

Location **Brookdene Holden Road London N12 7DR**

Reference: **15/04857/FUL**

Received: 31st July 2015

Accepted: 3rd August 2015

Ward: Totteridge

Expiry 2nd November 2015

Applicant:

Proposal: Redevelopment to provide a four storey building comprising 43no. self-contained flats plus undercroft parking for 47 cars and 74 cycles. Associated bin stores, hard and soft landscaping to development site, laying of path through woodland and erection/installation of furniture (amended description)

Recommendation: Approve subject to s106

RECOMMENDATION I:

That 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 seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

3. 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 -

A commuted payment of £836,000 to contribute to the provision of providing affordable housing within the London Borough of Barnet.

A review mechanism for the proposed development to be implemented after 80% of units have been sold if development has not commenced 18 months following the date of decision.

(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.

(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 £5,000 (index linked) towards the monitoring of the Travel Plans for the development.

(g) On site car parking

That all parking within the site shall be for residents of the development and their visitors only and for no other purpose.

(h) Employment and Training

A commuted payment of £125,000 and 5% monitoring contribution in lieu of a Local Employment Agreement to deliver employment opportunities for residents in the Borough.

(i) Woodland Management Plan

The adoption and implementation of a Woodland Management Plan that shall be in existence for a period of 150 years which shall constitute the duration of the applicants' (and their successors in title) ownership of the site. The Woodland Management Plan shall set out measures for the management of the site and provision for a rolling review, target setting and appraisal programme which shall be undertaken by an experienced professional funded by the service charge collected from residents. The Woodland Management Plan shall set out a programme for the stewardship, care and protection of existing and future arboriculture, habits, biodiversity, flora and fauna.

The Woodland Management Plan shall be secured within 6 months of the date of decision.

The Woodland Management Plan shall be subject to a quinquennial review by an appropriately qualified professional person to review and actions in the previous five year period and identify actions going forward in a report to an officer in the Greenspaces/Parks team of the London Borough of Barnet or any equivalent officer that may exist in this role

in the future in consultation with the relevant local wildlife groups with whom public access will be secured.

The report and list of identified actions for the five year period of time going forward will be made public

(j) Monitoring of the Section 106 Agreement

A contribution of £19220 (index linked) towards the monitoring and management of the S106 planning obligations

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Development Management and Building Control approve the planning application under delegated powers subject to the following conditions:

0 Recommendation 2

That upon completion of the agreement specified in Recommendation 1, the Service Director - Development Management and Building Control approve the planning application reference 15/04857/FUL under delegated powers and grant planning permission subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director - Development Management and Building Control

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

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

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

- 1161_P-01 B Lower ground floor plan
- 1161_P-02 Ground floor plan
- 1161_P-03 First floor plan
- 1161_P-04 Second floor plan
- 1161_P-05 Third floor plan
- 1161_P-06 Roof plan
- 1161_P-07 A Elevations sheet 1
- 1161_P-08 A Elevations sheet 2
- 1161_P-09 A Elevations sheet 3
- 1161_P-11 Sections
- 1161_P-12 B Site and lower ground floor plan
- 1161_SLP-01 Site Location Plan
- Brookdene Energy and Sustainability Statement (XC02)
- Design and access statement (MEPK)
- Arboricultural Implications Assessment (SES)
- Flood Risk Assessment (RSK)
- Ecological Scoping Survey (SES)

Planning Statement (Montagu Evans)
Foul Sewage and Utilities Assessment (XCO2)
Woodland Management Strategy (SES)
SCI (Four Communications)
Transport Statement (Mayer Brown)
Travel Plan (Mayer Brown)
Daylight Assessment (Brooke Vincent)

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012) and Policy DM01 of the Development Management Policies DPD (adopted September 2012).

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan (2015).

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

5 No development other than demolition works shall take place until details of proposed window and door systems to be used in the development hereby approved

including cross sections elevations at a scale of not less than 1:20 have been submitted to and approved by the Local Planning Authority in writing.

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012) and Policies 7.4, 7.5, 7.6 of the London Plan (2015)

6 No development other than demolition shall commence until detailed drawings, at a scale of 1:20 of the construction detailing of all new build elements of the scheme including balconies, balustrades, fixtures and fittings are submitted and approved in writing by the Local Planning Authority and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012) and Policies 7.4, 7.5, 7.6 of the London Plan (2015)

7 a) No development other than demolition shall take place until a scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority.

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.5 of the London Plan 2015.

8 a) No development other than demolition shall take place until details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.5 of the London Plan 2015.

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

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012) and Policies 7.4, 7.5 and 7.6 of the London Plan (2015).

10 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.17 of the London Plan (2015).

11 a) Before the development hereby permitted is first occupied or the use first commences, parking spaces, cycle parking and turning spaces as shown on Drawing 1161_P-01 A shall be provided and marked out within the site.

b) The parking spaces shall be used only in accordance with the scheme approved as part of this condition and not be used for any purpose other than the parking and turning of vehicles in connection with the approved development.

Reason: To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2, 6.3 and 6.13 of the London Plan 2015.

12 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, 6.1, 6.2, 6.3, 6.11, 6.12, 6.13, 7.14 and 7.15 of the London Plan (2015).

13 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage of Brookdene, 71 Holden Road from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access.

Reason: To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises

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

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

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

15 a) Before the development hereby permitted is first occupied, details (including samples) of the level of opacity to be installed in obscure glazed windows to be installed shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the

Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

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

This sound insulation shall ensure that the levels of noise generated from noise generating sources; as measured within habitable rooms of the development shall be no higher than 30dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

19 The residential dwellings (Use Class C3) hereby approved shall have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters.

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

20 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

21 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 Policies 5.14 and 5.15 of the London Plan (2015).

22 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 (2015).

23 Prior to the commencement of development other than demolition, details of the design, location and extent of the proposed photovoltaic panels to be installed on the roof area of the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and does not detract from the character and appearance of the area 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 (2015).

24 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all 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 Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.13 and 5.14 of the London Plan (2015).

25 The proposed development hereby approved shall be carried out in full accordance with the secured by design and crime prevention measures set out in an email from the Metropolitan Police (dated: 30/09/2015).

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 (2015).

26 a) No development other than demolition work shall take place until details of the location within the development and specification of the units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

b) The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies

DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 3.8 and 7.2 of the London Plan (2015).

27 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 43 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 (2015) and policy DM02 of the Barnet Local Plan (2012).

28 Before the development hereby permitted is occupied or brought into use not less than 5 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 the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and policy DM02 of the Barnet Local Plan (2012).

29 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 5 of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 5 of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

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 (2015).

30 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy

DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan (2015).

31 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan (2015).

32 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan (2015).

33 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan (2015).

34 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 7) 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.

35 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 (2015).

36 A further ecological survey shall be carried out in the first optimum survey period following the date of decision to establish the presence of any protected species. If any protected species are found, then a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To safeguard any protected species which may be present on the site in accordance with policy DM16 of the Adopted Barnet Development Management Policies 2012.

37 Prior to the commencement of development (other than for demolition works) details of a lighting scheme incorporating measures for the protection of roosting, hibernating and breeding bats shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details.

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 (2015).

38 Notwithstanding the drawing number 1161_P-12 B hereby approved, a further drawing shall be submitted indicating the removal of all proposed boundary treatments and means of enclosure within the woodland area to the rear of the site from the rear boundary of the built development to the extremity of the western boundary of the site at Dollis Brook and notwithstanding the permitted development rights afforded by Class A, Part 2,

Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 no means of enclosure shall be erected shall be erected within this area.

Reason: To ensure that existing access arrangements to MOL land continue to exist along the Dollis Brook and Dollis Valley Walk and to ensure that biodiversity and habitats within the site retains a continuity with existing biodiversity within the designated SINC in accordance with Policy CS7 of the Adopted Local Plan Core Strategy (2013), policy DM15 of the Adopted Local Plan Development Management Policies DPD and policy 7.17 of the London Plan (2015).

RECOMMENDATION III:

0 That if the above agreement has not been completed or a unilateral undertaking has not been submitted unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet requirements of a Travel Plan, to prepare a Woodland Management Plan, to contribute to affordable housing, employment and training and to provide sufficient parking without harm to the highway network and highway safety. The proposal would therefore not address the impacts of the development, contrary to policies DM01, DM02, DM04, DM08, DM10, DM12, DM14 and DM17 of the Barnet Development Management Policies (2012) and Policies CS NPPF, CS1, CS4, CS7 and CS9 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Informative(s):

- 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 councils 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, Barnet House, 1255 High Road, London N20 0EJ.
- 5 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.
- 6 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.
- 7 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.
- 8 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.

- 9 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, 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.

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

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

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

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

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

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;

- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

- 11 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).

- 12 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.
- 13 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
- 14 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.

- 15 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 £171,395 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 £446,985 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.

Officer's Assessment

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); 2.8 (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 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)
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.

There has not been any relevant or significant planning history relating to this site since the construction of the existing buildings on the site.

A number of sites have been redeveloped on the western side of Holden Road subsequent to this application. The adjoining site to the north was constructed following the grant of conditional planning permission in July 1988 for the erection of a two, three and four storey building comprising 50 flats with 65 car parking spaces.

Planning permission was granted in October 1973 for the erection of a three storey development and a detached two storey block to the rear containing 36 flats.

Public Consultations and Views Expressed

Public Consultation

To publicise this application letters were sent to 180 addresses in August 2015. The application was also advertised on site and in the local press at that time. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this nature. The extent of consultation exceeded the requirements of 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

24 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:

- Development over a Metropolitan Open Land (MOL) area and a Site of Importance for Nature Conservation (SINC).
- Removal of public access to a site which is an important asset to residents and the general public in Barnet.
- Reservation and management of the woodland area purely for residents which would undermine its importance to the community.
- The site is part of a green chain of similar sites along Dollis Brook and development threatens the integrity of this asset.
- The wildlife found within the SINC is of great value and should be protected.
- The land should remain in public ownership.
- The development density is too high.
- The scheme would result in the removal of a significant tree.
- The woodland could be managed by other groups with experience in managing woodland areas.
- The development should be redesigned to harmonise better with the prevailing character of the local area.
- The highway cannot cope with the overspill parking from this development.
- The scheme will remove MOL land from public use.
- Pollution in the woodland and the brook.
- The documents do not identify all the trees within the woodland area.
- The lower ground floor would disturb roots closest to the site.
- Only the Council can be in the position to manage the open space in the interests of everyone in the community.
- The development should be reduced in height. Garden Court should not be used as a precedent.
- The site areas are inaccurate and inconsistent.
- The Design and Access Statement is also inconsistent.
- Information should be provided in relation to outdoor amenity space on a unit by unit basis.
- The development would obstruct views into the woodland from outside of the site.
- The height would dominate the character of the woodland.
- The extent of the basement and the foundation and its overshadowing would damage the natural habitat.
- The infrastructure in the area cannot support the density of development.
- Holden Road is inadequate in width and clearance to support the level of development envisaged.
- Too much car parking is proposed and residents should be encouraged to use public transport.
- The rear building line should be consistent with other properties in Holden 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

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 open space to the rear should be managed by the Council in the interests of the public as a whole and of the wildlife that is to be found there.
- Irrespective of whether the Council grants a lease for the woodland, the development proposed is too dense for the site and its suburban setting.
- The development should be reduced by a storey with a very substantial reduction in the number of flats within the development.
- The development should be redesigned to harmonise better with the prevailing gabled character within the street scene.
- The application should not proceed on the basis of prematurity.
- If the land area isn't transferred to the developer's ownership, the scheme would require significant revisions. The development depends on the land purchase.

Barnet Society:

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

- Extremely concerned at the proposal to transfer the land to the developer.
- The situation at this site would set a harmful and dangerous precedent for similar sites elsewhere in the Borough.
- The land forms a vital link in the linear chain of sites with SINC value along Dollis Brook and forms an indispensable wildlife corridor which is valuable to residents living across the full length of the Borough.
- The Brookdene site in particular deserves proper protection and management and to be made more publicly accessible and integral to local nature protection objectives which would be incompatible with private ownership
- The footprint occupies most of the site and with its footprint and height would obscure views of the woodland for residents living near the street. Only a small glimpse of the woodland would remain following development.
- Its mass, height and placement immediately adjacent to the woodland would dominate the woodland in an inappropriate and overbearing way, destroying its secluded character.
- The proximity of the development to the woodland, the construction of a basement and its overshadowing would damage the natural habitat in its vicinity.

Woodside Park Garden Suburb 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:

- The development of 43 flats on this site is an overdevelopment of the site.
- The rear wall should be in keeping with the line of adjoining properties.

- The scheme should be reduced in size.
- There is no objection to part of Brookdene being used as an amenity area provided it is properly maintained to an agreed format.

Totteridge 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:

- The terms of the lease should prohibit any future development on the nature reserve and that the reserve should remain open to the public.
- Public access rights should be conditions on any planning permission that may be granted for this site.

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

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 Wildlife Trust

Part of the adjacent woodland area is designated as Metropolitan Open Land and is a site of Borough Importance for Nature Conservation. It is of great importance to wildlife and to residents. The LWT believe that the increased height and proximity of the redevelopment to the woodland is likely to negatively impact on the designated site.

Transferring the site to private ownership and management would be detrimental to the wildlife value of the woodland which is evidenced by 75 Holden Road where many trees and shrubs have been removed or replaced by 'over-management' which is inappropriate especially for the nocturnal species. It is unclear whether the general public would be able to enjoy the woodland area.

There is considerable standing and fallen dead wood habitat in the woodland and the organisation fear that over management may lead to the removal of relevant habitats. The ecological scoping study provided by the applicant is inadequate for a site of local nature importance such as this.

Six trees and one group of trees would be lost to make way for the proposed development. Four retained trees are on the edge of the proposed building line and the building will encroach into their root protection areas which may have already been impaired due to existing development on the site. These trees maybe further harmed because of their impact on the amenity of future occupiers. The British Standard classification of value (for

landscape, vitality and viability) is not indicative of the wildlife value of the trees in question. Where light touch management has existed in the past, it is likely that these trees would be highly attractive to a wide range of wildlife. The applicant has failed to provide appropriate information to address protected species which are likely to be present on the site. No lighting plan has been submitted and lighting should be restricted to prevent a harmful impact on wildlife. The loss of garden space, removal of trees and vegetation will have a negative impact on flood attenuation capacity on the site which would increase the risk of flooding elsewhere on the site.

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. Where there are protected species, the standing advice issued by the Government should be followed in order to protect the appropriate species on the site.

Thames Water:

The consultee raises no objection to the planning application, but would require the submission of detailed information on surface water drainage which could be secured and approved through a conditions discharge process. Prior Approval will be required for a connection to the public sewer. Interceptors and collectors will be required for petrol and oil in car park areas. A condition is recommended in the event of planning permission to address the method of impact piling.

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 consultee raises no objections to the proposed development. Sufficient parking is provided on site to accommodate all the parking needs associated with the development without an unacceptable overspill on to the highway. There are no objections to the anticipated trip generation associated with the development and it is considered that access arrangements are acceptable. Subject to compliance with appropriate conditions and the implementation of a Travel Plan, the scheme would be acceptable.

Environmental Health Service

No objections subject to conditions safeguarding against the noise impacts from the development including plant associated with air conditioning, plant, extraction and ventilation. The proposed development would need to be soundproofed from external noise and a construction method statement should also be provided to ensure that the amenity of adjoining occupiers is protected.

Parks and green spaces

n/a

Housing

The applicants should consider on site provision on the site in the first instance rather than secure a commuted payment as this would have the potential to achieve a greater supply of affordable housing on a unit by unit basis compared to a financial contribution. Shared ownership would be the most appropriate provision given that the alternative of three affordable rented units would not be taken up by Housing Associations. Any shared ownership provision should be offered at an entry point of 25% share for 50% of the shared ownership units. Finally, a review mechanism should be implemented following after 80% of private market sales have completed.

Travel plan co-ordinator

A Travel Plan statement should be provided. This should set out an incentive for each first occupier of a residential unit to the value of £150 per unit. A Travel Plan monitoring fee of £5000 should be secured.

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 0.53 hectares situated on the western side of Holden Road close to the junction with Woodside Park Station Approach Road. The site is a short distance to the west of High Road shopping centre. However, the immediate area is predominantly residential with community, leisure and open spaces uses and functions also present locally. The Dollis Brook flows through the rear of the site and is a significant feature of the area locally and the Borough as a whole.

The site is clearly divided into two parts. At the front of the site area two small two storey blocks which each provide four flats. The two blocks are separated from each other by an internal access road which serves a large hardstanding car parking area to the rear currently enclosed by a fence. The land levels drop sharply towards the rear of the site. Beyond the fence line is a woodland area stretching westwards towards the Dollis Brook which forms the westerly extent of the site. This woodland area which forms a part of the Dollis Valley, a linear chain of sites of nature conservation importance is at the time of writing owned by the London Borough of Barnet and is an unmanaged woodland area with mature trees, low level shrubbery, bushes, informal paths. There is no public access from Holden Road to this part of the Dollis Brook and the Woodland at the rear and access to this land would be gained by way of fording Folly Brook a short distance to the south.

Both to the north and south of the site are large three and four storey residential flat developments which feature a deep projection into the rear of their sites and also approach the line of the woodland areas at the rear of these sites. These properties also feature car parking to the rear and communal garden areas. Opposite the site on the eastern side of Holden Road is a locally listed ecclesiastical building which dominates the streetscene in this locality.

The site is located a short distance from Woodside Park underground station and is a PTAL 3 location. There is no controlled parking on street and as a result, Holden Road is heavily parked during the day.

The site is not located in a conservation area and is not Statutory or locally listed. The application site is not within the setting of any listed buildings. The part of the site to the

east of the current hardstanding area is designated Metropolitan Open Land (MOL) and is a designated area of Borough wide local importance for nature conservation (SINC).

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 a part storey plus roof level and basement car parking level development to accommodate 43 flatted dwellings (all use Class C3).

The development is laid out as an H-shape over a podium level that incorporates the basement car park. The proposed development is solely and clearly contained within the previously developed area of the site and would not encroach beyond the current fence line that demarcates the edge of the car parking area at the rear. The proposed development is arranged entirely as one block. At the front of the site, the original buildings would be demolished and a new block filling virtually the full width of the site would be constructed. This façade would be constructed from brick with the roof level finished in zinc cladding.

The basement car parking level would be served by a new access road to the car parking area utilising the original means of access. Car parking for 47 residential units would be provided at this level for residents and visitors as well as cycle parking and refuse storage. The transfer of ownership of the woodland area to the rear of the site would nominally impede public access to the remaining areas of land in its ownership would be located within the woodland. In order to improve and formalise this access, the applicant will facilitate access for the Council to manage and maintain its land to the rear. This is a facility that does not already exist. Also at the lower ground floor level, the scheme proposes an area of children's playspace which is approximately 190sq.m in size. At the upper ground floor area, within the recessed areas, the scheme layout proposes the provision of two more communal areas which when combined with the private balconies and terraces for flats at this level would provide around 445sq.m of open space. Elsewhere on the upper levels, the proposed development would be able to provide for around 300sq.m of private external amenity space.

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

- 13 x one bedroom 2 person flats
- 8 x two bedroom 3 person flats
- 18 x two bedroom 4 person flats
- 4 x three bedroom 5 person flats

The scheme is able to deliver on a contribution towards affordable housing and as a result, a commuted payment of £836,000 as part of a larger suite of planning obligations.

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.

Given the site's location adjacent to a site that is subject to a Metropolitan Open Land and SINC designations, particular regard is to be had to the relationship between the development and the land which is subject to these designations. The part of the woodland area directly to the rear of the car parking area is in the process of being transferred to private ownership for a period of 150 years leasehold basis. Partly as a result of its difficult access, the land has not been subject to effective management of this or other parcels of land to the rear for a sustained period of time. Both this application and the legal processes associated with the ownership are subject to a woodland management plan which has been submitted with this application. This Management Plan which would be subject to regular reviews indicates management of existing flora and fauna, the promotion of new habitats and biodiversity while simultaneously provide an additional amenity resource for the occupiers of this development.

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 site is undesignated, however, it is adjacent to Metropolitan Open Land (MOL) which has the same strategic protection as Green Belt and is adjacent to a Site of Local Importance for Nature Conservation (SINC). These designations are clearly demarcated by the extent of the hardstanding at the site. This line forms the current built extent on site and also the proposed development extent. The application does not propose any encroachment into these designated areas and does not result in the loss of these areas. No development as defined by the Town and Country Planning Act would occur.

Policy 7.17 of the London Plan, Policy DM15 of the Local Plan Development Management Policies DPD and policy CS04 of the Core Strategy outlines the strategic protection of MOL, setting out a presumption against development in that land and maintaining public access to that space. It is considered that as the development does not encroach into that land, that no existing formal public access rights are being extinguished and no physical obstructions to access are being erected, that the MOL is being eroded by this scheme. A woodland management plan is to be secured through the Section 106 agreement to assist with access opportunities within the site as well as the protection, enhancement and maintenance of existing biodiversity. It is considered that the scheme would not be contrary to 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 North Finchley Town Centre as well as Finchley Central 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.

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.

In accordance with development plan policies which seek contributions to employment and training from qualifying schemes the proposal would deliver a commuted payment of £125,000 (plus 5% monitoring fee) to assist in the creation of employment opportunities for residents of the Borough who are having difficulties from entering the employment market and to assist in training and skills programmes in association with other local agencies.

Residential uses

The site currently includes 8 residential dwellings 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 dwellings 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).

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 residential scheme of the nature proposed is deemed to be acceptable and compliant with development plan policy, subject to the specific scheme put forward complying with the requirements of other planning policies.

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:

- 13 x one bedroom 2 person flats
- 8 x two bedroom 3 person flats
- 18 x two bedroom 4 person flats
- 4 x three bedroom 5 person flats

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.

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 43 dwellings proposed include 189 habitable rooms. As the site has an area of 0.53 hectares this equates to a density of approximately 81 units per hectare and 233 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

All but two 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). With the exception of the two flats without any private external space another nine flats would not meet the Mayoral amenity space requirement however, the deficiency would in each case would be marginal with the shortfalls generally no greater than 1sq.m.

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 580sq.m 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 490m² 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 42m² 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 42m² 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 with the exception of 7 rooms all of the habitable rooms assessed would be expected to meet the relevant standard in terms of the Average Daylight Factor score achieved. Where rooms are shown to fail, it is considered that the discrepancy would be limited to an average shortfall of just 0.26. Furthermore, given that the daylight would fail ADF in just 7 of 126 rooms tested, it is considered that on balance, the impact on future occupier amenity would not be so widespread or significant to warrant the refusal of planning permission. 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.

The statement also includes an assessment of the impact of the proposed development on the windows of residential dwellings in both Woodside Grange immediately to the north of the site and Garden Court to the south of the site. It is considered that for Garden Court, the level of daylight reaching habitable room windows as a result of the development would remain above the standards set out in the BRE guide. Two individual windows would fail however, these would be the secondary windows in a room where the primary window would exceed the standard. The relevant windows for testing at Woodside Grange are situated on the south facing elevation overlooking the development and already exist. All windows under consideration in Woodside Grange are kitchens and because of their existing relationship with the current onsite buildings at Brookdene the proposed development does not alter the daylight levels within these rooms.

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.

The applicants have not been able to demonstrate whether the proposed accommodation would comply with the requirements in relation to sunlight. The BRE standard requires only windows within 90-degrees of due south to be evaluated. As such, the only affected windows would be in the south facing elevation in the central section of the development. There would be no obstruction in front of these windows and it is considered that the resulting impact would not be harmful.

Privacy and overlooking

The proposed development would be situated within the context of adjoining residential developments to both north and south. With respect to Woodside Grange to the north, some windows facing this site would face directly on to the flank elevation of this development. Other windows facing north could, because of their open plan or non-habitable room layout would facilitate the window to be obscure glazed or inserted as a high level window only. Where there are balconies close to the northern boundary, these would be conditioned to have a screen to the side to prevent overlooking with subsequent loss of privacy.

In respect of Garden Court to the south, the southern elevation of the proposed development would be nearly 30m from the north elevation of the detached block which contains habitable room windows. As such it is considered that the proposed development would not affect the amenity of this block. Any forward facing windows within the proposed development would only have an acutely angled relationship with windows in the rear elevation of Garden Court.

The distance between directly facing clear glazed windows to habitable rooms in the proposed dwellings would be less than 21m in the significant majority of cases. 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. 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.

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. The application is therefore considered to be acceptable and compliant with development plan policy in these regards.

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.

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.

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 on the impact on amenity

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.

Planning permission is sought for the erection of a part four and part five storey building on sharply sloping land on the western side of Holden Road. The site is not subject to any heritage designations and there no heritage assets either adjoining the site or near the site which may be affected by the proposal.

The buildings are also found to be of a design quality that would correspond with the established built form and context on the western side of Holden Road which is characterised by large flatted blocks centralised around Woodside Park underground station. The Council's Characterisation Study for Barnet recognises that the local development typology consists of flatted developments and as such, the proposed development would not contravene the requirements of policy DM01 which encourages new development to be located in areas of similar character. The development responds to the materials, form and building heights currently present on Holden Road.

Due to the existing extensive tree planting and other land uses to the rear of the site, the proposed development would have little visual impact beyond the site to the west and its only major presence would be that which is visible to the street scene and for the residents within adjoining buildings. Given the existence of both Woodside Grange and Garden Court on either side of the application site which project deep into their respective plots and deeper than the indicated footprint for Brookdene it is considered that the proposed building envelope and massing within the site would be acceptable. The cut out sections of the footprint in the middle of the development above the ground floor level would significantly reduce the massing that may be perceived from adjoining properties and

certainly contributes to an acceptable amenity impact to neighbours with respect to sense of enclosure and outlook.

The façade width reflects that of adjoining buildings on the western side of Holden Road and the height forms an incremental and insignificant step up from Garden Court towards Woodside Grange. On both flanks, the proposed development would be inset from its side boundaries thereby retaining a sense of spaciousness and separation from the adjoining properties, allowing a glimpse through towards the woodland at the rear.

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 and the use of brick detailing. The red brick used within the development is consistent with local distinctiveness and the zinc clad roof would allow the upper level to be subordinate to the remainder of the building. The façade features recesses and projections which as well as reflecting the built form of Garden Court in general terms would also provide visual relief and interest to the streetscene. The front elevation provides for private balconies which due to the glazed balustrade are discreet and sympathetic additions. 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 proposed development is located solely on previously developed land and does not encroach on land that is subject to a long term designation of Metropolitan Open Land and a Site of Borough Importance for Nature Conservation. The proposed development would be set back from the rear physical boundary that separates the two distinctive uses. There would be no oversailing of the rear boundary by balconies and it is considered that the two uses can co-exist successfully without undue pressure on the woodland to the rear of the site.

The scheme proposes two communal areas within the site at the ground floor level on a podium deck above the car park. These would be comprised of a mixture of soft and hard landscaping, details of which would be sought through condition. A children's playspace area would be situated within a further location at the southwest corner at the lower ground floor level which would also constitute another area of general needs open space. Conditions will be imposed which seek to ensure that the species used in any planting are both robust and make an appropriate visual contribution to the landscape character and value of this part of the site.

The parking area provided at basement level which is served by a ramped access road from Holden Road in the same location as the existing means of access to the site. The car parking (provided solely for use by residents and their visitors) will be hidden from view meaning that the development is not dominated by parking and various building services.

The boundary treatment to the front of the property is indicated as being constructed from a low rise red brick dwarf wall to match the colour used in the development. This dwarf wall is indicated to be topped with a metal fence and brick piers no taller than 1m in height. Given the modest front boundary enclosures present within Holden Road, it is considered that the proposed boundary treatment would be appropriate.

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.

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.

This scheme is able to deliver a commuted payment of £836,000 in lieu of on- site provision or of provision off site at another location. This figure equates to approximately 18% provision.

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

The applicants offered £328,000 in their initial viability statement for affordable housing. This was subject to appraisal by BNP Paribas who considered that a figure of £1.633million surplus would be reasonable. BNP advised that such a surplus would be reasonable to provide on-site affordable housing. However following discussions between BNP Paribas and the applicants' consultants the two consultants have agreed a figure of £836,000.

This figure has reduced for a number of reasons; firstly, the car parking with a value of £10,000 per space would be provided free to the residents of the development on the basis that the car parking would only be retained for residents and their visitors and for no others secured through a Section 106 agreement. Therefore, a revenue figure of £470,000 would be removed from the development appraisal.

Development value of the proposal has been reduced from £715 per square foot to £702 per square foot, creating a reduction in value of £421,213. In addition, there has been a change to the benchmark value of the Alternative Use (AUV) scheme which in this case was an extra care home.

The applicants have advised that the site cannot accommodate any onsite affordable rented accommodation on the site as the RSL standards would demand new entrances, new circulation and different communal amenity standards and therefore lead to a redesign of the development. In addition, an affordable rented quota within the site as a proportion of the overall development would lead to a reduction in the service charge income that could be derived from the site which would go forward to implement the management of the woodland area as part of the 150 year leasehold agreement. Given that this area has not been subject to any effective management, this level of income would be essential. The applicants have also advised that having such a small quantum of affordable rented units would not be a sufficient critical mass for management by an RSL.

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

Therefore in this instance the proposed contribution to affordable housing is considered to be acceptable and compliant with the objectives of planning policies. As set out in 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 23 trees and two tree groups located within and around the red line application site as well as frontage planting and street trees. Two of the trees are designated under Tree Preservation Orders.

The development proposed would result in the removal of 2 existing trees from the site (using the chart on tree quality assessment found in the BS5837:2012) as well as two groups which - one of which is situated on the southwest corner of the site adjacent to the communal open space and the other located to the northeast corner on the frontage - will be removed.

The application proposes the removal of five trees within the existing developed site area including one designated TPO tree. The scheme also proposes the removal of one tree immediately within the woodland area adjacent to the boundary between the two areas. The trees within the site which are being removed are all within the British Standard

categorisation C with the exception of the TPO tree which is a category B tree and is a 22m tall Cedar tree in fair condition, with more than 20 years vitality. However, the tree has been modified significantly through its lifetime with the lower limbs of the tree removed leaving a very high crown and reducing the landscape and amenity value and character of the tree. The other principal tree to be removed is T11 which is a 19m high Oak tree with an estimated 40 years or more of vitality. The removal of this tree is required to accommodate parking and the laying out internally of four plots. Even if these flats were removed from the scheme, the scheme would still give rise to the tree being blocked from public view and from the woodland area, thereby reducing the visual amenity contribution that the tree would otherwise make.

The applicant's Arboricultural Implications Assessment identifies all the categorised trees within the site and in particular the woodland area to the rear of the proposed building and all would otherwise remain in situ. A number of trees have been assessed with regard to minor modifications such as crown reduction, ivy removal and deadwood removal. However, these modifications are considered to result only in the prolonged longevity of these trees. The Woodland Management Plan that is to be secured through the Section 106 agreement as a key part of this development proposal will outline a series of quinquennial reviews which would propose and implement forward planned actions that would respond to the evolving needs of arboriculture and horticulture on the site.

The draft woodland management plan and the planning statement submitted with this application indicates that the developer and successor interests in the site intend to plant new trees within the woodland area to the area. These trees would be native species appropriate to the location. Therefore in addition to a general soft and hard landscaping strategy condition which would be imposed on the planning permission, it is proposed that the recommendation would also carry a planning condition requiring a tree replacement plan to mitigate the removal of the trees from the site.

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 43 to 58 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 47 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, approximately 200m walking distance to Woodside Park underground station and 800m walking distance to the High Road (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). Although it has been observed that there is substantial uncontrolled on street car parking on Holden Road and other neighbouring streets, it is considered that the on site car parking would successfully accommodate the parking demand and the parking needs of the site without causing an obstruction to the highway or a reduction in highway and pedestrian safety. The legal agreement will secure all the car parking on site for residents and their visitors. It is expected that this proposal will offset the requirement for parking to overspill on to the street and the surrounding highway network.

The parking provision includes five spaces to accessible standards, 9 active and further 9 passive electric vehicle charging points in accordance with London Plan standards. A further five parking spaces are indicated to be provided for disabled drivers which equates to more than both 10% of units and parking spaces within the scheme. The scheme also provides storage facilities for 74 cycle parking spaces and this will be secured through planning condition.

A transport statement has been submitted with the planning application evaluating the likely trip generation that may occur as a result of the proposed development and the capacity of the local highway network to accommodate this trip generation. The highways officer has reviewed this information and has raised no objections to the likely highways impacts associated with the proposal.

A Travel Plan is to be secured against the development through the Section 106 planning obligation. This would set out modal split targets for compliance during the life time of the development. As an incentive to future residents, each first occupier of the flats will be offered the opportunity for a £150 benefit for car club membership, oyster card credit or cycle shop vouchers. A £5,000 financial contribution would also be secured through the Section 106 for monitoring purposes.

A number of conditions would be imposed on the recommendation to secure refuse and cycle storage, the submission and approval of a Demolition/Construction Management Plan and the provision of car parking prior to the first occupation of the development.

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 the existing means of access from Holden Road. 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 13 vehicular trips are expected for the scheme during the AM Peak (8am to 9am). This equates to an average of one vehicle movement every 4 minutes. 7 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 8.5 minutes. Across the day, there are 55 additional car driver trips and as a result the daily increase would not be highly perceptible.

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 £5,000 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 (5 in total) would be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements and 10% (5 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.

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 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 responded to the consultation exercise carried out in respect of this planning application.

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 not responded to the consultation. 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.

Sustainable urban drainage systems (SUDS) were introduced in April 2015 requiring all major developments to make suitable arrangements for the introduction of a SUDS regime that is most appropriate for the development. This would prevent surface level flooding in the aftermath of major storm events. This includes drainage to appropriate drainage channels, soakaways, watercourses and other measures. A condition is imposed on this planning permission to require the provision of a sustainable drainage strategy to identify and implement the most appropriate strategy for the site.

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 35% reduction in carbon dioxide emissions (when compared to a building constructed to comply with the 2013 Building Regulations) needed to comply with London Plan policy 5.2 and the Mayor of London's Sustainable design and construction SPG.

The submission anticipates that the scheme could achieve a reduction of 39.2% in terms of carbon dioxide emissions relative to a building constructed to comply with the minimum requirements of the 2013 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 36.8% 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 XCO2 Energy, 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:

As previously stated in this report, the rear portion of the land falls within the Metropolitan Open Land is also a SINC. That land is currently owned by the London Borough of Barnet and forms part of a larger natural resource along the line of the Dollis Brook that travels the full length of the Borough. The eastern side of the Dollis Brook is owned by the Council, however, in close proximity to the application site, the western bank side is owned by the Old Finchleians Cricket Club.

This area which has an appearance of a somewhat wild and largely unmanaged parcel of land cannot be legally accessed by members of the public from Holden Road and access can only be achieved by way of crossing Folly Brook and Dollis Brook by an entry point to the south from public land.

The area is characterised by mature trees, low rise shrubbery and slopes downwards to the Dollis Brook. This site forming part of a much larger cohesive natural resource constitutes a landscape and ecological benefit to the local area. However, the presence of invasive species such as Japanese Knotweed is a threat to the biodiversity in this area. Furthermore, the extent and spread of bramble and other harms the character and value of this area. The area has not been subject to any formal management programmes over time

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 was carried out in April 2015 and involved both desktop and field surveys on the site. In respect of the desktop survey, the applicants' consultants identified a 10km x 10km area within which protected species were recorded including three bat species and great crested newt. Snakes, water voles, harvest mice, hares, hedgehogs and slow worms were also recorded in this area. There is one designated site within 2km of the site. More specifically within the site, the applicants have identified that the existing buildings do not provide appropriate habitat potential for bats and although some trees within the woodland give rise to opportunities for roosting, no trees which retain that potential will be removed by the application. If trees within the woodland which may have bat roosting potential are identified to be felled, a programme of mitigation should be put in place to address this. This can be an integral part of the Woodland Management Plan. External lighting on site should only be implemented where necessary. The greatest resource for nesting birds on the site is the woodland area and much of the woodland species are being retained and being supplemented with new species. In addition, there are opportunities within the building to ensure the provision of mitigation measures which can accommodate nesting birds. The potential to support a variety of protected species on the site. However, the proposed development involves little intervention into the woodland area at the rear of the site and it is considered that the site would still viably sustain any species that may be present here. Despite this, a range of measures have been proposed which would limit invasive intervention into the habitat areas. These include site clearance to take place outside of the nesting season, pollution and contamination prevention, protection of trees during construction in accordance with

the British Standard, retention and enhancement of the woodland area and the use of bat sensitive lighting. It is also suggested that a condition should be imposed which seeks to secure further ecological surveys which should take place during the optimum survey periods for the species which have been scoped.

Given the capacity of the woodland to support the habitat potential described above and the importance of the flora and arboriculture contained within, it is essential that a strategic approach to the retention, protection and enhancement of this area should be undertaken. As a result, a Woodland Management Plan has been submitted in draft, which would be developed further and adopted to be implemented in accordance with the requirements set out in the Section 106 legal agreement. This Woodland Management Plan would introduce a mechanism for the management of this land to ensure for the protection of the flora and fauna within this area. The Plan would ensure that existing trees are protected through the removal of ivy and deadwood and to ensure that defects are rectified and managed. The plan will also remove invasive species such as Japanese Knotweed while also introducing native species. Habitat potential will be enhanced by providing breeding boxes for various species within the site. Access to the woodland would be secured from the development for residents as well as for the Council to maintain and manage the land in its control.

The Woodland Management Plan will remain valid for the duration of the developer's interest in the Woodland. In order for this Woodland Management Plan to remain active and viable for the duration of the 150 leasehold agreement, the developers have made clear that the Plan would be subject to quinquennial reviews by experienced ecology and biodiversity professionals. When the quinquennial inspection and report is completed it would be submitted to an appropriate officer at the London Borough of Barnet for comment in parallel with a consultation exercise with relevant local wildlife and woodland groups in order to secure comments as to the appropriateness of the results of the preceding period's works and to identify the appropriate actions in the subsequent five year period. These actions will be set out as a series of recommendations and will allow the Woodland Management Plan to evolve with changing nature and circumstances of the woodland area. Each five year section of the Woodland Management Plan will be made publicly available at the appropriate time. Any works which are subsequently carried out will also be qualified contractors.

It must be clearly emphasised that no development of any kind will be undertaken to the east of the current physical boundary of the site which separates the hardstanding to the woodland and no development will encroach into the MOL/SINC areas. The Woodland Management Plan would assist in the long term and positive protection and enhancement of this woodland.

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 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 £436,590

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 £113,190.

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 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: SITE LOCATION PLAN

Brookdene, 71 Holden Road, London, N12 7DR

