traditional and modern influences and take appropriate references from neighbouring buildings on adjacent sites.

Landscaping

The proposals would provide soft landscaping and amenity areas to the areas to the far west of the site adjacent to Temple Gardens as well as the area immediately to the north of the building. Currently, the site is covered by extensive hardstanding and the scheme would provide an opportunity to improve the appearance of the area in this regard.

Overall it is considered that the proposals would have an acceptable impact on the character and appearance of the streetscene and general locality.

- Whether harm would be caused to the living conditions of neighbouring residents.

Daylight/Sunlight

The applicant has provided a daylight and sunlight report accompanying the planning application.

This considers the effects of the proposal on residential properties situated adjacent to the site on Temple Gardens and above commercial premises on Finchley Road. It considers the levels of daylight and sunlight that will be received within all of the proposed residential units in the development. The assessment also considers the levels of sunlight and shadow that will be experienced within existing and proposed areas of amenity space.

The report does state that the communal area will receive light levels below Building Research Establishment (BRE) requirements. The report states that in the case of 10 and 12 Temple Gardens there would be no impact on light levels and in the case of 14 and 16 this would be marginally improved.

The report states that 38 of the 43 windows serving the development would comply with BRE requirements, with the remainder sited below balcony areas. The vertical sky component for some of the proposed units would also be below BRE standards though measurements such as Daylight distribution and Average Daylight Factor show that most windows comply.

It is not considered that the proposals would harm neighbouring residential properties in terms of loss of light or overshadowing. In terms of the proposed development, given the nature of the location close to Temple Fortune Town Centre and tall buildings on Finchley Road it is not considered that the shortfall for some units in terms of daylighting warrants refusal of the application.

Visual Impact

The proposed second floor of the building would be set back 7.4m from the rear boundary of properties on Temple Gardens. This would result in a distance of 19.2m from the main rear windows of these properties. The facing windows of the building would be obscure glazed. Also, the rear outlook of the properties on Temple Gardens is of a two storey brick blank wall. This would be replaced as a result of the proposals by a marginally lower wall. As a result of this, the impact on neighbouring outlook is likely to be diminished by the bulk of the replacement wall. The third and fourth storeys of the building are located some 27m from the rear windows of these dwellings.

Given the distance of the upper stories and terraces from the neighbouring boundaries it is not considered that harmful overlooking would result. The distance of the building from neighbouring residential properties would prevent the building from appearing overbearing or unduly dominating.

The neighbouring building at 1067 Finchley Road has residential units at the upper stories. It is considered that the proposals would improve the relationship with these dwellings as the building would now be further away, and of similar scale where it adjoins the building. Given the oblique relationship to the site and the fact that privacy screens can be used to prevent overlooking, it is not considered that the proposals would cause harmful overlooking.

It is not considered that the proposals would harm the visual or residential amenities of neighbouring occupiers.

Noise and Disturbance

The proposals would involve the use of the rear access to Temple Gardens to create a one way system through the site, with entrance from Temple Gardens and exit onto Finchley Road.

The application is accompanied by a Noise Assessment by Syntegra Consulting. This assesses the impact of, the opening and closing of car doors, and general vehicular movements. This provides calculations which show that noise levels from all the proposed parking would be 10dB below the minimum night-time background noise level, therefore fully preserving the amenity of the closest residential receiver. The report concludes that the likelihood of complaints due to the cumulative noise generated onsite would be expected to be low.

Environmental Health officers have assessed the noise assessment accompanying the planning application. This looks at potential noise caused by general vehicle movements / car doors opening closing relating to the 7 parking spots included within this scheme. The assessment has been carried out under BS4142 which was not designed for assessing noise caused general vehicle movements / car doors opening closing. It is therefore given limited weight.

In planning terms, any harm from the new development in relation to noise and disturbance to neighbouring residents must be considered. In practice, it is likely that the use of police station would have been likely to have been confined to emergency use. The access to Temple Gardens has a locked gate. It is understood from consultation responses that there was an agreement between the police and residents that this was only used in emergency circumstances and in practice was in use a small number of times a year. However, there would have been nothing to restrict the access from being used in planning terms. The police station could have used the access at any time as there were no restrictions on its hours of use or the use of the access itself. Consequently, little weight can be given to any agreement between the police and neighbouring residents. In this way, whilst it is acknowledged that the proposals are likely to generate more vehicular movements, given the level of noise and disturbance that could be associated with a police station it is not considered that refusal of planning permission could be justified. Furthermore, it should be noted that conditions could be attached to any grant of planning permission to mitigate against any impact as a result of the development.

It is not considered that the use of the site as 9 flats would cause a harmful impact on neighbouring amenity from associated noise and disturbance, due to the number of comings and goings and associated general activity, when compared to the previous use of the site as a police station.

Construction Access

The applicant has provided a construction management plan. The Council's Environmental Health officers have reviewed the Construction Management Plan. They have confirmed that the proposed construction hours are satisfactory, and that the measures included such as damping down would be carried out which is satisfactory. They have made recommendations that noise monitoring will be carried out and recommend that vibration monitoring is carried out during the preparation, demolition and piling activities. Environmental Health and Highways officer have confirmed that this document is in principle acceptable and a condition is attached to ensure that these measures are implemented.

- Whether the proposals would provide an acceptable level of amenity for future residents

In accordance with the Supplementary Planning Document on Sustainable Design and Construction and policy DM02; appropriate amenity space needs to be accommodated on site. Normally this would need to be 5 square metres per habitable room for flats. With 29 habitable rooms on site, approximately 145 square metres of amenity space would need to be provided. The proposed scheme makes provision for the following amenity areas:

213sq m Communal Amenity Space
52 sq m to Unit 1 private garden
60 sq m to Unit 2 private garden

90 sq m to unit 3 private garden
21 sq m to unit 5 balcony (4 hab rooms)
16.5 sq m to unit 6 balcony (3 hab rooms)
26 sq m to unit 4 to balcony
4 sq m to unit 8 balcony (4 hab rooms)
5 sq m to unit 7 balcony (3 hab rooms)
18 sq m to unit 9 balcony. (4 hab rooms)

The communal garden area is located to the front of the building facing the access road. It could not reasonably be described as a private amenity area. The Supplementary Planning Document on Sustainable Design and Construction states that: '...outdoor amenity space which does not have a reasonable level of privacy will not be considered to be usable' The SPD on Residential Design Guidance states that 'Front gardens do not normally offer quality private amenity space.'

The proposed front communal area would technically meet these requirements and but it is acknowledged that it would receive relatively low levels of daylight and would be sited close the access road. However the overall amount of amenity space complies, albeit that units 7, 8 and 9 are deficient to varying degrees. The site is located within Temple Fortune town centre and also within an area of open space deficiency in relation open space.

In these circumstances it is considered that the relatively minor deficiency in amenity space provision is not so significant to warrant refusal of the application.

The proposals would also need to provide playspace as set out in the London Plan's SPG Shaping Neighbourhoods: Play and Informal Recreation, Sept 2012. Play spaces should be designed to be overlooked for natural surveillance and with safety and security in mind. Policy DM02 sets out Barnet's requirements for playspaces. This has not been designated on the proposed plans and it is suggested that a condition could be attached to ensure that exact details are provided. There would appear to be scope to site this within the front landscaped area.

- Whether the proposals would have an acceptable impact on highway and pedestrian safety

The existing site is located on A598 Finchley Road formerly the Golders Green police Station which now vacant.

The site is located in close proximity of a town centre The Public Transport Accessibility Level (PTAL) rating for the site is 2 and is considered as a poor rating.

The site is within a one hour Controlled Parking Zone (CPZ) which operated from Monday to Friday from 11am to 12 Midday. Pay by Phone parking bays are located on Finchley Road.

The proposals comprise the redevelopment of the rear part of the site to provide new housing. The building fronting onto Finchley Road does not form part of this planning application.

Parking Provision

9 residential units comprising 1no. 1bedroom units, 4no. 2bedroom units and 4no. 3bedroom units are proposed. 11 parking spaces are proposed.

Parking provision for the proposed residential development needs to be in accordance with the Parking Standards as set out in the Barnet Local Plan Development Management Policy DM17 approved in September 2012 and is as follows:

For 4 or more bedroom units - 2.0 to 1.5 parking spaces per unit
For 2 and 3 bedroom units - 1.5 to 1.0 parking spaces per unit
For 1 bedroom units - 1.0 to less than 1 parking space per unit

This equates to a range of parking provision of 8 to 13 parking spaces. The parking assessment within the range is determined by the PTAL rating of the site and other factors such as the location of the site etc. The parking provision of 11 parking spaces is in accordance with the Parking Standards as set out in the Barnet Local Plan, Development Management Policy DM17.

Trip Generation

The applicant has submitted a Transport Statement (TS) as part of their planning application

As part of the TS a parking stress survey was carried out on the roads in proximity to the site. The survey results demonstrated that parking stress is below the point where an area is deemed to suffer from high parking stress.

The TS identified a total of three bus services can be accessed from stops within around 100 metres of the application site, a further bus route can be accessed within around 500 metres of the site.

The closest bus stops to the site are on the A598 Finchley Road directly to the south of the site. These bus stops serve access to bus routes 82, 460, and 102. A further bus route, the H2, is served from bus stops on the Finchley Road junction with Hoop Lane around 500 metres to the south of the site.

Golders Green London Underground Line Station is around one kilometre to the south of the application site, and is on the Northern Line.

The applicant has confirmed that the site has been vacant therefore it was not been possible to project the number of trips generated by the sites former use as a Police Station, however it is reasonably assumed that the number of vehicle and other person trips would have been significant throughout the day.

Given the nature of the former use of the site it is possible it would have been operational 24 hours a day, with associated traffic activity.

The table below shows the predicted trips for the proposed residential development during the peak period.

Time Period	Proposed 9 Unit Development		
	Arrive	Depart	Total
0800-0900	0	2	2
1700-1800	1	1	2

The proposed nine residential dwellings are projected to generate 24 total two way vehicle trips over the course of a typical weekday, 12 vehicle arrivals and 12 departures as derived from TRAVL. This is acceptable on highway grounds.

Access

The site currently benefits from an existing vehicular access from Finchley Road and also has a second access from the rear of the site off Temple Gardens.

The proposal is to use the existing rear access to serve the proposed parking area for the development site.

As this is an existing access no objection is raised on highway grounds for the use of the access for the residential use.

The rear vehicular access is an established access which was in use by the Police and could be brought into full use at any time if required. The access is located on an outside of the 90 degree bend which allows good visibility in either direction. The proposal maintain the vehicle to vehicle and pedestrian to vehicle visibility sightlines as per the existing arrangements. Due to the layout of the road at this location at the bend in Temple Gardens, vehicular speeds are likely to be low.

The main pedestrian entrance is proposed to be to the front of the site from Finchley Road. The main pedestrian entrance is proposed to be to the front of the site from Finchley Road which will reduce the pedestrian and vehicular conflict

A one-way operation through the site is proposed with access via Temple Gardens and egress onto Finchley Road using the existing established access points. The proposal is to operate a one-way system through the site with access via Temple Gardens and egress onto Finchley Road using the existing established access points. This proposed arrangement would ensure that there is no conflicting movements at the point of access in Temple Gardens.

The transport assessment has shown that the residential development is likely to generate approximately 2 two-way trips during the AM and PM peak periods which is considered acceptable and is unlikely to have any additional detrimental impact on highway safety.

Any modification proposed to the existing access would require submission of an application under Section 184 of the Highways Act (1980).

It is proposed that vehicle to vehicle and pedestrian to vehicle visibility sightlines will be maintained as per the existing arrangements.

A refuse bin store is provided to the rear of the site, within 10 metres of the public highway on Temple Gardens. It was confirmed that the delivery and service arrangement is to remain as per the existing.

It is proposed in the TS that 20% of Active and 20% of Passive EVCPs are to be provided as required by London Plan Parking Standards which is welcomed.

The application is recommended for approval on highway grounds subject to the following conditions and informatives. The proposals would involve the use of the access onto Temple Gardens. It is not considered that the scheme would have a harmful impact on highway and pedestrian safety.

Impact on Security

It is noted that the proposals involve use of the vehicular access from Temple Gardens. This would be gated and would not involve the introduction of public access through the site.

The proposals would afford good natural surveillance across the site over amenity areas.

It is not considered that the proposals would harmfully impact on security for local residents.

Impact on Drainage

The site would need to comply with the London Plan in respect of drainage requirements. There are no specific on site drainage concerns and this matter can be addressed through a planning condition.

Sustainability Issues

The proposals would be required to comply with Lifetimes Homes standards, and conditions are suggested regarding water usage and reduction in carbon dioxide emissions.

5.4 Response to Public Consultation

Amenity Issues

The impact on neighbouring amenity from the access on Temple Gardens is assessed in detail within the main report.

Whilst it is correct to say that officers have expressed concerns about the use of the access to Temple Gardens in relation to a previous scheme presented at pre-application stage, given that this is now to be a one way access, that the applicant has provide some information to give an indication of the likely impacts and the wider benefits of providing 9 housing units it is not considered that refusal of the proposals on this issue could be justified.

A construction management plan has been provided by the applicant following comments from residents. Residents have expressed concerns about the use of the rear access during construction, particularly by heavy vehicles. Residents have raised concern that the road width is too narrow for this. The applicant has advised that they will liaise with local residents to minimise disruption. Deliveries would be scheduled so that no more than one is taking place at any time. Delivery vehicles will reverse into the site aided by a team of banksman. Where possible the access from Finchley Road will be used though this is limited by the height and width of the arch under the existing building.

The plans have been amended to remove the nearest balcony to the houses on Temple Gardens. Based on the revised plans it is not considered that there would be harmful overlooking.

The impact on light and overshadowing is addressed in the main report.

Highways Issues

The impact on parking in Temple Gardens is assessed within the main report. The proposals are considered to comply with policy DM17 in terms of parking provision for the development.

The impact on traffic flows has also been considered and the previous use of the site as a police station must be considered.

Character and Appearance Issues

The scheme has been reduced in size from the pre-application scheme and is now considered acceptable in design terms.

Procedural Issues

Comments have made reference to the possible development of the building to the front of the site. The Local Planning Authority can only assess the proposals that are before it. Any future proposals will need to be assessed on their own merits. It is up to the applicant which land is included within the site.

The applicant is advised that if the front block is developed at the same time as these proposals they would need to be considered together for the purposes of affordable housing and the Council would expect provision.

Site History

Whilst it may be that there was an agreement that the rear access was only used in emergencies, in planning terms there was no restriction to stop this being used. Any agreement can therefore be given little weight in any decision.

Other Matters

Subsidence is primarily a building regulations matter.

The demolition of the existing rear wall of the building facing Temple Gardens is not grounds to refuse the application.

6. Equality and Diversity Issues

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

"(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

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

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

The proposed development would provide new residential dwellings on a site previously used as a police station. The merits of the case are considered in the main report. Residents have expressed objections on a number of grounds and these are considered.

It is recognised that elderly residents are likely to be more affected by issues such as noise and disturbance and less mobile residents such as elderly and disabled residents more affected by highways access issues. The applicant has where possible designed the scheme in a way to mitigate these impacts.

In terms of any likely negative impacts, the application has attempted to address these through the design of the scheme.

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 our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

