

Please note that all references within Recommendation III to Service Director of Development Management and Building Control, should be amended to read Planning Performance and Business Development Manager

Page 79-98

402 Finchley Road, NW2

16/3214/FUL

The agents have provided a Parking Survey which demonstrates that there is sufficient parking capacity on nearby streets and there is no development management policy which requires new housing in Barnet to be car free.

The Highways department have revised their comments on the proposed development accordingly to read;

Proposal:

The proposal is for a demolition and erection of new building to provide 8 no self-contained flats comprising 5x1bedroom units and 3x2bedroom units.

The proposed development would require parking provision of between 3 and 9.5 parking spaces in accordance with the parking standards as set out in the Development Management Policy DM17.

No parking is provided. The existing use of the site also has no parking provision.

Taking into consideration the following:

- The site is located within a town centre location and close to local amenities.
- The site is within a Controlled Parking Zone and pay by phone bays are available for parking.
- The applicant has undertaken parking beat survey within 200m walking distance of the site which shows that parking bays occupancy during the night time is 72% and during the day time is 56%.
- The Public Transport Accessibility Level for the site is 3/4;

Cycle parking:

No cycle parking has been provided. A condition will be placed on the application for the provision of cycle parking.

Refuse:

Refuse storage shall be provided at ground level within 10ms of public highway.

Recommendation

The proposed development is acceptable on highways grounds based on the information submitted and subject to the following conditions and informatives.

The Recommendation can now read as “Approve subject to conditions” rather than subject to Section 106 agreement.

Page 51-68

1 The Ridgeway, London, NW11 8TD

16/4084/FUL

A petition including 52 names has been received objecting to the proposed scheme.

Several of the objections raised were addressed within the officers delegated report.

There were however some additional objections addressed below.

Wheel chair users would need to use the underground car park access ramp:

Loss of a heritage building within the garden: There are no statutory listed or locally listed buildings in the rear garden. The removal of any outbuildings is therefore considered acceptable.

Page

Britannia House, N12

16/2602/FUL

The description following amendments should read;

“Proposed rear extensions above 2nd floor level of existing building to the eastern wing to provide additional 3 no self-contained flats at 3rd and 4th floor levels.”

Page 43-50

27 Hendon Way

16/3603/HSE

Following receipt of amendments condition 1 relating to plan numbers should read as follows:

- HI-01
- HI-02
- HI-07
- HI-08

(All received 02.06.2016)

- H1-03
- H1-04b
- H1-05b
- H1-06b

(All received 20.09.2016)

Amend condition 2:

Other than for demolition, site clearance and piling works (to a depth of [x] no further development shall be carried out until details of the levels of the building(as), road(s)

Amend condition 3:

The materials used in the development shall be in accordance with those submitted and approved pursuant to application 15/03476/CON.

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

Amend condition 4:

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

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

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

Amend condition 5:

The enclosures for the storage of recycling containers and wheeled refuse bins used in the development shall be in accordance with those submitted and approved pursuant to application 15/03476/CON. They shall be provided at the site in accordance with the approved details before the development is occupied.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

Amend condition 8:

No construction work resulting from the planning permission shall be carried out within the application site/ land at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

Amend condition 10:

The scheme of hard and soft landscaping, including details of existing trees to be retained, shall be implemented in accordance with the details submitted and approved pursuant to application 15/03476/CON.

Reason: To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2016 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

Amend condition 13:

The development shall be implemented in accordance with the details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site submitted and approved pursuant to application 15/03476/CON.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2016.

Amend condition 14:

The temporary tree protection shall be implemented in accordance with the details submitted and approved pursuant to application 15/03476/CON and 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.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2016.

Amend condition 15:

The development shall be implemented in accordance with the details submitted and approved pursuant to application 15/03476/CON in connection with the tree protection details and 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.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2016.

Amend condition 18:

Before the development hereby permitted is occupied, vehicular and cycle parking spaces shall be provided in accordance with the hereby approved drawing number 6BW-P2-(10)-003 Rev. E and that area shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012), and CS9 of the Adopted Barnet Core Strategy DPD (2012).

Amend condition 19

The development shall have been implemented within three years from 08.05.13

Amend condition 27:

The development shall be implemented in accordance with the noise assessment submitted and approved pursuant to application 15/03476/CON. Any measures identified in the report shall be implemented in their entirety before any of the units are occupied.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2016.

Additional officer comments in relation to the extended basement areas

The changes to the proposed basement as part of this application involve an increase in depth (floor to ceiling height) in the approved basements. It also involves additional basements below this level to provide plant rooms under part of each house.

The original permission included swimming pool, leisure facilities, staff room (house 1) and plant room in the basement area of each house which had a finished floor level of 95.230m AOD.

The current proposal includes pool, gym, cinema, utility and staff room (house 1) at basement level with an additional sub-basement housing plant. The floor area at plant level is significantly smaller than the basement floor area. The finished floor level of the lower ground floor is 94.370m AOD. The floor level at sub-basement level is 92.37m AOD.

Appendix B is an extract from the consultant report submitted on behalf of residents which raises various concerns arising from the Amended Basement Impact Assessment. It claims that potential issues should be addressed further. These are summarised below:

Potential Groundwater Issues (hydrogeology)

The site is located above an aquifer and the basement will extend into the aquifer and affect the groundwater flow regime. De-watering techniques can cause ground settlement beyond a site boundary. Conversely an increase in water levels can affect stability. Flow from springs or watercourses may change and there is a potential impact on water quality. If there is increased surface water discharge eg via soakaways and/or SUDS, this could impact groundwater flow or levels.

The applicant's specialist response (from Chelmer) is that the strata shown in the boreholes are predominantly clays with only laminations of silt and fine sand. Water strikes within these strata had been proven (on a neighbouring site) to be a good guide to the level of thicker laminae/thin beds of silt/ sand in these strata. Pressure reduction is unlikely to exceed that which would have occurred naturally during groundwater fluctuations and it is anticipated that there will be little or no pressure reduction beneath the foundations at 1 Elm Walk, approx. 9m away from the proposed basement. Chelmers are not aware of any springs or watercourses in the vicinity of the site. In the unlikely event that locally concentrated flow is encountered to possibly give rise

to changes in the groundwater regimes in adjoining sites, a groundwater bypass could be installed. No increase in surface water discharge would be acceptable. Increases to hard surfacing should be mitigated by use of temporary interception storage to avoid increase in run-off to mains drainage system.

Potential surface water issues (flooding)

Sealing off ground surfaces by pavements and buildings to rainfall will decrease recharge to underlying ground and, where underlain by an aquifer, this may impact groundwater flow or levels. This may affect water movements and result in increased flow (risk of flooding) or decreased flow (affect ecosystems or reduce amenity). The basement development may increase load on sewer system if results in increased occupancy. Basements reduce the capacity of the ground to store rainfall and so runoff must be managed.

The applicant's response in the preceding paragraph addresses groundwater and runoff.

Basement Impact assessment

The May 2016 Chelmer report does not address stability or surface water impacts. It does not refer to Barnet requirements for basement construction as contained in the relevant SPDs. The revised BIA suggests a new floor level of +92.37m OD with likely excavation to approx. +91.27m OD. The residents' consultant considers the plans show a sub-basement level of +91.87m OD with excavation to approx. +91.27m OD. The geology report does not conform to the indications of the British Geological Survey maps. The information in the BIA seems to demonstrate about 4m of alternating beds of Claygate clays, silts and fine sand overlying the London Clay. London Clay is usually virtually impermeable and classed as unproductive strata by the Environment Agency. Records and monitoring seem to suggest a water table falling from a max of about +97m OD across the site with an hydraulic gradient of 1 in 17.

Chelmers respond that there is nothing in Barnet's SPDs which is relevant to hydrogeological impact of the proposed basement. Structural matters were considered in the separate originally submitted Ground Stability Report. Increasing the depth of basement below the base of the clays with laminations of silt/ sand, which was recorded at 94.3m-94.55m OD will have no significant additional hydrogeological impact because the clays below that level are expected to have very low permeabilities and hence no significant groundwater flow.

Adequacy of information- Description of works

The information provided does not include any definitive description of the temporary and permanent works to be undertaken. The BIA is at best an assessment of potential impacts associated with potential construction methodologies and provides a series of recommendations for design. Until a structural engineer and contractor have committed to a particular scheme there cannot be a categorical assessment made that development will not have any adverse impact affecting local geology, hydrogeology or hydrology.

Chelmers respond that no London Boroughs currently have planning policies which require ground engineering experts to be involved throughout the construction of basements. As such, the role of ground engineering experts remains advisory, providing recommendation for implementation by the structural engineers who typically have responsibility for construction of the basement shell. Structural engineering input was provided and the impact of structural aspects was considered in the Ground Stability Report.

Adequacy of information – Investigation of issues

Some potential issues have not been addressed at all. The presented geological model effectively asserts that the British Geological Survey mapping information is wrong with a significant amount of discrepancy. This may mean there is local faulting within the strata which could affect the assumptions of ground permeability and hydrogeology that have been made. Diverting underground streams can cause reduced flow in surface water courses and /or increased groundwater levels in surrounding areas, depending on how the basement structures interrupt the natural flow regime. In view of the concerns raised and sensitivity of the study site location, further more detailed consideration of hydrogeological issues is needed.

Chelmers respond that evidence of the 3 boreholes at this site provide corroboration of 2 investigations on an adjacent site in Elm Walk. Chelmers are confident that the geological map is wrong and that there is no Bagshot Formation strata beneath this site and hence do not consider there is any need for further ground investigation.

Adequacy of Information – Mapping detail

An illustrative long section should be established showing assumed topographical geological and hydrogeological detail, from West Heath Road to Leg of Mutton pond (catchment watershed).

Chelmers respond that this will add nothing to understanding of the groundwater regime on and around this site. The groundwater readings from 3 triangulated boreholes give a flow direction consistent with the topography and expected flow. This is far more detailed than for many similar basement schemes.

Adequacy of Information – Assessment methodology

A rigorous analysis of ground movements is required by the previous stability report and groundwater flow *modelling is required*.

Chelmers respond that the closest point between the basement and surrounding houses is the southern corner of house A/1's basement which will be approx. 9.4m from the northern corner of the single storey section of 1 Elm Walk. The closest approach to the main part of 1 Elm Walk is about 14.6m between the lightwell on south side house A/1. At these separations Chelmers are confident that provided the bored pile walls are constructed in accordance with best practice there is very unlikely to be any discernible movement or damage to 1 Elm Walk.

Adequacy of information – mitigation and monitoring

Despite the submitted Construction Method Statement it is not clear what actual mitigation is planned. No groundwater monitoring appears to have been undertaken since 2012 despite condition 19 of the original consent.

Chelmers response is to refer to the appointed Structural Engineer. They also note that the 3 standpipes have been destroyed.

Officer comment: The most recent Construction Method Statement has been amended to include details of groundwater monitoring.

Appraisal

Relevant Barnet Policy:

Barnet's SPD on Sustainable Design and Construction, in relation to Flood Risk, SUDS and water quality at paragraph 2.15.4 states:

“Basements – Careful consideration must be given when constructing basement development as in some instances it may prove to be detrimental to the stability of buildings, the amenity of neighbours and contribute to flooding and drainage problems. The council may require a Hydrology report to be submitted which determines in particular the surface flow of water, the subterranean flow of water and land stability. Further guidance is set out in the Residential Design Guidance SPD sections 12 and 14. “

The SPD on Residential Design Guidance provides advice on design criteria for basement extensions (section 12) and at section 14 states:

14.44 “.....It should be noted thatsimilarly, issues relating to foundations and movements are not planning but Building Control matters”, and;

14.45 “The following points should be considered for basement extensions:

.....Neighbouring ground water conditions should not be adversely affected.”

Conclusions:

- Officers have carefully considered the documentation submitted with the application, the representations received on this matter on behalf of neighbouring residents and the response from the applicant's consultant. Technical reports have been submitted as part of the application which address hydrogeological impacts of the scheme and further responses have been received to address concerns raised by technical experts on behalf of residents
- Many of the issues raised are matters for consideration under the Building Regulations although there is clearly some overlap with planning policy. Officers need to consider the level of detail necessary as part of the application to ensure that the proposals comply with planning policy requirements
- Although weight must be attached to the matters raised, this is only one consideration of many in the determination of this application
- Planning permission has already been granted for development on the site which incorporates basement excavations

In conclusion, officers are satisfied that sufficient information has been submitted to comply with Barnet's policy requirements in respect of the hydrogeological aspects of the development and that appropriate weight has been placed on this issue in reaching the recommendation.

Additional letters were received on behalf of residents on 19th September

These letters were copied in to Members of the committee.

An allegation has been made that the excavation and piling works that have been undertaken exceed the parameters of the previous permission. The applicant has visited site today and

confirms that the works undertaken do not exceed 3.5m in depth, which accords with the approved plans.

Officers are satisfied that the conditions suggested are appropriate for the development proposed.