

Location **Land Adjacent To 106 -128 Mount Pleasant And 27-37 Langford Road Barnet EN4 9HG**

Reference: **16/3262/FUL**

Received: 17th May 2016

Accepted: 2nd June 2016

Ward: East Barnet

Expiry 1st September 2016

Applicant: **Christine Coonan**

Proposal: Demolition of garden walls and erection of two 3-storey buildings comprising of 12no. self-contained flats for affordable rent with associated access, car parking, cycle and refuse storage, amenity space and landscaping

Recommendation: Approve subject to s106

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

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

The provision of affordable housing for affordable rent at a proportion of 40% of all the units being provided within the development in accordance with the London Borough of Barnet Nominations Statement.

Monitoring fee: £500.00

RECOMMENDATION II:

That upon completion of the agreement the Planning Performance and Business Development Manager approve the planning application under delegated powers subject to the following conditions:

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

15-290-02 D04-001 Rev A; 15-290-02 D04-002 Rev A; 15-290-02 D04-010 Rev A; 15-290-02 D04-011 Rev A; 15-290-02 D04-050 Rev B; 15-290-02 D04-051; 15-290-02 D04-100 Rev A; 15-290-02 D04-101 Rev A; 15-290-02 D04-200 Rev B; 15-290-02 D04-201 Rev A; 15-290-02 D04-202 Rev A; 15-290-02 D04-203 Rev B; 15-290-02 D04-300 Rev B; 5-290-02 D04-301 Rev B; 15-290-02 15-290-02 D04-500; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with

energy statement (BBS Environmental); Transport Statement with parking survey (Vectos); Tree survey/Arboricultural impact assessment method statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services).;

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

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

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

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

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

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

4 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

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 5.21 of the London Plan (2011).

5 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be

submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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

6 Details of rainwater goods, soil and vent pipes, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The development hereby approved shall be carried out in accordance with the approved details.

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

7 Notwithstanding the approved plans and elevations, prior to the commencement of development, a proposed roof plan shall be provided indicating the design and position of the proposed photovoltaic panels to be installed on the roof surface of the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development complies with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2011).

8 Refuse and recyclables storage shall be provided and made ready for use prior to the first occupation of the proposed development and shall be retained permanently thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy 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 Prior to the first occupation of the proposed development, the relocated refuse and recyclables storage and residents' stores for existing residents shall be constructed and made ready for use. These structures shall be retained permanently thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy

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).

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

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

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

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

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

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

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

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

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

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

September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

13 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (AGB Environmental)

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 2011.

14 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).

15 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 35% 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)."

16 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent, the units at ground floor level only 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). The development shall be maintained as such in perpetuity thereafter. All other units shall be constructed in accordance with M4(1) of the Building Regulations.

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)."

17 Part 1

Before development commences other than for investigative work:

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

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

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

requirements.

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

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

Part 2

d) 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.

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

This sound insulation shall ensure that the levels of noise generated from the substation as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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

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

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

19 The proposed car park layout as indicated on the approved drawing LBB-SMP_HTA-L_S03_DR_0900 shall be laid out and made ready for use prior to the first occupation of the proposed development hereby approved.

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.

20 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway

and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

21 Prior to commencement of any construction or demolition works detailed application shall be submitted to Highway Authority for approval of amendments to vehicular access from public highway and the access shall be constructed in accordance with the approved plans.

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

22 No construction work resulting from the planning permission shall be carried out on the premises 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 pm 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 Development Management Policies DPD (adopted September 2012).

23 Prior to the commencement of the relevant phase of the development, details of mechanical ventilation, extraction and filtration to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall be supported by an acoustic statement to ensure that noise and vibration levels both internally and externally from the development do not exceed background noise levels.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

24 The development hereby approved shall not commence until a surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority.

Reason:

To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems).

25 The development should discharge surface water runoff as high up the discharge hierarchy as possible. Where it is not possible to achieve the first hierarchy, discharge through the ground, applicants must demonstrate in sequence why the subsequent discharge destination was selected. Proposals to dispose of surface water into a sewer, highway drain, surface water body or another drainage system must be accompanied by evidence of the system having spare capacity downstream and acceptance of the surface water by the appropriate authority(ies).

Reason: To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory

requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan,

26 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems. SuDS shall be used to provide volume control in accordance with S4, S5 and S6 of the Non-statutory Technical Standards for Sustainable Drainage Systems.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014,

27 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems. Operation and maintenance of SuDS should take into consideration the Written Ministerial Statement of 18 December 2014 and Planning Practice Guidance Paragraphs 81 and 85.

28 No construction work resulting from the planning permission shall be carried out on the premises 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 pm 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 Development Management Policies DPD (adopted 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.

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.

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

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

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

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

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

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to

commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

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

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

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

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

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

- 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 or by telephoning 0208 359 7294.

- 4 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 5 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

- 6 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 7 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

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

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);

6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up

- 8 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.
- 9 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 10 The applicant is advised that it is their responsibility 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. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
- 11 Informative: If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Informative: The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Informative: Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be

subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.

Informative: The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

Informative: The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.

- 12 Prior to the commencement of the development hereby approved, details and statutory orders of any highways required to be stopped up to facilitate the development shall made under Section 247 of the Town and Country Planning Act 1990. These shall be submitted to and agreed with the Local Planning and Highway Authority.

Officer's Assessment

Officer's Assessment

This application is being re-directed back to the Planning Committee for reconsideration following discussions with the applicant with respect to the imposition of a condition seeking the completion of a Section 106 agreement to secure 100% affordable (rented) housing which would render the scheme unviable in respect of financing this scheme and future schemes. This would undermine the ability of the schemes to provide affordable housing in the future.

This amended recommendation removes the condition to require the applicant to enter into a legal agreement to secure the affordable housing. Instead the application will be subject to a relevant Heads of Terms leading to the completion of a legal agreement to secure affordable housing. This affordable housing (affordable rent product) will secure 40% of the units as affordable rented properties. However, in reality, the proposed development will, when implemented deliver affordable housing at a rate of 100% in accordance with the legal obligations associated with the transfer in land ownership.

Policy DM 10 requires qualifying schemes to achieve a Borough wide provision of at least 40%. Therefore, development should strive to achieve much more than 40% in order for this policy to be complied with. However, given that this development would in reality provide for 100% affordable housing through implementation, it is considered that the Section 106 agreement would seek to secure 40% without seeking the provision of scheme viability to address the full requirements of policy DM10.

At this stage, the relevant signatory for the Section 106 agreement, which is Open Door Homes, has not been constituted. As such, the legal agreement will be prepared with a confirmatory deed to be executed following the company's official institution.

The development would be compliant with policy DM10 and with no alteration to the policy circumstances which would affect the development as a whole, the acceptability of the scheme and the recommendation remains unchanged

[illegible]

1. Site description

The application site is located on land between Mount Pleasant and the Langford Road to the east of the Mount Pleasant roundabout near Cockfosters. The site is currently utilised for residential purposes and comprises two three storey residential blocks. The largest is L - shaped and faces both southwest towards Mount Pleasant and also north west towards the roundabout. A smaller block is situated towards the northeast closer to Langford Road.

The site is predominantly residential in character, although there is a small retail parade on the southwestern side of the roundabout at Mount Parade. There is a small church to the immediate east of that parade. A vacant public house is situated on the northwestern side of the roundabout

The northwestern side of the roundabout largely features large three storey blocks of flats set within spacious amenity areas either side of the junctions with Langford Road and Mount Pleasant. Hamilton Road, Mount Pleasant (south side), Grove Road and Edgeworth Road is predominantly characterised by semi detached dwellings. The roundabout dominates the local area. Immediately to the southeast of the site, the development typology gives way to semi detached two storey dwellings and their rear gardens forms the boundary of the site.

The proposed development would be located on an existing area of hardstanding on the southeastern section of the site which is currently used as a substantial drying area for residents in addition to communal amenity space and storage for refuse and recyclables which is largely hidden from the street by a boundary wall.

The land levels change within the wider area and within the site with the land dropping from northeast to southwest. There is a bus stop situated immediately outside of the site on Mount Pleasant. The site is not located in a conservation area and there are no listed buildings or structures within or adjoining the site which may be affected by the proposed development. The neighbouring property at 104 Mount Pleasant contains a tree which is subject to a Tree Preservation Order.

2. Site history

There is no planning history for the site.

3. Proposal

Planning permission is sought for the erection of two detached three storey blocks of flats to provide 12 units to be used in their entirety as affordable housing. Each of the 12 units would be in the affordable rent tenure and all would be 2 bed units.

The main block would be situated on the southwestern frontage of the site to Mount Pleasant and would infill the gap between the existing block of flats at 106 - 116 Mount Pleasant and the adjoining property at 104 Mount Pleasant which is a two storey semi detached dwelling. This block would project slightly further forward than the existing flatted block but would follow the building line of dwelling houses within Mount Pleasant. In addition, its rear building line would not project beyond that of 104 Mount Pleasant. This block would contain two flats per floor arranged over a central core.

Situated twelve metres to the northeast is a further three storey block providing a further six flats. This block would be situated 23m from the elevation of the existing block (116 - 128 Mount Pleasant) directly opposite to the northwest. The distance from this block to the boundaries with 104 Mount Pleasant is 13m. The garden of 25 Langford Road narrows further towards the rear of the garden meaning that the distance from the rear elevation to the garden boundary increases from 10m to 13m. Each building has balconies on its front elevations meaning that these would be located on the Mount Pleasant frontage and on the elevation facing the 116 - 126 Mount Pleasant.

Each building would be constructed from brick to match the material palette in the area. The Mount Pleasant building would have a hipped roof to match the existing building form adjoining the development. The rear building would have gable ends facing north and south and also towards 1116 - 126 Mount Pleasant. In this regard, the proposed development would be similar to the adjoining block at 27 - 37 Langford Road. Connecting

the two new buildings would be a low rise single storey building providing storage for refuse and recyclables and cycle storage.

The proposed building would be located on the site of residents' drying areas and communal open space. The communal open space will be re-provided within the development and enhanced. The site currently provides no car parking on the site, and 12 spaces are to be provided accessed from a new crossover on Langford Road. The

4. Public consultation

Consultation letters were sent to 153 neighbouring properties.
21 representations have been received including 21 objections.

The objections can be summarised as follows:

- o There is insufficient parking in the area, and despite the additional parking being provided, this is not enough.
- o The new car park is directly opposite an objector's property and concern is expressed about the noise and disturbance that this might cause. T
- o The scheme results in a loss of open space which is actively used.
- o The proposed development would have a strain on local resources and community infrastructure.
- o There are more appropriate sites where this development could be located in the Borough and the increase in density would harm the area.
- o This development would overlook properties to the east of the site in Langford Road and Mount Pleasant.
- o There would be a loss of sunlight.
- o There would be lots of noise.
- o The development might harm local trees.
- o Crime is high in the area which would be exacerbated by the proposed development.
- o There have been a lot of car accidents which would be exacerbated by the proposed development.
- o Anti social behaviour is problematic in the area.
- o Loss of play areas and washing/drying areas which are well used.
- o The creation of a through pedestrian route through the development would reduce safety for existing residents.
- o Impact on utilities infrastructure.
- o The parking survey cannot be deemed to be accurate.
- o Inaccuracies in the application submission information.
- o The depth of the communal space from the rear elevation of 27-37 Langford Road to the car parking area is insufficient. Anyone using this area would be encroaching on the privacy of this block.
- o The scheme involves garden grabbing which national and local policy discourages.
- o The proposed development would affect the character, density and environment of the neighbourhood.
- o Concerns that the fire brigade may not be able to access the site and other properties in the area.
- o While affordable housing should be provided, this should not be to the detriment to the existing residents.
- o Effects of construction will cause disruption and harm to amenity.
- o Loss of parking as the new crossover in Langford Road would prevent three cars parking on street.

Highways - No objection subject to conditions

Environmental Health - No objection subject to conditions

Capita Drainage - Objections raised in respect of insufficient detail to address drainage requirements. Conditions can be imposed to secure details that mitigate against the non compliance of this policy.

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.

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

The Mayor's London Plan 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9, CS10, CS11, CS15

- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17

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

Policy DM04 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

i. 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms);

ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and

iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

2. Residential development may be acceptable:

i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be

demonstrated through a survey that there is sufficient on street parking capacity.

ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of the development is acceptable
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposals would provide an acceptable level of amenity for future residents
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on security in the vicinity of the site
- Whether the proposals would make adequate provision for drainage
- Sustainability Issues

Whether the principle of the development is acceptable

Planning permission is sought for the erection of two three storey buildings to provide twelve flats enclosing a parking area on its northern side. The proposed development would comprise of twelve, two bed flats.. The development would be for the benefit of Barnet Homes and all twelve units would be provided as affordable housing utilising an affordable rent product.

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policy CS4 of the Core Strategy DPD (2012) seeks to ensure a mix of housing products in affordable and market sectors to provide choice for all households. Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

Policy 3.10 of the Mayor's London Plan (2015) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

The site to which this application relates is considered to be previously developed land given that the development is to be carried out within the curtilage of an already existing residential development on an area of hardstanding and communal open space.

Furthermore, all the proposed units are for affordable rent, however, in order for the scheme to be policy compliant without affecting the viability of the schemed deliverability by increasing the cost of the land, the Section 106 agreement will secure 40% of the units to be provided as affordable housing. In reality, the terms of the transfer of the land ownership, the proposed development will be delivered as affordable housing.

It is considered that the proposed development would provide a compelling factor in the planning balance when the evaluation of all the material considerations is undertaken.

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

Policy DM01 (Protecting Barnet's Character and amenity) states that proposals should preserve or enhance local character and should respect the appearance, scale, height and pattern of the surrounding area.

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development.

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

The application site consists of the area of hardstanding and communal open space adjacent to existing residential flat blocks. The residential character of the area is mixed

and includes either three storey flatted blocks within areas of open space or more established two storey semi detached dwellings. The application site is situated between buildings of both these types. More generally, it is considered that the northeastern and eastern side of the roundabout is predominantly characterised by the larger development typology.

The development seeks to infill the space between 104 and 106 Mount Pleasant with a three storey block that essentially follows the building line along Mount Pleasant. The design and appearance of the building would largely follow that of the existing adjoining flatted block at 106 - 116 Mount Pleasant in respect of building depth, height, roof form and materials. It is considered that the overall building height, size and scale would not appear incongruous within the streetscene. Although it is three storeys in height adjoining two storey dwelling houses, it is considered that the proposed development would not appear incongruous within the streetscene. The proposed development would not be deeper than the dwelling houses and would not project beyond the front building line. On this basis the massing, size and scale in correlation to the proposed dwellings would be acceptable. The proposed development would be constructed of brick to match the existing flatted residential blocks. The hipped roof would reflect the development at 118-128 Mount Pleasant.

The second building would be located to the northeast of the Mount Pleasant frontage and would enclose the space between the three existing blocks. This second, smaller building would be different in design to the first. The building would terminate with gable ends at each end as well as gable ends within the design facing 118 - 128 Mount Pleasant. Although it is acknowledged that balconies are not regularly occurring features within the locality, it is considered that no visual harm would occur and that these features would not detract from the character and appearance of the area.

It is considered that this both buildings would not give rise to overdevelopment and significant spaciousness is retained within and around all five blocks. The proposed development would have a density of approximately 73 units per hectare which would be consistent with the London Plan density matrix in relation to a low PTAL suburban location. The range suggested by the London Plan density matrix is approximately 50 - 95 units. It is acknowledged however, that overdevelopment is not singularly expressed by the density. Layout, design, access and the protection of amenity are also attributes which contribute to demonstrating whether a site would be subject to overdevelopment. It is considered that the proposed development would be acceptable in this regard.

The proposed development would allow for the existing landscaping to be enhanced within the development. Although the existing 18 flats within the development do not have private amenity space, it is considered that all the open space remaining available to the units would be sufficient in conjunction with the additional garden space that would be created for residents.

New facilities would be provided for residents with respect to refuse and cycle storage by way of a single storey link building. It is considered that this element of the proposal would not be visually harmful.

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

The design and layout of the proposed building has been developed to have regard to the amenity of the existing occupiers of the adjoining blocks within the development at 106 - 116 Mount Pleasant, 118 - 128 Mount Pleasant and 25 - 37 Langford Road. In addition,

the orientation and layout of the proposed development has been considered to ensure that the amenity of occupiers of semi detached dwellings in Langford Road and Mount Pleasant are not significantly affected by the development.

Due to its orientation and position within the site, it is considered that the frontage block would not have any harmful impact on the residential amenities of neighbouring properties. It would follow the building line of 104 Mount Pleasant and would not project beyond either the front or rear elevations of this property. It would generate no additional or more harmful overlooking than that arising from 102 Mount Pleasant for example. The proposed development would be 4.5m away from and 7m in advance of the existing block at 106 - 116 Mount Pleasant. There are habitable room windows in the front elevation of this block, supplemented by a secondary window in the eastern elevation. It is considered that the proposed development would not affect this amenity of these nearest units given the that the angle of obstruction is not greater than 45-degrees.

The front elevation of the rear block is 23m away from the rear elevation of 118 - 128 Mount Pleasant and it is considered that the impact is not harmful in respect of either privacy or light. The orientation of the rear block combined with the use of balcony screening would limit the impact on 106 - 116 Mount Pleasant. For the same reason, the proposed development would not have an impact on 27 - 37 Langford Road.

The proposed rear block permits oblique angles to 25 Langford Road windows of less than 21m, however generally to the rear elevation of that property it would be 21m. The distance from the rear elevation to the garden boundary would be less than 10.5m for a short period of the garden boundary distance. However, this would not be harmful to residential amenity and rear windows facing east above ground floor level would be bedrooms and communal stair core. The straight line distance from the rear window to the side boundary would be 13 which is considered to be acceptable.

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

Each of the proposed twelve new residential units exceed the standards for internal floorspace set out in the London Plan (as modified in March 2016). Each two bed, three person unit would have an internal floor area of 62sq.m which is greater than the standard of 61sq.m set out in the London Plan (MALP 2016).

Each unit benefits from either a private balcony at the first to third floors. Each of the ground floor units have a screened private garden area. All occupants would benefit from communal open space situated to the rear of the building.

All units would be dual aspect with living rooms, kitchens and dining rooms facing southeast and would therefore be in receipt of daylight. Bedrooms would face towards the northern boundary of the site and the Sternberg Centre which is considered to be acceptable given the lesser demand for daylight and sunlight within these rooms. No primary room windows would need to be obscure glazed.

A daylight and sunlight assessment has been provided with the application which considers the average daylight factor and daylight distribution for each room based on the BRE Guidelines for sunlight and daylight in respect of site layout planning. The proposed development would have an acceptable exposure to sunlight and daylight with bedrooms facing north and key living spaces facing south. The distance between each of the new

blocks is approximately 12m and would not have any harmful impact on the amenity of the occupiers of either block.

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

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide twelve car parking spaces for the development. There is no car parking on the site at present and the proposed development would generate the full parking needs of the site within the curtilage of the proposed development and off the street. Although the creation of the means of access from Langford Road, would reduce the extent of available kerbside parking in Langford Road, this would not result in a significant impact on parking stress in the area.

The applicants have also commissioned a parking survey which took place on the 19th - 20th April (during school term) in accordance with policy DM17 and established methodology which has determined that the parking stress does not exceed 73% and is therefore acceptable to accommodate any overspill parking that may occur.

Information provided with the application demonstrates that refuse and emergency vehicles would satisfactorily access the proposed development and service the existing properties within this part of the estate.

Whether the proposals would make adequate provision for sustainable drainage and flood risk alleviation.

The site is highly vulnerable development. However, it is located in a Flood Risk Zone 1 area and is therefore appropriately sited to eradicate risks of flooding to residents living on the ground floor of the proposed development.

As the application is for a major development (of 10 or more units), a Sustainable urban drainage system would be required in compliance with the Government's Written Ministerial Statement of 18 December 2014, policies 5.13 and 5.14 of the London Plan and policy CS13 of the Local Plan Core Strategy (2012).

The Council's drainage consultant has requested that the proposed development would require a more detailed drainage strategy to ensure compliance with the appropriate sustainable drainage requirements. Conditions will be imposed to secure this.

Sustainability

The applicant's energy strategy has demonstrated that the proposed development would result in a decrease of over 35% in respect of Carbon Dioxide above and beyond the 2013 building regulations. The substantial part of the proposed saving arises from the use of photovoltaics at roof level. No details of the photovoltaics at roof level are provided on the submitted proposed roof plan and a condition would be required for detailed drawing showing the position and orientation of this provision.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. In this case, flats at the ground floor would be M4(2). All

remaining flats would be M4(1) compliant. The London Plan states in policy 3.8 that where it can be demonstrated that the provision of a lift may cause practical difficulties, have implications for the viability of schemes or the affordability of service charges, the scheme can fall back to the implementation of standard M4(1). Given that the proposed development would need to provide a lift which would undermine the objective of delivering 100% affordable housing, affordable to tenants who are nominees from the London Borough of Barnet, it is considered that that policy 3.8 of the London Plan supports the provision of units complying with standard M4(1).

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

Trees and landscaping

There are a number of trees along the boundary of the site with 104 Mount Pleasant. One of these trees are subject to a Tree Preservation Order, but the proposed development is situated a significant distance away from the boundary treatments to prevent harm occurring to these trees. It is considered that the proposed development would not affect the contribution the existing tree makes to landscape value in the streetscene.

There are two more unprotected trees on the northern side of the site close either side of the brick wall boundary on Langford Road. Each of these trees will be lost. However, these trees are not protected by individual or area specific designations. The loss of trees is unfortunate, however, the proposed landscaping strategy of the site provides for additional tree planting across the site which would in time mitigate against this harm.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sq.m on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sq.m.

However, as the development is for social housing floorspace, the CIL regulations (2010) exempt such development from being liable.

Response to public consultation

Lack of parking

The proposed development would provide 12 spaces for 12 units which meets the policy requirements on a 1 to 1 parking spaces basis. There would be very little change in parking conditions on street for other properties in the area. The parking survey has indicated very little parking stress in surrounding areas and access is safe and there would be no impediment to highway safety and access.

Loss of open space

There is substantial open and amenity space surrounding the development and the roundabout. The locality retains a sense of spaciousness despite the proposed development

Loss of amenity

The orientation and layout both within the buildings and the site permits the preservation of existing amenity to acceptable levels for existing residents within the estate and within neighbouring properties.

Loss of trees

The proposed development would result in the loss of two trees, however, these are not protected and would be replaced through the proposed landscaping strategy.

Development density and site appropriateness

The density of the site is still within acceptable parameters as set out in the London Plan. In addition, spaciousness around the site is still apparent.

Noise and disturbance

This will inevitably occur during the course of the proposed development, however, this would be controlled by a construction method statement and by the powers of other legislation. The introduction of parking within the scheme would increase noise levels, however, it is considered that this would not differ markedly from existing traffic noise in the area.

Equality and diversity issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

Conclusion

Having taken all material considerations into account, it is considered that the new application satisfactorily addresses the previous reasons for refusal and is therefore considered subject to recommended conditions to comply with the Adopted Barnet Local Plan, London Plan and National Planning Policy Framework policies. This application is therefore recommended for approval.

