

LOCATION: 1060A to 1072 High Road, Whetstone, London N20 0QP

REFERENCE: B/06116/13

Received: 24/12/2013

Accepted: 03/03/2014

WARD: Totteridge

Expiry: 02/06/2014

APPLICANT: Stadium Capital Holdings

PROPOSAL: Demolition of the existing buildings and redevelopment of the site to provide 46 no. self-contained residential flats (Use Class C3), 10 no. self-contained houses (Use Class C3) and 483 square metres of office (Use Class B1a) floorspace, in buildings ranging between five and four storeys in height (with an additional basement level), and the provision of associated car parking (76 spaces), cycle parking, refuse and recycling facilities, landscaping and amenity space, which includes a residents fitness facility.

RECOMMENDATIONS

To 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
The provision within the development of the following affordable housing units -

6 Affordable Rented units in total comprising:
2 x 1 bedroom two person flats
1 x 2 bedroom three person flats
2 x 2 bedroom four person flats
1 x 3 bedroom five person flat

3 Intermediate (Shared Ownership) units in total comprising:
3 x 1 bedroom two person flats

- (d) Travel Plans
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 Local Level Residential Travel Plan.
 - A Local Level Commercial Travel Plan (staff and visitors) for the Office uses proposed (Use ClassB1).
- (e) Travel Plan Incentives
The Local Level Residential Travel Plan (required under item (d) above) shall include financial incentives to a total value of £8,400 (equivalent to £150 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 £150 per dwelling. The voucher provided shall allow the occupier to purchase one of the following Travel Plan incentives:
- Subsidised membership of and credit for a Car Club.
 - Credit on an Oyster Card travel pass.
 - A bike voucher.
- (f) Travel Plan Monitoring
A contribution of £10,000 (index linked) towards the monitoring of the Travel Plans for the development.
- (g) Employment and Training
The delivery of not less than three apprenticeships connected with the construction and operational phases of the development for residents of Barnet. Of the three apprenticeships, two must be at not less than a Level 2 or 3 (as defined in the National Apprenticeship Service Framework or any subsequent scheme which replaces this) and one must be at not less than a Level 4 (as defined in the National Apprenticeship Service Framework any subsequent scheme which replaces this) or an appropriate equivalent graduate scheme. Should the applicant not deliver the 3 apprenticeships within the terms of this obligation a contribution of £25,000 (index linked) shall be made towards the provision of apprenticeships and employment training within the borough.
- (h) Monitoring of the Section 106 Agreement
A contribution of £1975 (index linked) towards the monitoring and management of the S106 planning obligations.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, the Assistant Director – Development Management and Building Control approve the planning application reference B/06116/13 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 DEVELOPMENT

- 2 The development hereby permitted shall be carried out in full accordance with the following approved plans:
1951-00-DR-0100 (Rev: D07); 1951-00-DR-0101 (Rev: D09); 1951-00-DR-0102 (Rev: D09); 1951-00-DR-0103 (Rev: D08); 1951-00-DR-0104 (Rev: D08); 1951-00-DR-0105 (Rev: D08); 1951-00-DR-0106 (Rev: D06); 1951-00-DR-0601 (Rev: D05); 1951-00-DR-0602 (Rev: D04); 1951-00-DR-0603 (Rev: D06); 1951-00-DR-0401 (Rev: D05); 1951-00-DR-0402 (Rev: D05); 1951-10-DR-0101 (Rev: D04); 1951-10-DR-0102 (Rev: D05); 1951-10-DR-0103 (Rev: D05); 1951-10-DR-0104 (Rev: D04); 1951-10-DR-0105 (Rev: D04); 1951-20-DR-0101 (Rev: D05); 1951-20-DR-0102 (Rev: D05); 1951-20-DR-0103 (Rev: D06); 1951-20-DR-0104 (Rev: D04); 1951-30-DR-0100 (Rev: D04); and 1951-30-DR-0101 (Rev: D01)
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 submitted otherwise hereby approved the development hereby permitted shall not commence (other than for Groundworks 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 buildings at the site have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in full accordance with the details and samples approved under this condition before it 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, DM01, DM05 and DM06 of the Barnet Local Plan and policies 1.1, 7.4, 7.5, 7.6, 7.7 and 7.8 of the London Plan.

SITE LEVELS

- 4 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development shall 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 have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use.

Reason:

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

MEASURES TO ENSURE PRIVACY

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

Reason:

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

- 6 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the development hereby granted consent shall not be occupied or brought into use unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of all privacy screens and panels to be implemented as part of the development. The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use and shall be permanently retained as such thereafter.

Reason:

To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential

dwellings in accordance with policies DM01 and DM02 of the Barnet Local Plan.

- 7 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the insertion of windows, rooflights and external doors in the development hereby permitted, other than those shown in the approved plans, shall not be undertaken without the prior receipt of a specific express planning permission in writing from the Local Planning Authority.

Reason:

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

REFUSE AND RECYCLING

- 8 Notwithstanding the details shown in the plans submitted 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 all 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 or brought into use and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason:

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

ACCESSIBILITY

- 9 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, before the development commences (other than for Groundworks and Site Preparation Works) details setting out how the 56 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 development shall be implemented in full accordance with the details as approved under this condition prior to the occupation of the development.

Reason:

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

- 10 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, before the development commences (other than for Groundworks and Site Preparation Works) details of the location within the development and specification of the 6 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 shall include sufficient particulars to demonstrate how the 6 dwellings would 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 under this condition prior to the occupation of the development.

Reason:

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

- 11 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, before the development commences (other than for Groundworks and Site Preparation Works) details of the measures to be included within the scheme to ensure that the office (use class B1) element of the proposal is accessible to all members of the community shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the details as approved under this condition prior to the occupation of the office space hereby approved.

Reason:

To ensure that the development is accessible for all members of the community and to comply with policy 7.2 of the London Plan and policy DM01 of the Barnet Local Plan.

NO TELECOMUNICATIONS EQUIPMENT

- 12 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) the following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

- The installation of any structures or apparatus for purposes

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

Reason:

To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policies CS5 and DM01, DM05 and DM06 Barnet Local Plan.

CONTAMINATED LAND

13 Part 1

Before development commences other than for investigative work:

- a) A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and 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:-
 - i. a risk assessment to be undertaken,
 - ii. refinement of the Conceptual Model, and
 - iii. the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

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

Reason:

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

BIODIVERSITY

- 14 Prior to the commencement of the development 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 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 the protection of biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policy 7.19 of the London Plan.

- 15 Prior to the commencement of the development (other than for Groundworks 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 birds, bats and the implementation of the areas of green roof and soft landscaping. 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.

SUSTAINABILITY

- 16 Prior to the commencement of the development (other than for Groundworks and Site Preparation Works) hereby approved an Energy Strategy detailing in full the measures that the scheme will incorporate to

comply with the objectives of development plan policies on climate change mitigation, reducing carbon dioxide emissions and the use of on-site renewable energy technologies shall have been submitted to and approved in writing by the Local Planning Authority. The Energy Strategy submitted under this condition shall include details:

- To demonstrate how the development would achieve an improvement of not less than 40% in carbon dioxide emissions when compared to a building constructed to comply with the 2010 Building Regulations.
- Of the on-site renewable energy technologies that would be implemented as part of the scheme and the carbon dioxide emission reductions that these would achieve.

The development shall be implemented in accordance with the details identified in the approved Energy Strategy in full prior to the first occupation of the development.

Reason:

To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2, 5.3 and 5.7 of the London Plan.

WATER AND DRAINAGE

- 17 The development hereby permitted shall not commence until a Water Infrastructure and Drainage Strategy, detailing in full all on and off site water infrastructure and drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme, has been submitted to and approved in writing by the Local Planning. The information provided in the Water Infrastructure and Drainage Strategy submitted shall include (but not be limited to) full plans, specifications and other relevant details (as appropriate) of the areas of green roof to be constructed as part of the development and any backflow protection and oil and petrol interceptors to be included in the infrastructure provided. No foul or surface water shall be discharged from the development hereby approved into the public sewer system until the water infrastructure, 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.

- 18 The residential dwellings (Use Class C3) and non-residential uses (Use Class B1) 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.

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

Reason:

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

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

Reason:

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

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

- 21 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.

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

Reason:

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

- 23 Prior to the commencement of the development hereby permitted (other than for Groundworks and Site Preparation Works) a report detailing in full all Combined Heat and Power Systems to be implemented as part of the scheme, the anticipated air quality impacts arising from any Combined Heat and Power Systems proposed and any mitigation to be implemented in respect of air quality impacts arising from Combined Heat and Power Systems proposed. The development shall be implemented in full

accordance with the details provided (both in terms of the proposed Combined Heat and Power Systems and any mitigation) in the report approved under this condition in its entirety before the first occupation of the development.

Reason:

To ensure that the proposed development does not have an unacceptable impact on air quality in accordance with policy DM04 of the Barnet Local Plan and policies 5.3 and 7.14 of the London Plan.

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

Reason:

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

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

Reason:

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

- 26 Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works) on site details of all extraction and ventilation equipment to be installed in the development shall be

submitted to and approved writing by the Local Planning Authority. Extraction and ventilation equipment shall be installed at the site in full accordance with the details approved under this condition before the first occupation of the development.

Reason:

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

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

Reason:

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

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

Reason:

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

- 29 The Use Class B1a (office) uses hereby approved shall not be open to customers or staff before 7am or after 11pm on any day.

Reason:

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

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

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

Reason:

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

- 31 The 522m² of floorspace hereby approved for purposes falling within Use Class B1 shall only be occupied for uses falling within Use Class B1a Office and shall not be used for any other purpose, including any other purpose within Use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason:

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

- 32 The gym shown on the plans approved under this application shall be used only as an ancillary facility as part of the scheme hereby approved and solely by the occupiers of the development hereby approved. The gym shall not be operated as a separate stand alone facility or planning unit.

Reason:

To ensure that the development operates as considered under this application and does not prejudice the amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings in accordance with policy DM01 of the Barnet Local Plan.

SECURITY

- 33 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, prior to the first occupation of the development consented under this planning permission details of the security and crime prevention measures to be included within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development.

Reason:

To ensure that appropriate security and crime prevention measures are

provided as part of the development in accordance with policy DM01 and DM02 of the Barnet Local Plan and policy 7.13 of the London Plan.

TRANSPORT

- 34 Before the development hereby permitted is occupied the 76 car parking spaces shown on plan numbers 1951-00DR-0101 (Rev: D09) and 1951-00-DR-0100 (Rev: D07) shall be provided in the development and shall not be used for any purpose other than the parking and turning of vehicles in connection with the development hereby approved.

Reason:

To ensure that satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies CS9 and DM17 of the Barnet Local Plan.

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

Reason:

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

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

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

- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. a method statement for the demolition of the existing building; and
- xi. details of a community liaison contact for the duration of all works associated with the development.

Reason:

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

- 37 Before the first occupation of the development hereby approved a Cycle Parking Plan shall be submitted to the Local Planning Authority and approved in writing. The Cycle Parking Plan submitted shall identify suitable parking and storage facilities for not less than 120 bicycles within the development and shall set out how the cycle parking facilities proposed will be allocated between the different uses within the development. The development shall be implemented in full accordance with the approved Cycle Parking Plan prior to the first occupation of the development and be occupied in accordance with Cycle Parking Plan in perpetuity thereafter.

Reason:

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

- 38 Before the development hereby permitted is occupied or brought into use not less 9 disabled standard parking spaces shall be provided at the site in accordance with details that have previously been submitted to the Local Planning Authority and approved in writing.

Reason:

To ensure that satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety, the free flow of traffic and the creation of an environment which is accessible to all members of the community in accordance with policies CS9 and DM17 of the Barnet Local Plan.

- 39 Before the development hereby permitted is occupied or brought into use Electric Vehicle Charging facilities shall be installed at the development in accordance with details that have previously been submitted to the Local Planning Authority and approved in writing. The details submitted under this

condition shall include provision for not less than:

- 14 of the car parking spaces proposed to be provided with active Electric Vehicle Charging facilities.
- 14 of the car parking spaces proposed to be provided with passive Electric Vehicle Charging facilities.

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.

- 40 Prior to the commencement of the development details of the access roads, including the gradient of the ramp to the basement level, and pedestrian access arrangements within the site shall be submitted to and approved in writing by the Local Planning Authority. The details submitted as part of this condition shall include detailed construction specifications and longitudinal section details (at a scale of not less than 1:200). The development shall be implemented in full accordance with the details approved under this condition prior to it being first brought into use or occupied.

Reason:

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

LANDSCAPING

- 41 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the commencement of the development (other than for Groundworks 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 development 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, DM02, DM05 and DM06 of the Barnet Local Plan and policies 1.1, 7.3, 7.4, 7.5, 7.6 and 7.8 of the London Plan.

- 42 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 Hard and Soft Landscaping submitted shall include but not be limited to the following:
- The position of any existing trees to be retained and removed.
 - All new tree, hedge, shrub and green roof planting proposed, including details of species, plant sizes and planting densities.
 - The means of planting, staking and tying of trees, including tree guards.

- A detailed landscape maintenance schedule for regular pruning, watering and the use of fertiliser.
- Existing land contours, such as earth mounding, any proposed alterations to these and the contouring of new landscaped areas.
- Full details of the areas of green roof to be implemented as part of the scheme.
- Areas of hard landscape works including samples of the proposed materials.
- Details of all techniques to be used to provide conditions appropriate for new plantings.
- The timing of all planting.

Reason:

To ensure a satisfactory design and appearance of and contribution to biodiversity from the development in accordance with policies DM01, DM02, DM04, DM05, DM06 and DM16 of the Barnet Local Plan and policies 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 7.19 and 7.21 of the London Plan.

- 43 The development hereby approved shall be implemented in full accordance with the details shown in the approved Scheme of Hard and Soft Landscaping, submitted under condition 42, before the first occupation of any part of the development.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policies DM01, DM02, DM04, DM05, DM06 and DM16 of the Barnet Local Plan and policies 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 7.19 and 7.21 of the London Plan.

- 44 Any trees, hedges, shrubs or areas of green roof planted or retained as part of the approved Scheme of Hard and Soft Landscaping (submitted under condition 42) 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 policies DM01, DM02, DM04, DM05, DM06 and DM16 of the Barnet Local Plan and policies 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8 7.19 and 7.21 of the London Plan.

- 45 No site works or other works associated with this development shall be commenced before a Method Statement detailing the precautions to be taken to minimise damage to trees within and 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 policies DM01 and DM16 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 46 No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard trees within and adjacent the site have been put in place in accordance with a Method Statement that has been previously submitted to and approved in writing by the Local Planning Authority (under condition 45 of this consent). 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 policies DM01 and DM16 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 47 Details submitted pursuant to Conditions 4, 42, 45 and 46 imposed by this Planning Permission shall be submitted at the same time.

Reason:

To enable the proper consideration of matters relating to site levels, protective fencing and landscaping in accordance with policies DM01, DM04, DM16 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.

- 48 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.

Recommendation 3:

That if the legal agreement identified in Recommendation 1 above has not been completed (or an appropriate unilateral undertaking to secure the same has not been submitted) by the 27 November 2015, the Assistant Director of Development Management and Building Control REFUSE the application under delegated powers for the following reasons, unless the Assistant Director of Development Management and Building Control has previously agreed an extension to this time period in writing:

1. The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area despite it having been found economically viable for the development proposed to make such a contribution. The

application is therefore unacceptable and contrary to policies DM10, CS NPPF, CS4 and CS15 of the Barnet Local Plan Core Strategy and Development Management Policies Document (2012), policies 3.12 and 3.13 of the London Plan (2015), the Barnet Planning Obligations (2013) and Affordable Housing (2007 and 2010) Supplementary Planning Documents and the Mayoral Housing (2012) Supplementary Planning Guidance.

2. The application does not include a formal undertaking to secure the delivery of Travel Plans for the development proposed, to minimise increases in road traffic from the proposal and encourage the use of sustainable modes of transport, and the provision of the funding needed to incentivise, monitor and review Travel Plans of this nature. The application is therefore unacceptable and contrary to policies DM17, CS NPPF, CS9 and CS15 of the Barnet Local Plan Core Strategy and Development Management Policies Document (2012); policies 6.1 and 6.3 of the London Plan (2015); and the Barnet Planning Obligations (2013) Supplementary Planning Document.
3. The application does not include a formal undertaking to secure the making of a financial contribution needed to ensure the delivery of the planning obligations which are necessary for the development to be found acceptable. The application is therefore unacceptable and contrary to policy CS15 of the Barnet Local Plan Core Strategy (2012) and the Barnet Planning Obligations (2013) Supplementary Planning Document.
4. The application does not include a formal undertaking to secure the delivery of employment training, in the form apprenticeships, needed to mitigate the loss of employment space that the application would result in. The application is therefore found to be unacceptable and contrary to policy CS15 of the Barnet Local Plan Core Strategy (2012), policy DM14 of the Barnet Development Management Policies Document (2012) and the Barnet Delivering Skills, Employment, Enterprise and Training from Development Through S106 (2014) Supplementary Planning Document.

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

Key Relevant Planning Policy

The London Plan

The London Plan (March 2015) is the development plan in terms of strategic planning policy. The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); and 2.18 (Green Infrastructure)

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); 3.14 (Existing Housing); 3.15 (Co-ordination of Housing Development and Investment); and 3.16 (Protection and Enhancement of Social Infrastructure)

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); 4.10 (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); 5.5 (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); 6.3 (Assessing Effects of Development on Transport Capacity); 6.5 (Funding Crossrail 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); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes); 7.17 (Metropolitan Open Land); 7.18 (Protecting Local Open Space and Addressing Local Deficiency); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Implementation, Monitoring and Review:

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

Barnet Local Plan

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

Barnet 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)

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)

Barnet 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)

DM06 (Barnet's heritage and conservation)

DM07 (Protecting housing in Barnet)

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

DM10 (Affordable housing contributions)

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 and Guidance:

Delivering Skills, Employment, Enterprise and Training from Development Through S106 (February 2014)

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 (2004)

Planning for Equality and Diversity in London (2007)

All London Green Grid (2012)

Shaping Neighbourhoods: Play and Informal Recreation (2012)

Land for Industry and Transport (2012)

Housing (2012)

Sustainable Design and Construction (2014)

Character and Context (2014)

Accessible London: Achieving an Inclusive Environment (2014)

Social Infrastructure (2015)

National Planning Guidance

National planning policies are set out in the National Planning Policy Framework (NPPF). This document was published in March 2012 and it is a key part of reforms by national government 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 and the document includes a 'presumption in favour of sustainable development'. 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 confirmed their agreement to the obligations set out in Recommendation 1.

Key Relevant Planning History

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

Since the original construction of the main current buildings on the site a number of submissions have been made for minor developments, advertisement consent and certificates of lawfulness. There have also been a number of historic submissions for a more comprehensive redevelopment of parts of the site. Only one of these (application reference B/03100/09) was granted consent. This proposed the demolition of the existing buildings at

1068 to 1072 High Road and the erection of a residential block up to four storeys in height containing 9 dwellings (flats) and a second block up to five storeys in height containing office and photographic studio floorspace. This application was granted consent in 2009 (it was not implemented). A second application for the comprehensive redevelopment of the whole site (B/06116/13) is currently under consideration. This proposes the demolition of the existing buildings and redevelopment of the site to provide 59 flats, 10 houses and office floorspace in buildings between four and five storeys in height.

A number of sites and previous planning decisions in the surrounding area have been identified in comments made on this application. These have varying degrees of relevance to the consideration of the current proposal and the key relevant planning decisions are set out in Appendix 1.

Public Consultations and Views Expressed

Public Consultation

To publicise this application letters and emails were sent to 666 addresses in March 2014. The application was also advertised on site and in the local press at that time. Following revisions to the design of the scheme and the submission of revised and additional information two further round of consultation (including letters, emails and site and press notices) was carried out in October 2014 and June 2015. 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 legislation and Barnet's own adopted policy on the consultation to be carried out for schemes of this nature.

Number of Responses from Residents and Businesses

23 responses objecting to the proposal were received. **4** of the objectors have requested to speak at committee. **No** responses supporting the proposal were received. Any responses received following the publication of this report will be set out in the addendum to the committee report.

Responses from Residents, Landowners and Businesses

The comments made in the objection received to the application can be summarised as follows.

The proposal would result in:

- Overshadowing and loss of daylight and sunlight.
- Noise and disturbance.
- Loss of privacy and overlooking.
- Loss of outlook.
- Harm to their amenities and friction with neighbouring uses.
- Overdevelopment and an overly dense proposal.
- Development out of keeping with and harmful to the character and appearance of the area.

- Loss of the locally listed building on the site without sufficient justification (as the Heritage Statement prepared is inadequate).
- Development that is too tall, too great in size and out of scale with the area.
- Development which does not represent good 21st century architecture.
- Exacerbation of the parking problems in the area.
- Increased traffic, congestion and access problems in the area.
- Increase the need for a Controlled Parking Zone in the area.
- Construction works which are detrimental to their amenities and health and which would cause highways issues.
- Unacceptable impacts on ecology (including on bats) and trees.
- Unacceptable impacts on local services and infrastructure.
- Loss of the existing employment generating uses contrary to planning policies.

Other objections:

- Support the objections of the Friern Barnet and Whetstone Residents Association.
- The site address is incorrect (should be 1060A High Road not 1060 High Road).

Response: Full responses to the material planning considerations raised in the objections received from residents and businesses are provided by Officers in subsequent sections of the committee report. In summary, subject to the controls and mitigation provided by the conditions and planning obligations recommended, the proposal is found to be acceptable and compliant with the objectives of development plan policies in all relevant regards.

Comments from Local Associations and Societies

Friern Barnet and Whetstone Residents Association:

Object to the application and **request to speak at the committee** which considers the application. The comments made can be summarized as follows:

- Application would be contrary to national guidance and development plan policy on design, quality, character, context, employment, infrastructure and heritage matters.
- The opportunity should be taken to improve the character of the area by enhancing the openness of this part of the High Road.
- The scheme should respect the appearance, scale, mass, height and the pattern of development by setting the building line to run from the frontage of the block of flats at 1048 to 1058 High Road to the frontage of the four storey block of flats in the Capel Close development, providing a landscaped area planted with trees to the front of the building line without any vehicle parking in front of the building line and maintaining the ridge height of the proposed development within that of the existing flatted developments either side to the north and south.
- The proposed buildings are all excessively high in relation to the surrounding development and should each be a floor lower.

- Building A would present an incongruous addition to the street scene which detracts from its appearance.
- Building C should be limited to three floors as it does not relate appropriately to the Metropolitan Open Land to the east.
- Building A is forward of the natural building line and the proposed parking area in front of it would detract from the openness of the frontage to the High Road.
- Concerned about the incremental effect on the road network from users of the proposed parking spaces on the North Finchley gyratory system and the High Road/Totteridge Lane/Oakleigh Road North junction, which are already operating very close to their capacity and the resultant increased “rat running” through the surrounding streets.
- Consider that the traffic impact studies should embrace the traffic implications of approved, submitted and proposed planning applications in the locality.
- Concerned about other (non-highways) infrastructure implications of the development proposed and the other developments in the area including education and health facilities.
- Doubt the adequacy of the contributions made to infrastructure provision and question where the land is to be found for the necessary new and expanded facilities.
- Proposal would result in a reduction in level of employment on the site.
- There has been a negative impact on the local economy due to the running down of employment on the site and the inadequate re-provision proposed and this may have been done in order to make a case for maximizing the amount of residential development on the site.
- Borough is turning it into a “dormitory area” for the rest of London.
- The site is a good location to provide needed smaller employment unit sizes and types, including affordable and flexible workspace (which the scheme does not include).
- Any development should provide closer to 150 jobs on site in a mixed development containing small Class B1 units providing flexible and affordable workspace.
- The loss of the locally listed building at 1064 High Road is contrary to development plan policy. This is an attractive building and as the current application is made whilst it is still standing and in use the application should therefore be refused on heritage grounds.
- The submitted heritage statement appears inadequate and unconvincing.
- If the applicant wishes to pursue an application to redevelop the whole site then No. 1064 should be demolished first.

Finchley Society:

Object to the application and **request to speak at the committee** which considers the application. The comments made can be summarized as follows:

- The loss of the locally listed building is contrary to development plan policy.
- The submitted heritage statement is inadequate.

- The loss of the employment use should not be permitted and the site should include the small start-up workshops the borough needs.
- Affordable housing should be provided on site in accordance with development plan policy and in the absence of details they are unable to judge if what is proposed is reasonable. The scheme should not come forward in the absence of affordable housing.
- The height of the building fronting on to the High Road is at least 1 storey too high and out of keeping with its neighbours.
- The traffic impacts of the development need to be carefully considered.
- The proposing of green roofs should not weigh in favour of the scheme as the developer may subsequently be allowed to not include them.

Response: Full responses to the comments received from local associations and societies are provided by Officers in the main body of the committee report. In summary, subject to the controls and mitigation provided by the conditions and planning obligations recommended, the proposal is found to be acceptable and compliant with the objectives of development plan policies in all relevant regards.

Consultation Responses from Statutory Consultees and Other Bodies

Transport for London (TfL):

Consider that the:

- Applicant should justify why the maximum London Plan standards of parking are appropriate in this instance.
- Commercial parking provision proposed is acceptable.
- Disabled parking bays should be provided with reference to the borough standards and designed in accordance with Department for Transport guidance.
- Electric Vehicle Charging Points (EVCP) should be provided to 20% of the parking spaces with a further 20% passive provision also achieved.
- Applicant should enter into a permit free agreement with Barnet to exempt future residents from eligibility for parking permits.
- Parking details and layout should be secured by condition.
- Cycle parking provision should be in line with the further alterations to the London Plan.
- Trip generation and mode share assessments are acceptable.
- A PERS audit should be produced to identify local walking improvement needs and a S106 Agreement should be used to secure any improvements required.

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

Highways Agency:

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

Network Rail:

Have responded to the consultation and confirmed that they have no comments to make on the application.

Metropolitan Police Service:

Have responded to the consultation and have not raised any objections to the proposal in principle or requested that conditions are placed on any grant of consent. They have identified a number of points which they would wish to see considered in terms of crime reduction principles and future community safety. The conditions recommended would secure the implementation of appropriate measures in terms of crime reduction and community safety.

London Fire and Emergency Planning Authority:

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

Environment Agency:

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

Natural England:

Have responded to the consultation and have not raised any objections to the proposal. Natural England have identified that the application may provide opportunities for biodiversity and landscape enhancements at the site and that the authority should consider securing biodiversity and landscape enhancements. Conditions requiring the implementation of suitable measures at the site in terms of biodiversity and landscaping have been included in those recommended.

English Heritage Archaeology:

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

Thames Water:

Have responded to the consultation and not raised any objections to the proposal. Thames Water has also specifically stated that with regard to sewage infrastructure capacity they would not have any objection to the proposal. Thames Water have also requested that the scheme incorporate suitable protection to avoid the risk of backflows (due to the risk of surcharges during storm conditions). The water infrastructure and drainage strategy condition recommended would ensure the implementation of suitable features in this respect. In addition to these points Thames Water have made a number of comments in respect of sewer ownership, public sewers in the area and surface water drainage matters. Informatives on these matters have been included in those recommended.

National Grid:

Have responded and identified that National Grid apparatus is located within the vicinity of the site. An informative setting this out has been included in those recommended.

Internal Consultation responses**Traffic and Development Team:**

The Traffic and Development Team response is set out in greater detail in the relevant sections of the report below. In summary they have confirmed that, subject to the imposition of the conditions and planning obligations recommended, they have no objections to the development and find the proposal to be acceptable in respect of traffic, parking and highways related matters.

Environmental Health Service:

The Environmental Health Service response is set out in greater detail in the relevant sections of the report below. In summary they have confirmed that, subject to the imposition of suitable conditions in respect of air quality, contaminated land and noise matters, they raise no objection to the development and find the proposal to be acceptable.

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

The application site comprises a largely rectangular area of previously developed land, covering approximately 0.6 hectares in size, situated on the east side of the High Road approximately 500m south of Whetstone Town Centre. In terms of key relevant planning designations, one of the buildings within the site, 1064 High Road, is a locally listed building. This property previously formed part of a pair of buildings on the site, however the other 'half' has since been demolished. The land immediately adjoining the site to the east (North Middlesex Golf Club) is designated as Metropolitan Open Land.

The land can be divided into 3 main parts. The two more northern sections, which relate to 1068 to 1072 High Road and 1064 High Road respectively, contain non-residential uses that are presently vacant. These areas are considered to have lawful uses falling within Use Classes B8 and B1. The northern most section of these (which relates primarily to 1068-1072 High Road) was last occupied by a plumbing merchant and a photographic studio. The more central section, which relates primarily to 1064 High Road, was previously occupied by EMC Advertising and Gifts.

The buildings on the site in a non-residential use comprise structures ranging between 1 and 3 storeys in height. 1064 High Road (in central element of the site) is a part two, part three storey building with a mainly pitched roof that is set back approximately 40m from the High Road. This property is linked by a single storey structure (with a pitched roof) to a more substantial single storey

building with a large pitched roof that contains a mezzanine level. An additional part single, part two storey building with a mixture of roof forms is also located to the south of the link structure (this is sometimes identified as 'The Stables').

The western side of the northern-most part of the site contains a single storey building with a low pitched roof that is positioned along the sites northern boundary. This structure projects significantly beyond the front and rear building lines of the existing block of flats (19 to 26 Capel Close) located on the land to the north of the site. To the rear (east) of this the application site contains a substantial single storey building with a large pitched roof.

The southern-most element of the site contains a single residential dwelling in the form of a bungalow with rooms in the roof space. This building is located on the south-east corn of the site and is accessed by a driveway running from the High Road that is separated from the more northern parts of the site.

The open spaces on the site comprise a mixture of hard and soft landscaped areas. These contain a number of substantial trees and significant areas of hardstanding used for parking (the site contains approximately 30 car parking spaces). None of the trees on the site are covered by a Tree Preservation Order. Vehicular and pedestrian access for the site is provided from three points on the High Road. The site has a Public Transport Accessibility Level (PTAL) of 3.

The areas to the north and south of the site are dominated by residential uses in the form of purpose built flats in blocks generally between 3 and 4 storeys in height. Myddleton Lawn Tennis Club (which includes a single storey building) also adjoins the site to the south. North Middlesex Golf Course is situated to the east of the site and the land is bounded by the High Road to the west.

Description of the Proposed Development

Detailed planning permission is sought for the demolition of the existing buildings on the site and the redevelopment of the land comprising the erection of two linked buildings containing a total of 46 flatted dwellings (all use class C3) and 483m² of office floorspace (use class B1a) and the construction of a terrace of 10 houses (all use class C3). Plans showing the ground floor layout and High Road (west facing) elevation of the proposed development have been provided at **Appendix 2** of this report.

The development is laid out with the two linked blocks, containing the proposed flats and office floorspace, located on the western (High Road) and central parts of the site. The block closest to the High Road (western part of the site) would contain five above ground floors of accommodation (flats and office floorspace), with the top two floors located within the roof of the building. The block on the more central part of the site (to the east of the High Road) would comprise four above ground floors of accommodation (flats), with the top floor located within the roof of the building. Each flat proposed would have its own area of private amenity space in the form of a terrace or

balcony.

The area beneath the two blocks would comprise a single basement level. This would contain car parking spaces, part of the office floorspace proposed, cycle parking facilities, a gym for residents and plant. The area between the two blocks (at a ground floor level) would contain a communal amenity space, an access route down to the basement level and refuse and recycling storage areas.

The 10 houses proposed would be located on the eastern part of the site in the form of a single terrace of properties providing accommodation across four floors. In each case the fourth floor of accommodation would be provided in the (pitched) roof of the building. Each of the houses would have its own private rear garden.

The new office (use class B1a) floorspace proposed would comprise two split level units with a combined gross internal floor area of approximately 483m². These would both be located on the ground and lower ground floor levels of the western part of the building fronting directly onto the High Road (western part of the site). The new office floorspace would be accessed from the High Road.

The detailed architectural approach to the proposed buildings is inspired by the traditional architecture of Whetstone and Finchley. It includes features such as predominantly brick elevations with brick and stone detailing; substantial pitched roofs with clay tiles and brick chimneys; timber framed doors and windows; and timber framed dormer windows with sheet lead surrounds.

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

- 2 x one person studio flats
- 13 x one bedroom two person flats
- 5 x two bedroom three person flats
- 18 x two bedroom four person flats
- 8 x three bedroom five person flats
- 10 x four bedroom eight person houses

The proposal would provide a total of 9 affordable housing units on site (approximately 16% of the total dwellings proposed in the development) with the following mix of dwellings types:

6 Affordable Rented units in total comprising:-

- 2 x 1 bedroom two person flats
- 1 x 2 bedroom three person flats
- 2 x 2 bedroom four person flats
- 1 x 3 bedroom five person flat

3 Intermediate (Shared Ownership) units in total comprising:-

- 3 x 1 bedroom two person flats

All of the dwellings proposed in the scheme would meet or exceed the minimum internal floor space standards for that type of residential unit (specified in Table 3.3 of the London Plan). The application is supported by a Design and Access Statement (as is required for an application of this scale) and a range of other plans and supporting information. These documents identify that the dwellings proposed have been designed to achieve the relevant Lifetime Homes Standards and that 6 of the new residential units would meet wheelchair accessible standards or be easily adaptable to achieve wheelchair accessible standards.

Vehicular ingress and egress for the proposed development would be provided from two points on the High Road. The more northern of these points would serve 3 car parking spaces located at the sites frontage. The more southern point would serve a further 2 frontage car parking spaces and also provide a route to the gated access road running along part of the sites southern boundary (from which the remaining car parking spaces and several other elements of the scheme would be accessed). A number of points of pedestrian access would be provided along the length of the sites High Road frontage.

The development includes the provision of a total of 76 off street car parking spaces. 3 of these would be available for the occupiers of the office space proposed. The remaining 73 spaces would be provided for occupiers of the new dwellings and visitors. The submission identifies that the proposal would include storage for 120 cycles.

3. PLANNING CONSIDERATIONS

Principle of redeveloping the site:

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

The application site has not been identified for any specific use in planning policies, is previously developed and is situated within easy access of Whetstone Town Centre and the amenities it offers. It is also noted that the area surrounding the site contains buildings in a mixture of uses, which include residential and employment purposes. The land is located within walking distance of a number of bus stops and has a Public Transport Accessibility Level of 3.

It is recognised that concerns have been raised about the demolition of the existing locally listed building on the site at 1064 High Road. This issue is discussed in fuller detail in subsequent sections of this report (Impact on

Heritage Assets). However, in summary, it is considered that the demolition of the locally listed building at 1064 High Road is acceptable in this instance.

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

Employment uses

The application proposes to reduce the level of floorspace at the site falling within employment related uses from 2343.5m² of floorspace within use classes B1 and B8 down to 483m² of use class B1 floorspace.

Policy CS8 of the Barnet Core Strategy states that the Council will support businesses by safeguarding existing employment sites that meet the needs of modern businesses (in accordance with Policy DM14 New and Existing Employment Space); encourage development that improves the quality of existing employment provision; and seek a range of unit sizes and types in new employment provision to support small and medium sized enterprises.

Policy DM14 (in the Barnet Development Management Policies) identifies that in locations such as this the loss of B uses will only be permitted where it can be demonstrated that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken. Where this can be demonstrated the priority will be for a mixture of small business units with residential use. The policy also identifies that proposals to redevelop existing employment space which reduce the levels of employment use and impact negatively on the local economy will be resisted. Where it is appropriate loss of employment space will be expected to provide mitigation in the form of contributions to employment training.

Proposals for new office space should follow a sequential approach, which considers town centre sites before edge of centre sites. New employment space is also expected to provide on-site servicing for the intended use.

The submission identifies that the buildings at 1072 High Road have been vacant since the end of 2012 and that the last tenants occupied only part of the site, as much of the space did not meet the standards they required, on a short-term basis (for approximately 12 months). The buildings at 1064 High Road were occupied up until June 2014.

The submission made includes information on the marketing of the site. This identifies that the site has been marketed for both sale and rent and that the marketing carried out has included online advertising, the use of on-site signage and the distribution of marketing flyers to potential tenants and purchasers by property agents. The site was been marketed as a whole between June 2012 and October 2014 and parts of the site have been marketed for significantly longer periods. Taken in the round officers accept

that the site has been adequately marketed for a suitable period.

The submission identifies that the site is in a poor condition and that the investment which would be needed to bring the existing accommodation into line with the expectations of many potential occupiers impacts adversely on the viability of the current site to provide employment use. Having visited the site officers accept this position.

It is noted that objections have been received about the loss of employment uses from the site. Officers conclude that the submission has adequately demonstrated that the site is no longer suitable and viable for its existing or alternative business use and that an appropriate period of active marketing has been undertaken. The proposed development is considered to include a suitable and policy compliant mix of new uses, including new office floorspace and residential dwellings, for this location. Officers consider the re-provision of approximately 20% of the existing employment space in the buildings to be an important part of the case for supporting the development proposed.

The new Class B1 space proposed would comprise two units located at the part of the site fronting onto the High Road. This space would be of a higher standard (for example it would be designed to comply with the current Building Regulations in terms of providing access to all members of the community) than the existing employment space on the site and laid out so that it can accommodate a range of sizes of business (including small and medium sized enterprises). The new Class B1 space would all be provided as office space (Class B1a). It is noted that a proportion of the existing employment space at the site (the application form submitted puts this at approximately 49% of the total space) is used for other (non-office) employment purposes. This is considered significant because such uses typically employ lower densities of staff (so they employ fewer staff for a given area of space) than office space. It is accepted that the site is located outside of a town centre. However, the site is found to be reasonably accessible (and the new B1 units would be located on the most accessible part of the site) and re-provision of some employment use on the land as part its redevelopment is considered to be important to addressing the requirements of development plan policies on employment matters.

To ensure that the scheme delivers the benefits envisaged in these regards conditions have been recommended which require that the new Class B1 floorspace proposed is provided solely as office space and is designed to be accessible to all members of the community.

In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would also deliver three apprenticeships connected with the construction and operational phases of the development for residents of Barnet. Of the three apprenticeships delivered two would be at not less than a Level 2 or 3 (as defined in the National Apprenticeship Service Framework or any subsequent scheme which replaces this) and one would be at either not less than a Level 4 or an appropriate equivalent graduate scheme. Should the applicant not deliver the

three apprenticeships within the terms of this obligation a contribution of £25,000 (index linked) shall be made towards the provision of apprenticeships and employment training within the borough. Alongside the other planning benefits which the application would deliver these obligations are considered to assist in mitigating the loss of employment generating floor space the development would result in.

For the reasons set out above the reduction in the existing employment (B use class) floorspace sought as part of the application and the new Class B1 space proposed are both considered to be acceptable and compliant with the objectives of development plan policies in principle subject to the controls recommended.

Residential uses

The site currently includes a residential dwelling and in general terms the delivery of new residential dwellings is broadly encouraged by planning policy. For example policy 3.3 of the London Plan 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'. Development plan policy also broadly supports the inclusion of residential uses as part of proposals for mixed use schemes such as this. 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 also being compliant with the other relevant aspects of planning policy (these are addressed elsewhere in this report). The principle of demolishing the existing residential dwelling at the site is found to be acceptable in principle as the scheme would result in a significant net gain in housing.

Officers find that in the specific circumstances of this scheme the inclusion of residential uses of the nature proposed is justified and acceptable in principle, subject to the dwellings proposed complying with other relevant policies (as assessed in subsequent sections of this report).

Impacts on heritage assets

Policy DM06 of the Barnet Local Plan identifies that all heritage assets (including listed buildings, conservation areas, locally listed buildings and local areas of special archaeological significance) will be protected in line with their significance, this includes impacts on the setting of heritage assets. The policy also identifies that all development will be expected to have regard to the local historic context. In terms of locally listed buildings specifically the policy states that there will be a presumption in favour of retaining all 1600 locally listed buildings in the borough.

The proposal would involve the demolition of all the existing buildings on the application site, including 1064 High Road, which is designated a locally listed building. The submission includes a Heritage Statement assessing the heritage significance of 1064 High Road and the impact of the proposal to demolish it. This finds that the integrity and legibility of the original building has been compromised by very substantial, successive and unsympathetic alterations. It also notes that buildings have been demolished and new

buildings erected within the setting of the locally listed property. The report concludes that 1064 High Road is only of limited local architectural or historic interest. Having visited the site officers accept these findings.

Officers conclude that the demolition of the existing building would be acceptable and not conflict with the objectives of development plan policies on the protection of heritage assets (including locally listed buildings). Regard also needs to be had to the fact that in the circumstances of this case the Local Planning Authority could not prevent the demolition of 1064 High Road, as it is a non-statutory listed building that is not situated within a Conservation Area.

Historic England were consulted on the application in respect of the potential for the scheme to effect heritage assets of archaeological interest. They have responded and conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. As such they consider that no further archaeological assessment or conditions on this matter are necessary. Officers accept these findings and the proposal is found to be acceptable in this regard.

Conclusions on the principle of the development proposed

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

Dwelling mix:

Development plan policies require proposals to provide an appropriate range of housing sizes and types, taking account of the housing requirements of different groups. The council's Local Plan documents (Core Strategy and Development Management Policies) identify 3 and 4 bedroom dwellings as the highest priority sizes of housing for the borough.

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

- 2 x one person studio flats
- 13 x one bedroom two person flats
- 5 x two bedroom three person flats
- 18 x two bedroom four person flats
- 8 x three bedroom five person flats
- 10 x four bedroom eight person houses

The dwelling mix proposed is considered to include an appropriate range of dwelling sizes and types for this location. In this respect the proposal would make a reasonable contribution to meeting the needs of the growing and diverse population of 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. Affordable housing matters are discussed subsequently in this report.

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) and development proposals which compromise this policy should be resisted. Barnet Local Plan policies also seek to optimise, rather than simply maximise, housing density to reflect local context, public transport accessibility and provision of social infrastructure.

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 3. In terms of its 'setting' the site is considered to fall within an area of transition using the features identified in the London Plan. The High Road has some urban characteristics, while the surrounding area has many suburban characteristics. Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 35 and 170 units per hectare or 150 to 450 habitable rooms per hectare (see table above).

Using the approach in the London Plan the 56 dwellings proposed include 189 habitable rooms. As the site has an area of 0.6 hectares this equates to a density of approximately 93 units per hectare and 315 habitable rooms per hectare. The proposal therefore falls within the density range identified in the London Plan.

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 floorspace 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. All of the dwellings proposed would have an 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.

External amenity space provision

Each of the houses proposed would have their own private rear garden and private balcony areas. In each case these would be of sufficient size to meet or exceed the requirements of Barnet Local Plan policies and guidance (set out in the Sustainable Design and Construction SPD) on the provision of amenity space for houses.

All of the flats proposed would have access to their own private amenity space in the form of a balcony or terrace (some dwellings would have more than one feature of this nature). In each case this amenity space would be of sufficient size to meet or exceed the requirements of Mayoral guidance on the provision of private external amenity areas (5m² for 2 person dwellings with an extra 1m² for each additional bed space) for the size of flat proposed.

Using the Barnet standard of providing 5m² of usable external amenity space per habitable room (including kitchens over 13m² and with rooms over 20m² counting as two rooms) for flats, the development would be required to

provide approximately an extra 355.9m² of usable external amenity space, in addition to the private balcony and terrace amenity space proposed to comply with guidance set out in the Barnet Sustainable Design and Construction SPD. The scheme seeks to meet this requirement through the creation of communal amenity areas within the application site. These spaces would cover an area in excess of 400m² in total and include areas of vegetation, hard landscaping, seating and play features (the precise details of which are to be agreed under the conditions recommended). The design, quality and size of these two areas are considered to be such that they would provide sufficient external amenity space to meet the requirements of Barnet guidance for the flats proposed. The proposal is therefore considered to be acceptable in this regard.

London Plan policy 3.6 states that proposals for housing should make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. Using the approach to play space provision requirements in Mayoral guidance the scheme proposed would be expected to provide approximately 209m² of play space. The conditions recommended would require that the proposal includes areas of communal amenity space that would be designed specifically to include play features. As the scheme includes areas of communal amenity space which cover significantly in excess of 209m² the delivery of sufficient play space would be ensured through the conditions recommended. 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 layout and outlook

The scheme does not include any single aspect north facing dwellings. More generally Officers find that the proposed dwellings are reasonably proportioned, with rooms that are not excessively deep or narrow. It is also accepted that the design approach proposed makes adequate efforts to maximise the number of dual aspect dwellings within the constraints of this site.

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 an orientation of windows in the proposed buildings. It is considered that each of the dwellings proposed in this instance has an acceptable outlook.

Daylight and sunlight

The submission documents include an assessment of the daylight that would be received in the habitable rooms of the dwellings proposed. The assessment includes an evaluation of the daylight received in the proposed dwellings based on the methodologies found in the latest guidance (published in 2011) from the Building Research Establishment (BRE) using a measure known as Average Daylight Factor. The evaluation found that all of the habitable rooms assessed would be expected to meet the relevant standard in

terms of the Average Daylight Factor score achieved. Officers accept these findings and consider the proposal to be acceptable in respect of the daylight conditions provided for future occupiers of the proposed dwellings.

BRE guidance acknowledges that for larger developments, especially those with site constraints (such as this site), it may not be possible to have every living room facing within 90° of south. Officers find that the proposed dwellings are all reasonably proportioned and have an adequate plan form and layout with regard to receiving sunlight. It is considered that reasonable efforts have been made to minimise the number of dwellings whose living rooms face solely north, north-east or north-west and the scheme is found to be acceptable in terms of the sunlight conditions for the occupiers of the proposed dwellings.

Privacy and overlooking

The distance between directly facing clear glazed windows to habitable rooms in the proposed dwellings would not be less than 21m in the significant majority of cases. The only exceptions to this are in circumstances where officers consider that any overlooking issues can be adequately addressed through the use of obscured glazing or privacy screens. As such the conditions recommended include requirements that the scheme is not occupied until suitable obscured glazing and privacy screens are implemented at the site (in accordance with details that have previously been submitted to and approved by the Local Planning Authority).

Similarly the distance from a clear glazed habitable room window to a directly facing private external amenity area (balcony, terrace or rear garden) within the development would not be less than 10.5m in the majority of cases. As with the window to window distance the only exceptions to this are in circumstances where officers consider that suitable privacy screening or obscured glazing can be provided to prevent unacceptable levels of overlooking and loss of privacy occurring. Conditions have been recommended to ensure that the relevant mitigation would be implemented.

For the reasons set out above the proposal is considered to 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 and air quality

Conditions have been recommended which require the development to be constructed and managed in such a way that it would include suitable measures to provide future occupiers of the proposed dwellings with an acceptable noise and air quality environment, as far as is practicable, in a way

that takes account of the environment and uses surrounding the application site. Subject to the conditions recommended the proposal is considered to be acceptable in respect of the noise and air quality environment that it would provide for the occupiers of the dwellings proposed. The Council's Environmental Health Service has not raised any objection to the scheme, subject to the imposition of the conditions recommended.

Conclusions on the amenities of future occupiers

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

Design, appearance and character matters:

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

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

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

The buildings and spaces proposed in the scheme are considered to respond positively to their context and have an acceptable relationship with the

neighbouring buildings, streets and spaces, including the properties on the High Road and Capel Close. The buildings are also found to be of a suitable design quality in their own right. This position has been achieved in a number of ways.

In general terms the layout proposed results in the part of the site adjacent to the High Road being developed with the tallest building (containing flats). The building proposed along the High Road contains five above ground levels of accommodation (which include rooms in the roof space) and is found to be broadly consistent with the scale of a number of other buildings along this part of the street. The approach to the ground floor of this building is considered to create suitably designed and active frontage. This is achieved through features such as entrances to the building, ground floor windows and the siting of the office floorspace proposed on this part of the site.

To the east of the High Road frontage the scale of built form proposed on the site reduces down to buildings with four above ground floors of accommodation and smaller building footprints (for the flats and houses). On this part of the site the flats would be in three storey buildings with a shallow pitched roof that would not provide accommodation. The houses are proposed as three storey buildings with an additional (fourth) level of accommodation provided in the roof. This approach is considered to deliver an acceptable design response that would adequately reduce the size, scale, bulk and mass of buildings proposed away from the High Road and create a scheme that has an acceptable relationship with the parts of the site that have a suburban residential context. The design approach is also considered to create an acceptable and policy compliant relationship with the Metropolitan Open Land to the east of the site in all relevant regards.

In terms of their more detailed design and appearance, the buildings proposed take an approach inspired by traditional architecture. This includes features such as predominantly brick elevations; substantial pitched roofs; brick chimneys; timber framed doors and windows; and the use of brick detailing. Such features are considered to be a positive aspect of the scheme. Conditions have been recommended to ensure that the materials used in the implementation scheme are of an appropriate quality.

The new buildings within the site include adequate spaces between both themselves and existing surrounding properties, have private rear gardens for each of the new houses, include suitable new landscaped areas and features and have a significant proportion of the parking proposed in a basement level. This last aspect of the design in particular reduces the impact of the proposed parking on the design of the rest of the site. The scheme is found to provide an acceptable approach to the design and layout of 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.

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 and heritage matters.

The proposals impact on heritage assets and an assessment of the scheme against policies on heritage and conservation matters addressed in previous sections of this report.

Impacts on amenities of neighbouring and surrounding 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 states 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.

It is noted that objections have been received from a number of parties expressing concerns that the proposed development would be detrimental to the amenities of neighbouring and surrounding occupiers and users in a variety of ways (the concerns are summarised in full in previous sections of this report). However, for the reasons set out below, the proposal is found to be acceptable and policy compliant in respect of all relevant elements of neighbouring occupier and user amenity.

Overlooking and loss of privacy

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

It is recognised that a small number of the amenity areas and windows proposed in the development could result in a degree of overlooking of neighbouring residential properties if no mitigation were provided. However, officers find that this potential issue can be adequately addressed through the use of obscured glazing and privacy screens in appropriate locations within the application site. Given the importance of this issue conditions have been recommended which require the obscured glazing and privacy screens to be implemented as part of the development prior to its occupation in full accordance with details that have previously been approved by the Local Planning Authority (and maintained as such thereafter). With such conditions the development would comply fully with the specific privacy distances set out

in the Barnet Residential Design Guidance SPD. This issue is therefore considered to be fully addressed by the controls recommended.

To ensure new windows and openings are not subsequently introduced in the proposal which would result in the scheme then causing unacceptable overlooking of neighbouring properties and their gardens conditions have been recommended which remove the 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, sunlight and overshadowing

The application is accompanied by assessments of the proposals impact on the daylight, sunlight and overshadowing conditions at neighbouring residential properties by reference to the methodologies found in the Building Research Establishment (BRE) publication '*Site Layout Planning for Daylight and Sunlight, a Guide to Good Practice*'.

These assessments conclude that the recommendations relating to daylight, sunlight and overshadowing at neighbouring residential properties in the BRE guidance would be met. Officers accept the findings of the assessments submitted and conclude that the application is acceptable in terms of its impact on daylight, sunlight and overshadowing at neighbouring residential properties.

Outlook and visual impact

The documents submitted with the application include plans showing the impact of the proposed development from key locations within the area surrounding the site and also show the relationship of the proposed buildings with neighbouring properties and spaces. It is considered that the design, size and siting of the proposed buildings is such that they would have an acceptable visual impact and not result in any significant loss of outlook at neighbouring properties, including dwellings accessed from the High Road and Capel Close. The application is therefore considered to be acceptable and compliant with development plan policy in these regards.

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 designed and located so as to not result in unacceptable levels of noise and disturbance to neighbouring occupiers.

Given the scale, location and nature of the uses proposed it is also

considered that the non-residential element of the development (use class B1 office) would not be likely to result in levels of noise and disturbance to such an extent that they would harm the amenities of the occupiers of neighbouring properties. However, to ensure that this part of the proposal does not result in unacceptable levels of noise and disturbance at neighbouring residential properties conditions controlling its hours of occupation have been included in those recommended. Subject to these controls the proposal is found to be acceptable in this regard.

Conditions have been recommended to ensure that steps are taken during the construction of the development to minimise the levels of noise and disturbance to neighbouring occupiers at that time and also to minimise the amenity impacts arising from the construction of the development more widely. These include the carrying out of the works within certain hours and in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

Air quality

Barnet Local Plan policies seek to ensure that new development is not contributing to poor air quality. It is noted that the part of the application site which is situated alongside the High Road is a location within the borough where European Union Standards for air quality in respect of Nitrogen Dioxide levels are exceeded (other parts of the borough also exceed the relevant standard for finer particulate matter (PM₁₀) but this is not the case here). This is typical of several major roads in the borough and also many other major roads in London more widely.

The application is accompanied by an Air Quality Assessment. Officers in the Council's Environmental Health Service have carefully assessed the proposal and have not raised any objections to the scheme on air quality grounds (including Nitrogen Dioxide levels) subject to conditions recommended. Officers find the proposal to be acceptable in this regard subject to the conditions and planning obligations recommended. These include measures to promote more sustainable modes of transport.

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

Conclusions

The proposed development is found to be compliant with the relevant development plan policies as they relate to the protection of the amenities of neighbouring and surrounding 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.

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 family housing provision

It identifies that negotiations should 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 9 affordable housing units on site with the following mix of dwellings types:

6 Affordable Rented units in total comprising:-

- 2 x 1 bedroom two person flats
- 1 x 2 bedroom three person flats
- 2 x 2 bedroom four person flats
- 1 x 3 bedroom five person flat

3 Intermediate (Shared Ownership) units in total comprising:-

- 3 x 1 bedroom two person flats

This provision equates to approximately 16% of the total dwellings proposed in the development.

To explain and justify this level of contribution Berkeley Homes have submitted a report which evaluates the economic viability of the proposed

development making a contribution to affordable housing provision. The Council then commissioned Deloitte Real Estate to independently review the viability report provided and examine its findings.

Taking account of the costs associated with bringing the development forward, including the associated planning obligations and likely CIL payments, and the value that the applicant would be likely to generate from the scheme, Deloitte Real Estate conclude that proposed contribution represents the maximum reasonable amount of affordable housing that it is financially viable for the development to provide.

Therefore in this instance the proposed contribution to affordable housing is considered to be acceptable and compliant with the objectives of planning policies. As set out in earlier sections of this report the mix of affordable dwellings proposed is considered to be acceptable.

Trees and landscaping:

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

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

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

The application includes an Arboricultural Report which assesses 51 trees located within and around the application site. None of the trees within or around the site are covered by a Tree Preservation Order and it is not considered that their inclusion within a Tree Preservation Order would be justified. The development proposed would result in the removal of 20 existing trees from the site (using the chart on tree quality assessment found in the BS5837:2012). Of the trees to be removed two are category B trees. The remainder of the trees to be removed are category C or U trees. The application also proposes the relocation of 1 tree within the site. The scheme includes the planting of new trees to mitigate the trees which would be lost through the proposed works and also as part of providing suitable landscaping for the development more widely.

It is accepted that the removal of existing trees from the site is an unfortunate element of the proposal. However, Officers find that in this instance the condition and quality of the trees proposed for removal is such that they would

not object to their loss, subject to the provision of suitable replacement planting. Conditions have been recommended to ensure that retained trees within the site are adequately protected and that the trees and wider landscaping implemented would be of a sufficient quality, including new trees of a suitable size and species. The application does not propose the removal of any trees outside the application site. Conditions have been recommended to ensure that appropriate measures are taken to protect trees in the area surrounding the application site. Subject to the conditions recommended officers take the view that appropriate consideration has been given to the existing trees.

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

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

Transport, parking and highways matters:

Policy context

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

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

meet mode split targets.

Parking provision

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

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

Using the standards set out in the Barnet Local Plan the residential element of the development generates a maximum car parking provision of between 46 to 81.5 car parking spaces. The Barnet Development Management Policies Document recommends that flexibility is applied when assessing residential parking provision. More specifically paragraph 18.8.2 states that:

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

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

The proposed parking provision of 73 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 3, less than a kilometre to the south 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. The level of parking proposed for the new dwellings is found to strike the appropriate balance between the need to minimise the impact of parking associated with the development on the surrounding area and the requirement to not undermine the use of more sustainable modes of transport (walking, cycling and public transport).

Barnet Local Plan policies (in the Development Management Policies Document) identify (at paragraph 18.8.2) that all non-residential development

should comply with the parking standards set out in the London Plan. The parking standards in the London Plan recommend a provision of up to 1 car parking space per 100 to 600m² of Class B1 (office) space proposed in circumstances such as this.

The scheme proposes to provide 3 car parking spaces for the 483m² of Class B1 office space in the scheme. Taking into consideration the circumstances of the site, including its PTAL rating of 3 and the scale and nature of the class B1 office use proposed, officers find this to be an acceptable level of parking.

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. Planning obligations requiring the provision of appropriate Travel Plans have also been recommended. These will assist in encouraging travel by non-car modes of transport. Subject to the controls in place under the conditions and obligations recommended the provision of a total of 76 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 8 of the 76 spaces created to a disabled car parking space standard. This includes 2 spaces for the office floorspace. This is considered to be an acceptable approach that is compliant with the objectives 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 15 (approximately 20% of the total) of the car parking spaces proposed are provided with active EVCP and that not less than a further 15 (approximately 20% of the total) of the parking spaces proposed would have passive EVCP provision. Subject to this control the scheme is found to be acceptable compliant with planning policy in this regard.

The submission proposes facilities for the parking of a total of 120 cycles. This quantum of provision is considered to be acceptable and policy compliant in principle. A condition has been recommended to ensure that the cycle parking facilities identified are implemented prior to occupation and allocated in a suitable manner between the various different uses on the site.

It is noted that a number of objections have been received that the development has inadequate parking and would result in an unacceptable adverse impacts on the road network surrounding the site and the amenities of neighbouring occupiers. However, for the reasons outlined, it is considered that the development proposed, as controlled through the conditions and planning obligations recommended, is acceptable and compliant with development plan policies in respect of parking matters. It is not considered that the use of a planning obligation to prevent future occupiers of the

development from obtaining controlled parking zone permits would be appropriate in the circumstances of this case.

Access and site layout

Vehicular access for the site would be provided from two points on The High Road. The more southern points leads (eastwards) to the main access route for the site, including access to the ramp for the basement level. The more northern access point would lead to 3 parking spaces. Officers consider that the submission has adequately demonstrated that the proposed vehicular access arrangements are suitable and able to operate safely. A condition has been recommended to ensure that the vehicular ramps proposed for the lower ground floor and basement levels are implemented with a suitable gradient. Several points of pedestrian access would be provided along the length of the sites High Road frontage. Officers conclude that the proposal is acceptable and compliant with development plan policies in terms of the pedestrian environment created, subject to the conditions recommended.

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

Subject to the controls in place through the conditions and planning obligation recommended Highway Officers conclude that the layout and access arrangements proposed for the development would not be detrimental to highway or pedestrian safety and are satisfactory in all other relevant regards. The proposal is found to be acceptable and compliant with the objectives of development plan policies in this respect, subject to the conditions and planning obligations recommended.

Vehicular trip generation

The number of vehicular trips forecast to be generated for the residential element of the proposed development has been estimated using trip rates from the Trip Rate Assessment Valid for London (TRAVL) database, based on comparable sites selected from the database. The assessment indicates that 14 vehicular trips are expected for the residential part of the scheme during the AM Peak (8am and 9am). This equates to an average of one vehicle movement every 4 minutes. 13 vehicular trips are expected for the residential part of the development during the PM Peak (5pm and 6pm), equating to an average of one vehicle movement every 4 minutes. Department for Transport traffic counts for 2012 show that the High Road N20 carries in the region of 2000 vehicles in each peak hour. Based on this the residential element of the development is estimated to have an insignificant traffic impact when compared with the existing flows on the High Road.

The office use proposed represents a relatively minor element of the scheme and would have access to only 3 car parking spaces. It is not considered that the proposed office space would create any unacceptable impacts on the

public highway in terms of vehicular trips.

The residential element of the development is expected to generate 23 combined pedestrian and public transport trips in AM peak hour and 22 such trips in the PM peak hour. For the office use proposed a maximum of 20 public transport trips are forecast in the AM and PM peak hours associated with this use. The development is not considered to result in any significant adverse impacts in terms of pedestrian movements in the area or public transport demand.

A total of 10 daily trips associated with servicing, deliveries and waste are estimated for the whole development, with a predicted 2 to 3 return trips on the busiest hour. This level of trip generation is not expected to impact on the surrounding public highway in a significant way.

It is concluded that the scheme can be managed within the existing network capacity. Officers consider that the proposed development is unlikely to have any significant detrimental impact on the highway network and the proposal is considered to be acceptable and compliant with the objectives of policies in this respect. In reaching these conclusions account has been taken of the impacts arising from committed developments in the surrounding area.

Transport related management plans

A planning obligation is recommended to ensure that an acceptable and policy compliant local level Residential and Commercial Travel Plans are provided for the development prior to its occupation. The Residential Travel Plan provided will be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives for the first occupier of each residential unit. The Travel Plan incentives would comprise a voucher to a minimum value of £150 per dwelling to encourage the use of more sustainable modes of transport (this requirement is included in the obligations recommended). The voucher provided would allow the occupier concerned to purchase one the following Travel Plan incentives up to a limit of £150:

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

In order to ensure that the objectives of the Travel Plans are being met a monitoring contribution of £10,000 is included in the planning obligations recommended. To mitigate any adverse impacts from construction traffic on the road network surrounding the site a Construction Management and Logistics Plan would need to be prepared and implemented in respect of the proposal. A condition to this effect has therefore been recommended.

Parking, highways and transport conclusions

The Council's Traffic and Development Team have assessed the proposal and consider it to be acceptable in all relevant regards. For the reasons outlined above the scheme is found to be acceptable and compliant with the

objectives of development plan policy in relation to parking, highways and transport matters subject to the imposition of the conditions and planning obligations recommended.

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. For example the submission sets out that the proposed dwellings would all meet the relevant Lifetime Homes standards and that level access is provided into the site from the street. At least 10% of the dwellings proposed (6 in total) would be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements and 10% (9 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. The conditions would also ensure that the office element of the scheme was designed in a manner which takes appropriate account of the needs of disabled users.

Subject to the controls in places under the conditions recommended officers conclude that the design and layout of the proposal (both the residential and non-residential elements) 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.

Contaminated land and water quality issues:

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

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

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 Metropolitan Police Service have responded to the application and not raised any objection to the proposal or requested that conditions are placed on any grant of consent. However, they have raised a number of minor detailed design points which would assist in creating a safe and secure environment that minimises the opportunities for crime and fear of crime. A condition has therefore been recommended by officers which would require that the scheme implemented includes suitable detailed design features (that have previously been approved by the Local Planning Authority) in respect of creating a safe and secure environment that minimises the opportunities for crime and fear of crime. Subject to this control officers consider that the proposal has gone as far as it reasonably could be expected to in terms of providing a safe and secure development for future occupiers and users of the site and neighbouring properties.

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

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

Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding (Flood Zone 1). The Environment Agency has responded to the consultation and has not raised any objection to the proposal or requested any conditions be placed on a grant of consent in respect of flood risk matters. Notwithstanding this a condition has been included in those recommended to ensure that appropriate drainage infrastructure and systems are installed as part of the development. This would include details of the areas of green roof to be installed as part of the development.

Thames Water has responded to the consultation and not raised any objections to the proposal. Thames Water have made a number of points in respect of waste water and water infrastructure matters and these have been included as informatives.

To address the objectives of development plan policy on water efficiency conditions have been recommended to ensure that water efficiency measures seeking to achieve a usage of not more than 105 litres per head per day are implemented as part of the residential element of the proposal. Other conditions have been recommended to ensure that the non-residential parts of the development include suitable water efficiency measures, such as low flow taps and dual flush toilets, to minimise water usage. Subject to these conditions the development is found to be acceptable in this respect.

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

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.

Carbon dioxide emissions

The application is accompanied by an Energy Statement and related documentation prepared by Metropolis Green. These confirm that the proposal could achieve the 40% reduction in carbon dioxide emissions (when compared to a building constructed to comply with the 2010 Building Regulations) needed to comply with London Plan policy 5.2.

The submission anticipates that the scheme could achieve a reduction of 54.8% in terms of carbon dioxide emissions relative to a building constructed to comply with the minimum requirements of the 2010 Building Regulations.

The energy reductions proposed are considered to have been achieved in a manner which is consistent with the energy hierarchy. They are also adequate for the scheme to comply with the requirements of policy on the reduction of carbon dioxide emissions. A condition has been recommended to ensure that the development achieves the level of carbon dioxide reductions required by development plan policies as a minimum.

The submission proposes the use of on site renewable energy generation technologies as part of the development and suggests that photovoltaic panels would be the most suitable technology in this instance. It also identifies

that these would achieve a reduction of approximately 21% in carbon dioxide emission. This is found to be sufficient to meet the objectives of London Plan policy 5.7.

Other aspects of sustainable design and construction

A Sustainability Statement, prepared by Metropolis Green, has been submitted with the application. This identifies a number of sustainable design features that the proposal could 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 measures to reduce carbon dioxide emissions (including the use of photovoltaic panels), the construction of the new dwellings to achieve the Lifetime Homes Standard and the installation of facilities for cyclists. Conditions have been recommended to ensure that the key elements of developing sustainably are carried through to implementation. Such an approach will ensure that the scheme achieves an appropriate level of sustainability.

To address policies on urban greening specifically the development proposes the planting of new trees and the inclusion of areas of green roof. Conditions have been recommended to ensure that suitable landscaping and the green roofs are delivered at the implementation stage of the development (landscaping is addressed in greater detail previous sections of this report). Subject to these controls the proposal is found to be acceptable in this regard.

Biodiversity matters:

The application is accompanied by an Ecological Impact Assessment. This evaluates the ecological value of the site and assesses the ecological impacts of the scheme, including identifying possible ecological enhancements that could be incorporated into the development.

The Ecological Impact Assessment identifies that unmitigated the development has the potential to impact adversely on biodiversity in a range of regards. These include impacts on breeding birds; vegetation and associated habitats, including those which are used by bats for commuting and foraging; and biodiversity at neighbouring sites.

The report therefore identifies a series of measures to avoid and mitigate potential adverse biodiversity impacts and enhance biodiversity at the site. With these in place the report finds that the proposal would meet the objectives of development plan policy on this matter. Officers accept these findings. The measures proposed in the Ecological Impact Assessment include the use of suitable new planting, the introduction of an area of green roof, the protection of retained trees on the site and trees at neighbouring sites and the installation of not less than 10 bat and bird boxes. The conditions recommended would ensure that the measures identified are implemented as part of the development.

The report also recommends that measures should be taken in respect of the

protection of breeding birds during the construction process. A condition has been included in those recommended which requires a scheme of measures (that have previously been agreed with the Local Planning Authority) to be in place that ensures the implementation of the proposal is compliant with policies and legislation on the protection of breeding birds. Subject to the imposition of this condition the proposal is found to be acceptable in this regard.

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

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

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

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. The position in respect of planning obligations for affordable housing, employment and training, travel plans and travel plan monitoring and incentivisation is set out in previous sections of this report.

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 £1,975 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.

Officers consider that the combination of the planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet and Mayoral CIL regimes, 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.

Barnet Community Infrastructure Levy:

The proposed development is liable for charge under the Barnet Community Infrastructure Levy. Because of the nature of the way in which CIL is calculated it is only possible to estimate the contribution which the scheme would finally be liable for under the Barnet CIL at the time planning applications are determined. Bearing this in mind the development might be expected to generate a Barnet CIL charge of £1,082,187.

Mayoral Community Infrastructure Levy:

The proposed development is liable for charge under the Mayoral CIL. Because of the nature of the way in which Mayoral CIL is calculated it is only possible to estimate the contribution which the scheme would finally be liable for under the Mayoral CIL at the time applications are determined. Bearing this in mind the development might be expected to generate a Mayoral CIL charge of £280,567.

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.

In broad terms the proposal would result in a development (residential and office uses) for use by the whole community, including the whole spectrum of people who share a protected characteristic and those who do not. The conditions recommended for the application would ensure that in several

regards the development proposed would exceed the minimum requirements of legislation, such as Part M of the Building Regulations, which relate to schemes meeting the needs of people who have certain protected characteristics. Examples of this include all the proposed residential units being constructed to meet the relevant Lifetime Homes standards and not less than 10% of the residential units proposed being constructed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The conditions would also ensure that the office element of the scheme was designed in a manner which takes appropriate account of the needs of disabled users and that disabled standard parking spaces are included for both the residential and non-residential uses proposed.

With the conditions recommended both the residential and non-residential elements of the proposal are found to accord with development plan policies as they relate to the relevant equalities and diversity matters. This includes the development achieving a high quality inclusive design approach, which creates an environment that is accessible to all and would continue to be over the lifetime of the development. It is also recognised that the design of the building to which the application relates is such that it would be an improvement when compared to the existing buildings on the site, in terms of achieving equality and diversity objectives specifically. The proposal would therefore have a positive effect in terms of equalities and diversity matters in this respect.

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 this report.

6. CONCLUSION

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

For the reasons set out in the previous sections of this report it is concluded that the proposed development generally and taken overall accords with the relevant development plan policies and constitutes a sustainable form of

development. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, APPROVAL subject to conditions is recommended, as set out in the recommendations section at the beginning of this report.

APPENDIX 1: KEY PLANNING HISTORY FOR THE APPLICATION

1060A to 1072 High Road, Whetstone, London

B/06117/13 'Demolition of the existing buildings and redevelopment of the site to provide 61 no. self-contained residential flats (Use Class C3), 10 no. self-contained houses (Use Class C3) and 612 square metres of office (Use Class B1) floorspace, in buildings ranging between six and four storeys in height (with an additional basement level) and the provision of associated car parking (82 spaces), cycle parking (70 spaces) refuse and recycling facilities, landscaping and amenity space, which includes a residents fitness facility.' APPLICATION UNDER CONSIDERATION.

1068 to 1072 High Road, Whetstone

B/03100/09 'Demolition of existing buildings and erection of a residential block consisting of 5 No. three bedroom, 2 No. two bedroom and 2 No. one bedroom self-contained flats, together with a part four & part five storey office block (930sq. metres) incorporating ground floor photographic studio (153sq. metres) and 24 No. associated car parking spaces' APPROVED SUBJECT TO CONDITIONS (2009).

B/02188/08 'Demolition of existing buildings and erection of 9 No. two-bedroom self-contained flats, Part three part four storey office block (853sq meters) incorporating ground floor photographic studio (156sq meters). Associated car parking for 14 No. spaces and landscaping' REFUSED (2008).

B/02324/08 'Extension to existing loft rooms with front and rear dormer windows' APPROVED SUBJECT TO CONDITIONS (2008).

N00845Z/05 'Demolition of existing buildings and erection of 32 two bedroom self-contained flats and 1355 sq. ft. of office space, in one part single, part four storey block, one four storey block and one three storey block, with associated car parking and landscaping' REFUSED (2005).

1072 High Road, Whetstone

N00845P 'Use as storage and distribution centre' LAWFUL DEVELOPMENT (1993).

N00845N 'Erection of 1 three storey office block and 1four storey office block with provision of 23 car parking spaces involving the demolition of 1072 High Road' REFUSED (1991).

1068 High Road, Whetstone

N00845Y/02 'Demolition of 1068 High Road' LAWFUL DEVELOPMENT (2002).

Derwent House, 1064 High Road, Whetstone, N20

N00845U 'Two storey extension' APPROVED SUBJECT TO CONDITIONS (1996).

N00845S 'Two storey extension to provide additional factory and office space and additional car parking spaces' APPROVED SUBJECT TO CONDITIONS (1994).

N00845M 'Temporary office building for a period of three years at first floor level above service yard' APPROVED SUBJECT TO CONDITIONS (1990).

Derwent Cottage, 1060 High Road, Whetstone

N00845T 'Retention of two storey front extension with dormers to front and sides and single storey side and front extension' APPROVED (1994)

N00845R 'Alterations to building and erection of two storey front, single storey front, side and rear extensions' APPROVED SUBJECT TO CONDITIONS (1994).

N00845Q 'Alterations to building and erection of two storey front, single storey front, side and rear extensions' APPROVED SUBJECT TO CONDITIONS (1993).

Northway House, 1379 High Road, Whetstone

B/05674/13 'The extension, refurbishment, alteration and change of use of Northway House to provide for a residential led mixed use development comprising a total of 145 new dwellings (Use Class C3), 1978.5 square metres (NIA) of flexible Use Class B1a (office) floorspace, 324 square meters (NIA) of "open" Use Class D1 floorspace (education and community uses), together with ancillary reception floorspace and associated landscaping, car parking and access' APPROVED SUBJECT TO CONDITIONS (2014).

931 High Road, North Finchley, London, N12 8QR

F/02217/13 'Demolition of existing buildings on the site and the construction of new buildings between three and five storeys in height, to provide 84 self-contained flats and 11 houses (all Use Class C3), together with associated access, parking facilities, private amenity space, communal amenity space and landscaping' APPROVED SUBJECT TO CONDITIONS (2013).

1230 High Road, Whetstone

B/02684/12 'Variation of condition 1 (Plan Numbers) and removal of conditions 25 (Noise Report for Site Plant) and 31 (Biomass Boiler) of planning permission B/02471/11 dated 21/02/12 for 'Erection of six storey building to provide 1,015 sqm of ground floor offices and 39 no. self-contained flats on the upper five floors plus roof top plant room, external amenity space at first floor level. Basement car park for 45 no. cars with cycle storage provision and associated works.' Variation to include additional internal escape staircase; revision of vehicular ramp and basement layout; increase in ground floor height; omission of top floor plant room; adjustments to the design of roof, parapet edges to fifth floor, fenestration and rear elevation; location and levels of front entrances adjusted: dwelling mix adjusted' APPROVED SUBJECT TO CONDITIONS (2013).

B/02471/11 'Erection of six storey building to provide 1,015 sqm of ground

floor offices and 39 no. self-contained flats on the upper five floors plus roof top plant room, external amenity space at first floor level. Basement car park for 45 no. cars with cycle storage provision and associated works' APPROVED SUBJECT TO CONDITIONS (2012).

886-902 High Road, North Finchley:

F/0236/12 'Demolition of existing buildings and redevelopment of the site to provide 5 storey mixed use scheme comprising 548.4 sqm of office floor space (Use Class B1) at ground floor level and 60 residential units (Use Class C3) at first to fourth floor levels, with associated amenity space, 61 car parking spaces and cycle parking, refuse and recycling storage facilities, and landscaping provision' APPROVED SUBJECT TO CONDITIONS (2012).

Land off High Road/Chandos Avenue and the Brethren Meeting Hall and Well Grove School, Well Grove, Whetstone

B/03068/11 'Demolition of existing buildings and redevelopment comprising of 70no dwellings (62no houses and 8no flats). Erection of 512sqm building for use class D1 purposes (Non-Residential Institution). Provision of associated car parking, landscaping and open space. Use of existing accesses from High Road and Well Grove (OUTLINE APPLICATION)' APPROVED SUBJECT TO CONDITIONS (2012).

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

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

B/01561/13 'Mixed use redevelopment of former petrol station to erect a six-story building to provide 22 self-contained units and 2 retail units at ground floor level. Provision of basement car and cycle parking' APPROVED SUBJECT TO CONDITIONS (2015).

Sweets Way, Whetstone

B/02710/13 'Demolition of all existing buildings and outline planning permission (with all matters other than access reserved) for new residential dwellings (Use Class C3), comprising up to 189 houses and up to 171 flats (up to 360 new dwellings in total), and a community building (Use Class D1) providing up to 292m² of floorspace. The provision of site access from Sweets Way and Oakleigh Road North.' REFUSED (January 2014).

B/04309/14 'Demolition of all existing buildings and outline planning permission (with all matters other than access and layout reserved) for new residential dwellings (Use Class C3), comprising up to 201 houses and up to 87 flats (up to 288 new dwellings in total), and a community building (Use Class D1) providing up to 255 sqm floorspace. The provision of pedestrian and vehicular site access from Sweets Way and pedestrian only from Oakleigh Road North' APPLICATION UNDER CONSIDERATION (awaiting completion of the Section 106 Agreement).

APPENDIX 2: PLANS OF THE PROPOSED DEVELOPMENT

Site layout as proposed:



APPENDIX 3: INFORMATIVES

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance. In this case, formal pre-application advice was sought prior to submission of the application.
2. For the purposes of this decision notice 'Groundworks and Site Preparation Works' are defined as and limited to the following works:
 - Demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing up foundations.
 - Removal of existing and surplus rubble from the site.
 - Removal of services on the site including service trenches.
 - Carrying out CAT scans on site to confirm all existing services are clear.
 - The erection or re-establishment of a hoarding line for the construction site.
 - Providing piling matting.
 - Providing clear health and safety information on the site.
 - Piling works.
 - Substructure and underground drainage works.
3. The gradient for the proposed ramps leading to the underground parking areas should have a gradient not steeper than 1:10 or in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks.
4. The applicant is advised that the council will not adopt the estate roads. However, if the council's refuse vehicles are required to enter the site, the estate roads must be constructed to adoptable standards. Details of the road construction requirements can be obtained from the Traffic and Development Team, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
5. The applicant is advised that High Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00am and 9.30am and 4.30pm and 6.30pm Monday to Friday. Careful consideration must also be given to the optimum routes for construction traffic and the Traffic and Development Team should be consulted in this respect.
6. The applicant is advised that the development is located on the

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 the public highway and would require TfL's approval before works can commence.

7. The applicant is advised that the Emergency Services should be contacted directly to discuss their requirements and agree any necessary measures to allow emergency services to access the site or required alternative arrangements.
8. Where construction works are taking place adjacent to the public highway the applicant must contact the Council's First Contact Team (on 0208 359 2000) to obtain any necessary Highways Licenses before commencing the work.
9. If the development is implemented, it will be necessary for the existing vehicular accesses from the public highway to be modified by the Highway Authority at the applicant's expense. The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular accesses. 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, will be borne by the applicant. The applicant is advised that following the outcome of the detailed inspection the position and dimension of the proposed vehicle access may need to be amended. To receive a copy of our Guidelines for Developers and an application form please contact: Traffic and Development Team, Regional Enterprise, North London Business Park, Building 4, Oakleigh Road South, London N11 1NP.
10. Due to the presence of National Grid apparatus in the vicinity of the site any person wishing to implement the development must contact National Grid before any works are carried out, to ensure their apparatus is not affected. The National Grid Plant Protection Team can be contacted at on 0800 688 588 and at plantprotection@nationalgrid.com or at Plant Protection, National Grid, Block 1 Floor 1, Brick Kiln Street, Hinckley LE10 0NA.
11. 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) and 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.

Clear site maps should be included in reports showing the previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, and the pattern of contamination on the site and to illustrate the proposed remediation strategy. All raw data should be provided in a form that can be easily audited and assessed. Details as to reasoning, how conclusions were arrived at and an explanation for any decisions made should form part of any report.

12. 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.

13. 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 related report the report submitted 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).

14. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
15. Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall

within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit: www.thameswater.co.uk

16. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
17. 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 **£280,567** 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 been assessed at this time as liable for a **£1,082,187** payment under Barnet CIL.

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

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

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

If you have a specific question or matter you need to discuss with the CIL Team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email: 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.

The following paragraphs provide examples of how you may potentially apply for relief or exemption from CIL:

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.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

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

3. Self Build

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

Visit

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

APPENDIX 4: SITE LOCATION PLAN

1060A - 1072 High Road, Whetstone, London, N20 0QP

