

**Location**                      **Land At Broadfields Primary School Roseberry Drive Edgware  
HA8 8JP**

**Reference:**                      **15/03137/FUL**                      Received: 20th May 2015  
Accepted: 2nd June 2015

Ward:                              Edgware                              Expiry 1st September 2015

Applicant:                      London Borough Of Barnet

Proposal:                      Development of site between Broadfields Primary School and Hartland Drive to provide 112 residential units (Use Class C3) comprising 52 houses (2-3 storeys) and an apartment block (3-4 storeys) of 60 flats. New vehicular access incorporating a mini-roundabout, and associated facilities including 137 car parking spaces (surface level and basement), cycle parking, refuse/recycling stores, landscaping, sub-station and external amenity space. Alterations to parking layout within Broadfields school

**Recommendation:** Approve subject to conditions

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

Drawing Nos. 000 P00, 200 P00, 201 P11, 202 P08, 203 P01, 204 P00, 210 P03, 211 P03, 212 P04, 230 P03, 231 P00, 250 P05, 251 P06, 252 P06, 260 P05, 280 P04, 281 P05, 282 P05, L301 P04, L302 P03, L303 P04, L304 P02, G/2/1 P02, 2 P02, 3 P02, 4 P02, 5 P02, 6 P02, 7 P02, 8 P02, 9 P02, 10 P03,

Reptile Survey Report, Bat Survey Report, Arboricultural Method Statement, Arboricultural Report, Drainage Statement, Design and Access Statement, Design and Access Statement Addendum, Planning Statement, Planning Statement Addendum, Travel Plan, Ecological Assessment, Highway Design and Access Statement, Acoustic Survey, Air Quality Assessment, Contaminated Land Study.

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

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

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

- 3 a) Notwithstanding the details on the drawings hereby submitted, no development other than site preparation works 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 site preparation works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

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

5 a) No site works or works in connection with the development hereby approved shall be commenced until an ecological method statement and details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques has been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

6 Notwithstanding the details on the drawings hereby approved, prior to the first occupation of the development hereby approved, details (including manufacturers specification, light spillage diagrams, scaled plans and drawings detailing the size and direction, and proposed hours of use) of all external lighting to be installed on the buildings hereby approved, along with an ecological assessment of the implications of the lighting on the surrounding ecology shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the details approved under this condition and retained as such thereafter.

Reason: In order to protect the character and appearance of the site, and to safeguard protected species in accordance with Policy DM01 and DM16 of the Development Management Policies DPD (adopted September 2012).

- 7 a) No development or site preparation works shall take place on site until a Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for:

- 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. Details of a community liaison contact for the duration of all works associated with the development.

- b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 and 5.18 of the London Plan (2015).

- 8 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).

- 9 A Method Statement detailing the contaminated land remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

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

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

- 11 a) No development other than site preparation works shall take place until a scheme of proposed noise pollution mitigation measures has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the amenities of occupiers are protected from the noise in the vicinity in accordance with Policy DM04 of the Development Management

Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 of the London Plan 2015.

- 12 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping both on site and to the proposed bunds to the north of the site, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced other than site preparation works.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 13 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.

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

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

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

15 a) No site works other than site preparation works and ground works shall be commenced 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 7.21 of the London Plan 2015.

16 The roof of the unit identified on the drawings hereby approved as Plot 9 shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

17 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity area provided on the site shall be submitted to the Local Planning Authority and approved in writing. The play equipment 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 represents high quality design provides sufficient play space for future occupants and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy 3.6 of the London Plan 2015.

18 a) Before the development hereby permitted is first occupied, details of the means of sub-division of the amenity areas shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented 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) and the Sustainable Design and Construction SPD (adopted April 2013).

19 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed to the balconies of the flats 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 Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A-G of Part 1 of Schedule 2 of that Order shall be carried out within the dwellings hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, future occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

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

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

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

- i. location and layout of car parking spaces;
- ii. The allocation of car parking spaces;
- iii. On site parking controls;
- iv. The method of enforcement of unauthorised parking;
- v. Locations of disabled parking spaces;

vi. Locations of active and passive Electric Vehicle Charging Points and the monitoring of Electrical Vehicle Charging Points, including when additional spaces are required to be brought into operation.

The Car Parking Management Plan shall thereafter be implemented in accordance with the approved details immediately following the first occupation of the development hereby approved.

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

- 23 Notwithstanding the plans submitted, before development commences details of the layout, gradient and design of the access ramp to the basement car parking area and vertical clearances along the ramp and within the parking area shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

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

- 24 Before the development hereby permitted is first occupied, turning space and parking spaces for cars and bicycles shall be provided and marked out within the site in accordance with the scheme on Drawing Nos. G/2/10 P02,061 250 P05 and 060 231 P00 and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles in association with this 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 CS9 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012) and 6.1, 6.2 and 6.3 of the London Plan 2015.

- 25 No development shall take place until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 144 shared ownership habitable rooms (39 units);
  - ii. the timing of the construction of the affordable housing and its phasing in relation to (a) the occupancy of the market housing on this site, and (b) the construction and occupancy of the affordable housing (affordable rent) at land adjacent to Northway/Fairway Schools (planning application 15/03138/FUL), and (c) the construction and occupancy of the affordable housing both for rent and shared ownership at land adjacent Whittings Hill School (planning application 15/03139/FUL);
  - iii. the arrangements for the transfer of the affordable housing to an affordable housing provider;



- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The scheme shall be implemented as approved in its entirety and maintained as such in perpetuity, and the shared ownership units hereby approved shall remain as such, and governed by this approved scheme thereafter.

Reason: To ensure the development hereby approved provides for adequate affordable housing in accordance with Policy DM10 of the Development Management Policies DPD (September 2012) and to ensure that affordable housing is constructed, managed and kept available as affordable housing in perpetuity.

- 26 No part of the development hereby approved shall be first occupied until a full residential travel plan to meet TfL's travel plan criteria, along with the mechanism to secure the relevant monitoring costs has been submitted to and approved in writing by the Local Planning Authority. The travel plan will include a package of measures with the aim of reducing reliance on car travel and promoting sustainable travel and increased use of public transport, walking and cycling for occupiers and visitors to the development, and its obligations shall be implemented in full thereafter.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012) and Policy DM17 of the Development Management Policies DPD (adopted September 2012).

- 27 No development shall take place until a Local Employment Agreement (LEA) has been submitted to and approved in writing by the Local Planning Authority. The agreement shall set out the skills, employment and training opportunities to be delivered from the development and must include all employment opportunities generated by construction.

Reason: To promote a strong and prosperous Barnet and support residents in accessing work, in accordance with Policies CS NPPF, CS8 and CS15 of the Local Plan Core Strategy (Adopted September 2012), and Policy 4.12 of The London Plan 2015.

- 28 No development shall take place at this site until development has commenced at the development site subject of planning application 15/03139/FUL (land adjacent to Whitings Hill school).

Reason: Because this development is acceptable in respect of affordable housing provision only in combination with the provision of affordable housing at land adjacent to Northway/Fairway school and land adjacent to Whitings Hill school, and in the absence of either scheme being implemented would not provide sufficient affordable housing units to comply with Policy 3.19 of the London Plan 2015, Policy DM10 of the Development Management Policies DPD (adopted September 2012), Policy CS4 and CS15 of the Local Plan Core Strategy (adopted September 2012), the Affordable Housing SPD (2009), and the Planning Obligations SPD (adopted April 2013).

- 29 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012).

- 30 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

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

- 31 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 40% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 32 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure and this impact is required to be assessed in accordance with the requirements of Policy DM04 of the Development Management Policies DPD.

33 a) Notwithstanding the drainage details submitted with this application, 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 including on and off site drainage works 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.

34 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with Policies DM01 and DM18 of the Development Management Policies DPD (adopted September 2012).

35 a) Prior to the commencement of any work on the substation hereby approved, scaled plans and elevations of the substation shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the dimensions and proposed materials to be used in the construction of the substation.

b) The substation shall thereafter be constructed in accordance with the details approved by this condition and retained as such thereafter.

Reason: To safeguard the character and appearance of the locality in accordance with Policy DM01 of the Development Management Policies DPD.

36 Prior to the commencement of any development on site, a detailed specification of all proposed highways works required in respect of the new roundabout, associated works and access shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall thereafter be implemented in accordance with the details as approved, and not first occupied until the highway works have been completed pursuant to an agreement under S278 of the Highways Act 1980.

Reason: To ensure the proposal includes a safe and adequate access, in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012).

- 37 Prior to the completion of the sale of 80% of the open market housing units hereby approved by this planning permission, and under planning applications 15/03138/FUL (land adjacent to Northway/Fairway schools) and 15/03139/FUL (land adjacent Whittings Hill school), a revised Viability Review shall be submitted to and approved in writing by the Local Planning Authority. The occupation of the final 20% of the open market housing units shall not take place until the revised viability review has been approved in writing with the local planning authority and any additional sums paid to the local planning authority.

Reason: To ensure the development hereby approved provides for adequate affordable housing in accordance with Policy DM10 of the Development Management Policies DPD (September 2012).

**Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 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](http://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. The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for CIL. Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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

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

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

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

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

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

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

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

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

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

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

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

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

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via [crossovers@barnet.gov.uk](mailto:crossovers@barnet.gov.uk).
- 6 The applicant is advised that due to the large number of schools and school children in the area, site deliveries during the construction period should not take place between 0800hrs - 0900hrs and 1500hrs - 1600hrs. Careful consideration must also be given to the optimum routes for construction traffic and the Traffic and Development section should be consulted in this respect.
- 7 The applicant is reminded that, 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 groundwater. 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 0800 009 3921.
- 8 The applicant is advised that Thames Water requests that the applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 9 The applicant is advised that for the purposes of the planning conditions attached to this notice, the terms are defined as follows:
  - 1) Site Preparation Works - Include 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.
- 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.

2) Ground Works - Include the following works:

- Removal of services on the site including service trenches.
- Piling works.
- Substructure and underground drainage works.
- Installation of services and utilities.
- Construction of basement car parking and ground floor slab.
- Ground levelling works.

3) Construction works - Is defined as:

- Superstructure works above the ground floor slab.

4) Affordable Housing Units means the thirty nine (39) residential units to be provided by the Owner on the Land as Affordable Housing comprising eleven 1-bed, 2 person units and twenty-eight 2-bed, 4 person units for Shared Ownership.

5) Affordable Housing means housing designed to meet the needs of eligible households whose incomes are not sufficient to allow them to access decent and appropriate housing on the open market and which is to be made permanently available to persons in Housing Need nominated by the Council.

6) Shared Ownership means a form of Affordable Housing whereby a person granted a Shared Ownership Lease can purchase an initial equity share in a Shared Ownership Unit of not less than 25% and not more than 75% and pay rent on the unsold equity with flexibility for such a person to purchase further equity shares in the Shared Ownership Unit up to 100%.

7) Shared Ownership Lease means a lease which accords with the Homes and Communities Agency model form of lease issued from time to time.

## **Officer's Assessment**

### **1. Site Description**

The application site is a vacant plot of land, approximately 1.7ha in area, located to the north of Hartland Drive, to the south of Broadfields Primary School and to the west of Bushfield Crescent. The southern part of the site was previously grass fields used in conjunction with the school at the site with the two school buildings on the northern part of the site. The north-eastern building was accessed via Bushfield Crescent and the western building accessed via Hartland Drive. Following a grant of planning permission in 2008, all previous buildings were demolished, and a new school building constructed on the north eastern part of the site.

The site subject of this application is vacant and disused, and is accessed via Bushfield Crescent. The surrounding development, other than the school, is suburban residential development with two storey detached and semi-detached dwellings to the south and east, and two and three storey semi-detached and terraced dwellings to the north east. To the north and west of the site is Metropolitan Green Belt land, currently open fields with Edgwarebury Cemetery beyond. The site slopes gently up from east to west, with the northern portion set almost two metres higher than the remainder.

### **2. Site History**

H/04494/08: Demolition of existing junior school and erection of part single, part two storey replacement two form entry primary school, including playgrounds, access road, parking and multi use games area. Approved.

### **3. Proposal**

It should be noted that when received in June 2015, this application proposed a total of 118 residential units (52 houses and 66 flats). The scheme has since been revised, with a reduction in unit numbers, the repositioning of the flatted building to the north of the site, and the replacement of the two storey end-terrace building to the south west of the site with a single storey building. The scheme now proposes a total of 112 residential units, comprising 52 houses and one block of 60 flats. The scheme would include 137 car parking spaces (in the basement to the flats, and at street level), and associated hard and soft landscaping and levels changes.

The development would be accessed by a new roundabout, created as part of the reconfiguration of the road layout in the vicinity of the site at the junction of the school/Roseberry Drive, and Bushfield Crescent. The existing pedestrian crossing and junction into the school are proposed to be removed. These would be replaced by a new road junction comprising a roundabout which will provide separate access to Broadfields School, and to the new development.

A terrace of 9 houses (approximately 60.8 metres in length) will be located to the north of the first part of the access drive as it is entered from the new roundabout and would be aligned parallel to the access drive. These houses would have private rear gardens between 5 and 12 metres in depth. The access drive then curves to pass through the centre of a line of TPO Oak Trees. A terrace of three houses (approximately 20.5m width) aligned perpendicular to the road are positioned before the trees, with a similar pair of semi-detached (approximately 13.5m width) dwellings on the other side. The road would then be flanked on either side by rows of terraced dwellings. The row of 10 terraced houses to the north of the access road would have a length of approximately 67 metres. They would be two-storey houses, 8.7 metres high to the top of their mansard roofs, and 6 metres high to eaves. The end-terrace houses, and the two adjacent detached houses



would be three storey houses with the same maximum height of 8.7 metres. The properties would have rear garden depths between 5.3 metres and 8.5 metres.

Opposite this terrace on the south side of the site would be two terraces. One would be a 64 metre length terrace of nine 2-storey houses, each with a ridge height of 8.7 metres and eaves height of 6 metres. The second would be a 72 metre length terrace of ten 2-storey houses. The very end house on the western edge of the site (adjacent to the boundary with 5 Hartland Close) would be a single storey 2-bedroom unit 3.4 metres high. These units would each have rear gardens at least 11 metres in depth.

Toward the western end of the site, the proposed cul-de-sac returns back on itself around a central island, with a 39.8 metre in length row of three storey terraced houses (8.7 metres high to the flat roof) fronting the island and backing onto the Green Belt. These terraced houses would have private rear gardens with a depth of approximately 12.3 metres. The block of flats would be to the north of the road. The block of flat contains four storeys, with a basement car parking area below. The block would be approximately 13.2 metres high. The top floor would be set in from the front and side. The block would be approximately 6.5 metres from the boundary of the application site with the adjacent Green Belt, and between 7.5 and 10.5 metres back from the playing pitch at the school.

Beyond the rear of the flats, in the parcel of Green Belt land adjacent to the site, it is proposed to construct four bunds with buffer planting, to reduce the visual impact of the proposed development when viewed from the Green Belt land to the north of the site.

The central island to the cul-de-sac would include children's play equipment. The top floor of the flatted building would be split into two separate elements, both set in from the edges to provide a subservient appearance.

**The application is accompanied by the following supporting documents (key points are summarised below where relevant):**

Planning Statement and Planning Statement Addendum

- The Primary School Capital Investment Programme was launched to help the council rejuvenate its primary school estate, and comprised the building of a number of community primary schools. The financing was heavily dependent on the sale of surplus land arising from the rationalisation of some of the school sites. The site was identified as surplus to educational requirements when the school was redeveloped.
- The need for all forms of new housing in London is well documented, and managing housing growth and the provision of new homes is the first objective set out in Barnet's Core Strategy. The application site, which is now vacant and unused, represents a classic brownfield development opportunity in an established suburban area where the Core Strategy seeks to deliver new housing.
- The density of the scheme is within the range of the London Plan Density Matrix, which sets out suggested densities relative to the public transport accessibility level of a site.
- The scheme would provide a range of housing choice, including smaller one and two bedroom flats and larger two, three and four bedroom houses to provide much needed family accommodation.
- The development has been designed to ensure compliance with the council's housing quality policies, minimum floor area requirements and internal site design standards.
- The development would introduce a new roundabout junction off Bushfield Crescent allowing sufficient and safe access to the site and adjoining school. This would lead to a new spine road running through the centre and narrowest part of the site to a cul-de-sac arranged around a communal green area.

- There are instances where standards fall short, for example opposing front and rear elevations, rear garden depths, and levels of communal amenity area. However the quality in these instances and the level of amenity for future occupants would not be compromised. Policy guidance allows for a degree of flexibility, and meeting all standards would result in a significant reduction in the level of accommodation being provided and the development potential of the site would not be optimised.
- The development includes a block of apartments set away from existing housing and backing onto open land. It would back onto the Green Belt like other blocks of flats in this part of Edgware within the envelope of the built environment, and would be of a scale and height compatible with the adjoining school which partly projects into the Green Belt. Long range views of the block would be obscured by existing trees and this would be further assisted by proposed additional new planting on the rear boundary.
- The proposed houses have the opportunity for future extension by utilising mansard style roofs for living accommodation.
- All dwellings would have an area of outdoor private amenity space. The site is close to Edgwarebury Park.
- The proposed buildings have been located to ensure that separation distances between facing habitable room windows with existing houses would meet the standard 21 metres, and overlooking distances between habitable room windows and gardens have also been maximised.
- The scheme has been designed to maximise outlook, and sunlight and daylight.
- Noise and air quality assessments have been prepared and submitted.

#### Design and Access Statement and Design and Access Statement Addendum

- The proposals have been initiated to develop the existing brownfield site from redundancy into an asset for the Borough and to serve the local community.
- The scheme promotes high quality design using sustainable construction. Units have been designed to provide modern and spacious living.
- The site is accessed via a new roundabout which will calm traffic and help with existing congestion to Broadfields School.
- The uncluttered site layout creates a clear structure and forms a sense of street enclosure. Mature tree planting is to be used to complement the established species around the site.
- The proposed houses utilise a familiar form of mansard roof and terraced house to complete the streetscape. The mansard roofs allow the future adaption and expansion of the houses without disrupting the composition of the house. High quality brickwork would be used, with zinc standing seam roofs.

#### Ecological Appraisal, Bat Survey Report and Reptile Survey Report

- The site contains both mature and immature trees and shrubs, with parcels of semi-improved grassland.
- There are no records of protected/priority species within the site itself.
- The site contains a number of mature or early mature trees, and a number of trees on site offer suitable roosting habitat for bats.
- No records of dormice were found within 2km of the site. The lack of hazel food plant suggests that the site offers limited suitability of supporting populations of dormice.
- No ponds were recorded on the site. No records of great crested newt were found within 2km of the site. The site is unlikely to support great crested newt.
- The site contains a large area of wood and earth which may provide shelter and hibernating habitat for reptiles, including slow worm and common lizard. Slow worm were found on site during surveys in 2008. Records of grass snake and common lizard have also been found in the locality. Therefore the site is considered suitable for supporting common/widespread species of reptiles.

- Reptile surveys were undertaken in August and September 2015, with seven surveys undertaken. At these Grass Snake was observed once, and the remaining species observed were Common Toad. As the site is suitable for use by reptiles, appropriate mitigation measures should be put in place to safeguard reptiles during vegetation clearance and all development works. Given the small and potentially transitory population of Grass Snake, and that the surrounding habitats are also suitable for use by reptiles, translocation is not necessary.
- No evidence of badgers was found on site.
- No evidence of any bats was found following a tree assessment of the five mature oak trees. A bat activity survey was undertaken. This identified common pipistrelles utilising the site for commuting and foraging purposes, with a maximum of 3 visually identified at the same time. Bats were also seen utilising areas off the site, near a group of conifers off the south boundary of the site. The proposal would result in a loss of some trees which contribute to the maintenance of a dark corridor across the site. The proposal would increase lighting in the site and a detailed lighting plan needs to be in place at night to minimise disturbance to bats.
- The submitted ecological report classifies Broadfields as Open Mosaic Habitats (OMH) on Previously Developed land. However the applicant has subsequently submitted a report that Broadfields is not OMH. OMH is a mosaic of early successional vegetation on nutrient poor substrates, characterised by certain plant, bryophyte and lichen species listed in the above reference and not present at Broadfields, where most of the vegetation is tall ruderal on nutrient-rich soils. There is also the statement in the OMH definition that a history of past heavy industry use, not just any past use, is usually a requirement. Broadfields is not OMH, though a plant survey beyond Phase 1 to support this statement would be helpful and could be done this spring/early summer. Mitigation for OMH is therefore not required. Any mitigation on a like for like basis in respect of OMH is on London scale and not on a site by site basis.

#### Arboricultural Appraisal and Method Statement

- 31 individual trees and 4 groups were recorded by the surveyor. The trees on site comprise a mixture of mature and early mature trees.
- The row of oak trees on the site (T9-T13) is the most significant arboricultural feature on the site. The trees are visible from all parts of the site. Beyond the row of oak trees are scattered specimen trees of varying quality and value.
- The row of oak trees are protected by a Tree Preservation Order. Two of the trees are proposed for removal, to enable construction of the access road into the rest of the site.
- A detailed method statement will be required to protect the roots of retained trees.

#### Transport Statement, Road Safety Audit, Highways Design and Access Statement and Travel Plan

- Proposals for the site have been designed in accordance with the Design Manual for Roads and Bridges and the Manual for Streets.
- Based on local constraints the junction type proposed is a compact roundabout, which is the smallest conventional type achievable without using a mini roundabout. It would cater for all adjoining accesses and serve as a traffic calming feature.
- The existing controlled crossing point adjacent to the school will need to be removed as it is too close to the proposed roundabout. In its place would be a pair of zebra crossings.
- The development's parking requirements range from 111 spaces to 160 parking spaces. The development will provide 146 car parking spaces. Cycle parking space are also incorporated into the proposal.
- The site has a PTAL rating of 1b - Very Poor. The nearest bus stop is almost immediately adjacent to the access of the proposed site.

- Personal Injury Accident data was revised for a year period. Five collisions were reported within 300m of the development site. Of the 11 casualties, all were slight. One casualty was a child who ran out into the road in snowy conditions without looking. The other 10 were either driver/rider or passenger, and sustained injury as a result of driver error or poor driving conditions. There is no pattern to the accidents occurring. Development traffic is likely to have a negligible impact on the number of accidents due to the fact that most were not directly related to traffic volume but to driver error or irresponsible behaviour.
- Parking beat surveys were undertaken. There are 403 parking spaces in the area, of which 190 permit unrestricted parking. Occupancy levels peak at the beginning and end of the school day. Illegal and undesirable parking is fairly low level.
- Drop-off and collection surveys were undertaken. These reveal 82 pupils were dropped off in the morning, with 46 arriving in 36 cars and 33 arriving in 3 busses. One taxi dropped 3 pupils. In the afternoon, 55 pupils were collected. 25 of these in 17 cars and a further 30 in three busses. Most drop-off and collection takes places toward the northern end of Bushfield Crescent, away from the proposed development. The majority of drop-offs took less than 1 minute.
- Trip generation estimations show a total of 16 arrivals and 22 departures during the morning peak, and 27 arrivals and 23 departures during the afternoon peak. Therefore the development is likely to generate in the region of 87 two-way trips in the combined weekday morning and afternoon peaks.
- The proposed traffic flows would have a minimal impact upon the surveyed junctions.
- As part of the travel plan, new residents will be provided with a welcome pack.
- A travel plan incentive fund would be made available and each household would be offered £300 toward two of three incentives of Oyster card credit, cycle shop voucher or car club credit.
- Maps of the area will be provided to encourage walking and cycling. Secure cycle parking is provided on site.
- Car sharing and public transport use will be encouraged.

#### Drainage Statement

- Foul flows from the proposed development are to discharge to the public foul sewerage system in Broadfields Avenue.
- Surface water flows will be restricted to greenfield runoff rates.
- Surface water drainage strategy has been designed so that all flows from the proposed development are sufficiently attenuated to the 100 year return period event within the boundary of the site. Storage facilities for the attenuation of flows up to the 30 year return period will be offered to Thames Water. The storage facilities would be below the island at the end of the cul-de-sac.<sup>9</sup>

#### Contaminated Land Survey

- The presence of clay soils may require special design measures to protect against the effects of shrinkage.
- Soakaway drainage is not considered practical given the anticipated ground conditions.
- Based on the review, contamination potential is considered to be very low for the site.

#### Archaeological Desk-Based Assessment

- The site has a low potential for pre 20th Century archaeology to be present. The 20th Century development of the site is likely to have affected any archaeological remains.
- Any development within the site has little potential to impact upon the historic landscape.

#### Air Quality Assessment

- The key pollution source is moderate levels of traffic. No air quality mitigation is required.

### Acoustic Survey

- The key noise source is a moderate level of traffic, and high pitched noise from children playing.
- Mitigation is specified including the use of acoustic fencing to reduce noise and line of sight for gardens that face the school, higher specification glazing to the houses, and alternative ventilation to opening a window. These measures will reduce noise levels.

### Flood Risk Assessment

- The site is in Flood Zone 1 and is predicted to remain dry for fluvial flood events up to the 1 in 1000 year return period event. The site is at low actual risk from tidal, surface water, ground water and artificial sources.

### Energy, Carbon , Water and Waste Statement

- The proposal has been designed to minimise impacts on the environment through a range of measures including energy efficient design, low water consuming sanitary ware, provision of recyclable waste storage, protection of site ecology and sustainable surface water attenuation.

### Statement of Community Involvement

Letters inviting the local community to a public exhibition were issued in March 2015. 56 people attended the exhibition. The scheme has evolved following receipt of feedback from the public exhibition.

## **4. Consultation**

### **4.1. Public Consultation**

As part of the original planning application, consultation letters were sent to 146 neighbouring properties. A site notice was displayed, and a notice was also published in the newspaper.

18 letters of objection were received and can be summarised as follows:

- Broadfields Avenue and Glengall Road are heavily congested due to the absence of parking restrictions. Busses are almost unable to pass through. Parking restrictions should be introduced
- Proposal will overpopulate the area and exhaust local amenities (schools and busses).
- More space is needed for children and adults to exercise and play.
- Not feasible to have another concrete jungle of homes in an already congested road with large houses.
- Proposal will increase traffic congestion.
- Proposal will overlook neighbouring properties.
- Concern regarding loss of established trees.
- Arrangements should be made to ensure the school has adequate parking for its staff.
- Apartment block of 3-4 storeys will be totally out of keeping to the area and create a precedent for tall apartment blocks throughout the Broadfields Estate.
- Previous development has adversely affected drainage and caused flooding in neighbouring properties.
- The access point should be uncluttered and should include a drop-off/pick-up point for the school.
- Housing should be built back-to-back with existing houses and not side-on.
- Proposal will impact on the health and safety of children during construction works.
- Concerns regarding safeguarding at the school from overlooking.
- Congestion already results from school drop-off and pick-up traffic.

- Development adjacent to the Green Belt should not have a detrimental impact on the visual amenity and should respect the character of its surroundings. Proposal is out of character with the surroundings.

In addition, a response was received from the following:

#### Andrew Dismore AM

- The access point is not adequate to handle peak flows. It will be inconvenient and congested for residents and unsafe for children. A drop-off/pick-up point should be included.
- Privacy for existing properties should be considered more seriously.
- Concern about lack of parking for new residents.

Following the original consultation exercise, amended documents and plans were received in September 2015 and January 2016, and a new period of public consultation was opened in January 2016. The following responses have been received further to the amended scheme.

18 letters of objection received, making the following comments:

- Broadfields is well populated and there are enough traffic problems putting lives of children at risk.
- Decreasing the amount of land that Broadfields is using for parking is not desirable as many parents with mobility issues need to park close to the school.
- Local schools are already at full capacity.
- The area cannot sustain further housing or traffic.
- Size of the development would put a strain on existing facilities.
- Plan is overdense.

#### Broadfields Estate Residents Association

- The estate suffers now from too much traffic and whilst it is understood that the subject site is bound to be redeveloped, it must be planned sympathetically to the locale in terms of traffic, parking and otherwise overcrowding on a tight 1930s estate.
- The feeling is that the maximum has been planned without due consideration for those currently living in the location.
- The relationship between the adjacent school's parking amenities and the submitted plans needs to be looked at closely. It would seem that some parking facilities on the Broadfields School site which should be used by the school only might be compromised by the application should it be granted.

## **4.2. Consultee Responses**

### Trees and Landscape

- The proposal results in the direct loss of all the trees / groups on the site except for Oaks T9, T12, T13. Damage is likely to be caused to these trees as there are multiple encroachments within their root protection areas (RPAs). There is also encroachment within the RPA of Oak T32 immediately adjacent to the site.
- The loss of / damage to so many trees, especially those included in TPOs is considered unacceptable. It appears to demonstrate wholesale disregard for existing site constraints. The loss of / damage to the TPO Oaks T9 - T13 inclusive is particularly undesirable - as the applicant's own arboriculturalist notes "The row of Oaks on the site T9 to T13 (Cat A and B) is the most significant arboricultural feature on the site as shown in the photo below. These trees are visible from all parts of the site and should form a key focal point in any development plan."(3.1.4) His report also comments at 3.1.6 and 3.1.7 "Retaining the

higher value trees will provide long term value to the development without constraining development opportunity on the site.

### Traffic and Development

- Proposed access arrangement: The access arrangement to the site had to be modified to allow safe access to Broadfields School and the proposed residential development. The modification includes provision of a new roundabout on Bushfield Crescent. The roundabout has been laid out to ensure proper visibility splays and safety for slow moving vehicular traffic and pedestrians. The safe location for the new junction has governed the position of the new site entrance. The new access arrangement for the site would result in the displacement of 6 teacher parking spaces for the Broadfields School. These parking spaces are proposed for relocation within the school grounds. The benefits of the relocation of these spaces within the school grounds are increased road safety, improved security for the parked cars and the fact that the school will be able to better control use of the parking spaces.
- The design of the roundabout incorporates a 28m diameter and a 4m kerbed central island, with both dimensions being the minimum allowable for a compact roundabout. Reducing either dimension would result in lower deflection angles onto the roundabout whilst reducing the entry/exit radii, this could lead to increased vehicle conflict, inability of large vehicles (deliveries & refuse) to make certain turning manoeuvres and higher speeds when traversing the roundabout.
- The consultants noted that there are several adjacent junctions featuring a mini roundabout, it would not have been possible to incorporate one at this location as it did not meet the design standards due the fact that the school access and the proposed estate access being too close to each other. Adjacent mini roundabouts all feature 3 arms junction where as a 4 arm junction would be required at this location. The Design Standards states that 4 armed mini roundabouts are susceptible to widely variable accident rates.
- The existing controlled crossing point adjacent to the school will be removed as it is too close to the proposed roundabout. A pair of zebra crossings will be provided at the splitter islands to the northeast and south arms which will provide the necessary crossing provision as a replacement to the loss of the signal controlled crossing.
- The Transport Assessment states that the PTAL rating for the site is 1b. The development is required to provide between 97.5 and 162.5 parking spaces. The proposed provision of 137 falls within this range and is in accordance with Policy. Therefore, the proposed development has been designed to accommodate the parking needs of residents within the curtilage of the development.
- The analysis of the traffic data revealed that most drop off and collection manoeuvres take place in a short space of time, especially in the morning when the average drop off time was recorded on average less than 2 minutes.
- It is proposed that 20% of all car parking spaces will be provided with electric vehicle charging points (EVCP's) with an additional 20% passive provision. This equates to 29 active and 29 passive parking spaces. A condition will be applied to secure the provision of EVCPs.
- Cycle parking shall be provided in accordance with the cycle parking standards as set out in the London Plan. A condition will be placed on the application to secure cycle parking spaces.
- According to the data provided by TfL there was no established pattern to the accidents occurring in the vicinity of the proposed development. The traffic from the proposed development is unlikely to have any detrimental impact on the amount of accidents due to the fact that most accidents were not directly related to traffic volume but to driver error or irresponsible behaviour.

- The TA was prepared for the original development proposal for 118 units. The trip generation was assessed in the region of 39 two way vehicular trips in the AM Peak equating to 17 arrivals and 22 departures AM peak and 28 arrivals and 24 departures in the PM peak. The predicted trips are unlikely to have any significant detrimental impact on public highway. However, as the development quantum has since been reduced to 112 units the trip assessment for 118 units is considered as the worst case scenario.

#### Scientific Services (Environmental Health)

No objections subject to the suggested mitigation measures being secured by condition and implemented in respect of noise and contaminated land.

#### Environment Agency

There are no constraints on this site that fall under our remit. We therefore consider the proposal to pose a low environmental risk to flooding (from rivers or sea), controlled waters and the water environment.

#### Thames Water

It is recommended that an impact study for both the foul and surface water network is carried out to confirm the extent of any network reinforcement required. Before any works take place a drainage strategy should be submitted to ensure that sufficient capacity is made available to cope with the new development.

#### National Grid

National Grid has identified that it has apparatus in the vicinity of the site which may be affected by the activities specified. The contractor should contact National Grid before any works are carried out to ensure our apparatus is not affected by any of the proposed works.

#### Historic England: Archaeology

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth. At the heart of the NPPF is a presumption in favour of sustainable development, which means approving development proposals that accord with the development plan without delay. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The NPPF sets out 12 Core Planning Principles. These include:



- Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Planning should take account of the different roles and character of different areas;
- Planning should contribute to conserving and enhancing the natural environment;
- Planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area over the lifetime of the development, should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, work and visit, and should respond to local character and history. The NPPF also makes it clear that planning policies and decisions should not attempt to impose architectural styles or particular tastes, and should not stifle innovation, originality or initiative.

#### The Mayor's London Plan 2015

The Further Alterations to the London Plan, the overall strategic plan for London, sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

The revisions consolidated in the 2015 plan have been driven partly by the realisation that the population of London has grown much faster than was anticipated in the 2011 London Plan. As a result, London's annual housing target has been increased.

Policy 3.3 sets out that the Mayor recognises the pressing need for more homes in London, and the Mayor will seek to ensure housing provision consistent with at least an annual average of 42,000 net additional homes. The Plan sets out a minimum ten year target for Barnet of 23,489 homes. Policy 3.5 confirms that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.

Other relevant policies include Policy 3.4 (optimising housing potential), 3.6 (Ensure all children and young people have safe access to good quality, well designed, secure and stimulating play and informal recreation), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities should be promoted), 3.11, 3.12 and 3.13 (Seek to maximise affordable housing provision), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 5.7 (Renewable Energy), 5.13 (Sustainable Drainage), 5.14 (Water quality and wastewater infrastructure), 5.15 (Water use and supplies), 6.9 (Cycling), 6.13 (Parking), 7.1 (Lifetime neighbourhoods), 7.3 (Designing Out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Archaeology), 7.19 (Biodiversity and access to nature), 7.21 (Trees and woodland).

The Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012) and Housing SPG are also of relevance.

### Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF (Compliance with the NPPF), CS1 (Barnet's place shaping strategy), CS4 (Providing quality homes and housing choice in Barnet), CS5 (Protecting and enhancing Barnet's character to create high quality places), CS9 (Providing safe, effective and efficient travel), CS13 (Ensuring the efficient use of natural resources), CS14 (Dealing with our waste).

- Relevant Development Management Policies: 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), DM08 (Ensuring a variety of sizes of new homes to meet housing need), DM10 (Affordable housing contributions), DM15 (Green Belt), DM16 (Biodiversity), DM17 (Travel impact and parking standards).

### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

Residential Design Guidance SPD (adopted April 2013)

Affordable Housing SPD (February 2007)

Planning Obligations SPD (adopted April 2013)

Delivering Skills, Employment, Enterprise and Training from Development through S106 SPD (October 2014).

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether the principle of residential development at the site is acceptable;
- Whether sufficient affordable housing units would be provided;
- Whether harm would be caused to the character and appearance of the street scene and the wider locality or the visual amenities of the Green Belt;
- Whether a satisfactory quality of accommodation would be provided for future occupants;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to trees of special amenity value;
- Whether harm would be caused to highway safety;
- Whether harm would be caused to biodiversity;

## **5.3 Assessment of proposals**

### **Principle of the proposed residential development**

As previously noted, the application site previously contained buildings forming part of a larger Broadfields Junior and Infants Primary School site. When the site was redeveloped following a grant of planning permission in 2008, the school site was consolidated and the current plot of land vacated. It has remained empty and unused since and has been surplus to educational requirements since the school was redeveloped.

The site is located in an otherwise residential area. The site is not within the Green Belt or Metropolitan Open Land, although it is adjacent to Green Belt land to the north. On this basis, the redevelopment of this previously developed site to provide housing is considered appropriate and acceptable in principle.

### **Affordable housing provision**

Policy DM10 of the Development Management Policies DPD states that having regard to the borough-wide target that 40 per-cent of housing provision should be affordable, the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites providing 10 or more units. The tenure mix which is sought is 60 per-cent social rented and 40 per-cent intermediate.

The submitted Planning Statement Addendum sets out that the viability assessment submitted with the application suggests 29% of the proposed development would be affordable, equating to 25% of habitable rooms. This would be delivered on site as 39 flats, with the remaining 21 flats and 52 houses in private ownership.

The Local Planning Authority has commissioned an independent review of the applicant's viability appraisal and this has confirmed that across all three council development sites the maximum reasonable amount of affordable housing would be between a range of 26%-30% of habitable rooms having regard to all three sites viability.

Having consulted local agents and reviewed the local market and property values in the areas around the three application sites, it has been suggested that marketability would be significantly improved and sales risks reduced on Broadfields if the site is linked with Northway for affordable housing provision. This would result in higher sales values on Broadfields if it is comprised of private and shared ownership properties only. The additional value created can then be used to provide more affordable units overall across the two sites. The applicant has therefore suggested distributing the affordable housing such that all affordable units at Broadfields are shared ownership, and all units at Northway/Fairway are affordable rent. The resulting cost savings and changes in values would create the ability to increase the affordable housing provision from 117 to 144 habitable rooms (32 to 39 units) at Broadfields, and from 119 to 172 habitable rooms (33 to 45 units) at Northway/Fairway. The independent evaluation of the affordable housing being offered suggests that the lower figure is at the bottom range (26%) of what would be viable. However, the offer made is accepted as being 3% above the upper range (30%), in terms of percentage of habitable rooms. The offer made being on the basis the affordable housing provision is split differently between the Northway and Broadfields site as explained previously

Notwithstanding the above, the applicant has explained in their submission that the level of affordable housing now proposed is less than that originally proposed when the application was first submitted. This is as a result of a reconfiguration of the site, and increased build costs. However, the applicant has reviewed the distribution of the affordable housing across this site, and the other two housing development sites (land adjacent to Whittings Hill school and Northway/Fairway schools) to ascertain whether changing the distribution provides opportunities to increase the overall amount of affordable housing provided.

Having consulted local agents and reviewed the local market and property values in the areas around the three application sites, it has been suggested that marketability would be significantly improved and sales risks reduced on Broadfields if the site is linked with Northway for affordable housing provision. This would result in higher sales values on

Broadfields if it is comprised of private and shared ownership properties only. The additional value created can then be used to provide more affordable units overall across the two sites. The applicant has therefore suggested distributing the affordable housing such that all affordable units at Broadfields are shared ownership, and all units at Northway/Fairway are affordable rent. The resulting cost savings and changes in values would create the ability to increase the affordable housing provision from 32 to 39 units at Broadfields, and from 33 to 45 units at Northway/Fairway.

The supporting text to London Plan Policy 3.12 and Barnet's Core Strategy Policy CS4 (both of which relate to the provision of affordable housing) notes that affordable housing provision is normally required on site, and that 'in exceptional circumstances (where a robust justification can be demonstrated for on-site provision...) it may be provided off-site, for example as part of a land use swap. Exceptional circumstances include those where it would be possible to secure a higher level of provision, better address priority needs, and secure a more balanced community'.

This mix improves the viability such that 33% of habitable rooms (36% of the units) proposed across all three sites can be provided as Affordable Housing. At Broadfields, the level of affordable housing increases from 25% of habitable rooms (29% of units) to 31% of habitable rooms (35% of units). Therefore, the redistribution of affordable housing across the three sites enables the delivery of an enhanced number of affordable units when compared to the maximum reasonable amount of affordable housing to be provided subject to viability. This enhanced offer represents an exceptional circumstance and a benefit to distributing the tenure in this way.

### **Impact on the character and appearance of the area**

As already noted, the application site is vacant, having previously contained two school buildings. The proposed redevelopment would bring the site back into use. The proposed residential accommodation would be in the form of houses and flats.

The proposed houses would primarily comprise terraces of two and three storey houses, with two detached houses, one pair of semi-detached houses and one bungalow also proposed within the site. The block of flats would be toward the rear (north-west) of the site and would not be clearly visible from Broadfields Avenue/Bushfield Crescent. As noted above, the surrounding development to the south is characterised by two storey semi-detached and detached houses, whilst the surrounding development to the north east is characterised by two and three storey terraced and semi-detached houses, with flatted buildings also present. The main form of the proposal is therefore commensurate with the form of the surrounding properties.

The design of the proposed development is contemporary when compared to its surroundings. However it should be noted that the surrounding architecture reflects the era within which it was built, with 1950s housing at Broadfields Avenue and Hartland Drive, and more modern development from the 1970s around Meadfield. The proposed development would be different to its surroundings but it is considered the more contemporary design would be appropriate given this would be a more modern development on a large site.

The proposed development includes a range of unit types. The terraces are arranged in groups with gaps between them. The proposed houses are all set back from the central spine road to provide car parking in front forecourt areas. Open space would be retained toward the centre of the spine road around the existing mature TPO oak trees which are to be retained, and open space would also be included within the central island to the cul-de-

sac and to the front of the block of flats. There is opportunity for the spaces to be well-landscaped and for soft landscape to become well established.

Policy DM15 requires development to not have a detrimental impact on the visual amenity of the Green Belt. Development should respect the character of its surroundings. The application includes a new block of flats set approximately 6 metres from the boundary of the application site with the Green Belt. The applicant's planning statement notes that the proposed apartment block would back onto and overlook the Green Belt 'as do many blocks of flats in this part of Edgware within the envelope of the built environment'. It is also argued that the proposal would be of a scale and height compatible with the adjoining school which partly projects into the Green Belt. Long range views of the apartment block would be obscured by existing trees and vegetation, with this screening further assisted by additional new planting both within the site, and on raised bunds. The submitted site layout and landscaping plan indicates additional planting to be provided outside of this application site, to the north of the apartment building on raised bunds. This additional planting (the details of which would be reserved by condition) would help to soften the impact of the apartment building on the visual amenities of the Green Belt.

The site has a PTAL rating of 1b. This site has an area of 1.7 ha, and would have a density of 66 units per hectare, and 207 habitable rooms per hectare. Given its accessibility level, the London Plan's Density Matrix suggests an appropriate density as being between 50 and 75 units per hectare, and between 150 and 200 habitable rooms per hectare. The proposal therefore fits comfortably within the unit per hectare level. Whilst the number of habitable rooms per hectare does exceed the recommendation in the matrix, this is only by a very marginal amount. In addition, it should be noted that the PTAL density matrix is not a static tool and must be read in conjunction with the London Plan Policy 3.4 which states that taking into account local context and character, design principles and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in the matrix. The supporting text to Policy 3.4 explains that it is not appropriate to apply the matrix mechanistically. The density ranges are broad and this enables account to be taken of other factors relevant to optimising potential. Local context, design and transport capacity are important, as well as open space and play. The design of the scheme ensures a spacious character is retained which would be congruous with the character and appearance of the existing neighbouring buildings. Therefore, the proposal is considered to comply with the requirements of Policy 3.4 of the London Plan.

As noted above, the scheme provides a mix of unit sizes including one and two bedroom flats, and two, three and four bedroom family houses. The provision of larger family units complies with local policy DM08. The mixture of housing sizes also meets the requirements of Policy CS4 which seeks to ensure appropriate housing choice in Barnet.

### **Quality of living conditions for future occupants**

The proposed units would all exceed the minimum internal floor space requirements. The rooms would also exceed the minimum sizes. The applicant has confirmed the development would meet the requirements of M4(2) of the building regulations, whereby 90% of homes would be accessible and adaptable for wheelchair use, and 10% would meet part M4(3) and would be wheelchair user dwellings. Larger parking spaces would be directly accessible from all wheelchair units.

In respect of the houses, these would all be dual aspect, and have private rear gardens. In terms of outdoor amenity space, the majority of the houses proposed comply with the minimum requirements. Five of the houses, which would back onto the school playing

pitch, fall below the guidance, however this is by a maximum of three square metres, and having regard to the layout of the amenity space, the minor nature of the shortfall in area terms, and the size of the units, it is not considered that this shortfall would cause harm.

The proposed flatted building is arranged in an open U shape. The central part includes the main pedestrian entrance and the entrance to the car park. The majority of the flats are single aspect, with only those in the southern and south-western elevations being dual aspect. Nevertheless, many of the single aspect units face south, and therefore would benefit from a satisfactory level of lighting throughout the day. There are flats within this block which would be single aspect and north facing. Such units are generally advised against because of the level of amenity that is provided. However it should be noted that these north-facing units would have an open aspect toward the green belt land beyond the boundary of the site. In addition, the ground floor units would benefit from private rear amenity areas which exceed the minimum required in terms of area. The design of the flats has also ensured maximum delivery of housing units, including affordable housing, and this is considered a significant benefit.

Overall, this scheme has a shortfall of amenity space for occupants of the flatted developments of approximately 540 square metres. However, the flats have balconies and most have an open aspect and outlook toward open space. In addition only a small proportion are north facing as well as single aspect, and so the majority of units would have a good quality of internal space. Also, as stated above the development maximises the number of housing units being delivered, including affordable housing.

Many of the proposed dwellings and flats are sited and spaced to ensure that no proposed building would appear overbearing when viewed from any other proposed building within the proposed development. It is noted that units 42-50 have rear gardens which slope up toward the school. In addition, units 51 to 53 face toward the flank elevation of the flatted building. The gardens would all have a tall fence along the rear boundary to screen the school playing area from view. This would also soften the visual impact of the flatted building. The flank elevation of the flatted building would be two storeys in height, with the third floor set back to reduce its visual impact when viewed from Plots 51-53. On balance, given that the properties would have private gardens, and given the presence of communal amenity space, it is considered the relationships between buildings on the site are adequate.

It is noted that plots 18-27 are closer together than the 21m separation distance required by the council's planning guidance to plots 44-53. However it is noted that the buildings are all off-set from each other rather than directly opposite, and the overlooking window at plots 18-27 is a secondary window to the smallest bedroom in the property. On this basis, it is considered that the units would have sufficient privacy.

London Plan Policy 3.6 requires proposals for housing to make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. Using the Mayor's guidance, this scheme is required to provide approximately 366 square metres of play space. The scheme includes an area of communal amenity space within a central island at the end of the proposed cul-de-sac which exceeds this size and is capable of including play features. Conditions are attached which require play features to be provided.

The submitted acoustic assessment concludes that acoustic fencing is required to reduce noise and line of sight for gardens that face the school playing area and access areas. It also recommends higher specification glazing than normal, and the use of alternative

ventilation to opening a window. Subject to these measures, which would be secured by condition, the proposal is not considered likely to be adversely affected by noise.

In respect of air quality, the site does not require any specific mitigation to reduce the impact of any air pollution.

### **Impact on the amenities of neighbouring properties**

The Residential Design Guidance SPD notes there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. The proposed development meets these requirements, with the dwellings to the south of the spine road having garden depths of approximately 10.6 metres, ensuring there will be no overlooking toward the gardens of the existing properties fronting Hartland Drive. The property closest to Hartland Close has been designed as a bungalow, and this ensures no opportunities for overlooking toward the nearest neighbouring properties.

The proposed buildings are set sufficient distance from these nearest neighbouring buildings such that they would not appear overbearing or visually intrusive when viewed from the neighbouring residential properties.

### **Impact on trees within and adjacent to the site, and landscaping implications**

The comments raised by the tree and landscaping team are noted, especially in respect of the concerns raised to the loss of the protected trees on the site. It is noted that the row of oak trees across the width of the site adjacent to the hard play area of the school would be reduced in number from five to three. The two trees proposed to be removed (T10 and T11 on the applicant's drawings) are both graded A and B respectively. However it is noted that these trees are growing exceptionally close to each other, such that they are restricting the full growth and crown spread of each other. In addition, it is noted that this row of TPO oak trees form a barrier across the site, and in the absence of their removal the rear portion of the site would not be accessible. The application includes the retention of the remaining three trees in this row, and the applicant has suggested methods of protecting the tree (including its crown and root protection area) from damage during construction works. Further details of these methods are secured by planning condition, to ensure the remaining three trees are protected. Given that three of the five trees would be retained, and that the removal of only two trees is sufficient to facilitate access to the site for development purposes, no objections are raised to the loss of the TPO trees because of the wider benefits their loss would bring to the site in the form of increasing potential for additional housing units to be provided.

The application includes a proposed landscaping scheme, and further details will be secured by condition to be submitted to and approved in writing prior to works commencing. This will ensure that the resultant site is landscaped appropriately with various species to ensure a satisfactory quality and appearance.

### **Impact on highway safety**

The application site has a poor rating for public transport accessibility. The site is required to provide between 111 and 160 parking spaces. The submitted drawings show 137 parking spaces to be provided and this falls within the acceptable range as required by policy and is acceptable. This includes 5 basement disabled parking spaces, and disabled parking spaces for each wheelchair accessible unit. The proposed development would accommodate the parking needs of its residents. The scheme is estimated to generate approximately 16 arrivals and 22 departures during the morning peak, and 27 arrivals and

23 departures in the afternoon peak. This is not considered to have a significant adverse impact on the surrounding road network or be detrimental to highway safety.

### **Impact on biodiversity**

Policy DM16 states that when considering development proposals, the council will seek the retention and enhancement, or the creation of biodiversity. It requires development to meet the requirements of London Plan Policy 7.19E. This requires development to follow a hierarchy of 1) avoid adverse impact to the biodiversity interest; 2) minimise impact and seek mitigation; 3) only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

The submitted ecological report and subsequent reptile and bat surveys set out that very few reptiles were found on site, and appropriate mitigation measures which include the use of sensitive working methods should be put into place to ensure any reptiles on site during construction works are protected. This would be secured by condition.

Similarly, the bat report identifies that the loss of trees in the site would reduce the effectiveness of the dark corridor within the site. A detailed lighting plan would be required by condition to ensure the amount and direction of lighting adjacent to the protected oak trees is controlled, to minimise any adverse impact on bats.

### **Sustainability**

The dwellings would all be built to achieve a balance between solar gain and heat loss. In addition, photovoltaics have been specified for the buildings, sited on flat roofs or unobtrusive sloping roofs. Further details of these will be secured by condition. The submitted energy reports confirm the proposal has been designed to improve on 2010 building regulations requirements by 40% and this is in accordance with the requirements of the London Plan.

### **Planning Obligations**

The development is recommended for approval, subject to the inclusion of the following obligations which will be secured by planning condition. It is not possible for these to be secured by a S106 agreement, as the applicant is the council and cannot enter into a legal agreement with itself.

- Submission of a travel plan and a contribution toward the monitoring of the travel plan.
- Secure a Local Employment Agreement;
- Secure affordable housing.
- Secure necessary highway works including creation of new access road, roundabout and associated works.

In addition to the above, the scheme would be liable for the council's Community Infrastructure Levy, chargeable at £135 per square metre. This will be secured through the CIL Regulations and would go toward highways, education, health, community and open space projects in the borough. The scheme would also be liable for Mayoral CIL, which goes toward Crossrail.

### **5.4 Response to Public Consultation**

The comments received are addressed in the appraisal above, either within the main body of the report or by means of planning conditions.

## **6. Equality and Diversity Issues**



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

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

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

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

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

The site would provide various tenures of housing and units varying in number of bedrooms and overall size. All tenure types have been designed to be accessible and dedicated parking spaces for people with a disability will be provided.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design and providing an environment which is accessible to all.

## **7. Conclusion**

The proposed development would provide a large number of housing units, and a high proportion of affordable housing units to meet the objective of the council's Housing Strategy of providing housing choices that meet the needs and aspirations of Barnet residents. It would also bring a redundant site back into use. The occupants of the proposed houses would have access to ample quality amenity space, and sufficient off-street parking. The occupants of the flats would benefit from parking but would have a lower quantum of outdoor amenity space to make use of as recommended in the amenity space standards. In addition, the flatted building would have some impact on the visual amenities of the Green Belt given its proximity to the Green Belt boundary. The scheme would also result in the loss of protected trees. However, the benefits that this scheme would bring, in terms of a large number of housing units, a large proportion of affordable housing units, and an appropriate re-use of a brownfield site, are considered to outweigh the areas where guidelines are not fully complied with. The proposed development is overall considered to achieve a sustainable form of development and would not cause such harm to the character and appearance of the locality so as to warrant refusal. The application is therefore recommended for approval subject to conditions.

