

Location **1069 Finchley Road London NW11 0PU**

Reference: **16/7565/FUL** Received: 29th November 2016
Accepted: 29th November 2016

Ward: Golders Green Expiry 24th January 2017

Applicant: Ms MOIRA McHARRIE

Proposal: Partial demolition of the existing building, erection of new rear extensions and refurbishment incorporating change of use to comprise office space at ground floor level and 6no. self-contained flats on the upper levels . Associated 10no. cycle parking spaces, refuse/recycling provision and amenity space. Relocation of entrance, new fenestration at front and front rooflights

Recommendation: That upon completion of the agreement specified in Recommendation 1, the Interim Head of Development Management approve planning application reference 16/7565/FUL subject to the following conditions and any changes to the wording of the conditions considered necessary by the Interim Head of Development Management.

RECOMMENDATION I:

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

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

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

(a) Legal Professional Costs Recovery
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.

(b) Enforceability
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

(c) Amendment to Local Traffic Order

A contribution of £2,000 (index linked) to cover the costs of making an amendment to the existing Traffic Management Order to prevent the future occupiers of the development from being able to obtain parking permits for the Controlled Parking Zone.

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: Planning Statement Ref CA/2955 By Apcar Smith Planning; Planning Noise Assessment Facade Sound Insulation by Environmental Equipment Corporation Ltd Ref SDV/EC14746-004; Technical memorandum ref EC14746-005 Rev 1 by Environmental Equipment Corporation Ltd; Sustainability Summary dated 15th June 2016 by Darren Evans; Transport Statement Ref 9214/KS/002/02 by Sanderson Associates; Drawing no. 000 Rev A; Drawing no. 011 Rev A; Drawing no. 012 Rev A; Drawing no. 013 Rev A; Drawing no. 014 Rev A; Drawing no. 015 Rev A; Drawing no. 230 Rev A; Drawing no. 232 Rev A; Drawing no. 237 Rev 0; Drawing no. 238 Rev 0; Drawing no. 213 Rev B; Drawing no. 214 Rev D; Drawing no. 215 Rev D; Drawing no. 216 Rev E; Drawing no. 217 Rev E; Drawing no. 231 Rev C; Drawing no. 233 Rev E; Drawing no. 234 Rev D; Drawing no. 235 Rev E; Drawing no. 236 Rev D.

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 including demolition works shall take place until details of the retention of front façade hereby approved have been submitted to and approved in writing by the Local Planning Authority. This shall include details of mitigation measures to prevent damage to the front facade.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the front facade retained at all times.

Reason: To safeguard the character and visual amenities of the front 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 2016.

4 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. This shall include details of the proposed brise soleil and solid spandrel panels labelled on the hereby approved drawings.

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

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

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

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

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

6 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure 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).

7 Before the building hereby permitted is first occupied the proposed windows in the rear elevation facing Temple Gardens shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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) and the Residential Design Guidance SPD (adopted April 2013).

8 a) No development other than demolition works shall take place until details of the proposed green roof and how this will be maintained have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

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

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

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

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

10 The roof of the building hereby permitted including above second floor, other than in the area indicated as communal roof on Drawing no. 217 Rev E; shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

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

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 Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

12 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.

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

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

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

14 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

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

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

15 a) Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and Policy 5.3 of the London Plan 2015.

16 a) No development shall take place until a scheme of proposed noise mitigation measures including acoustic ventilators at the front and rear façades to protect against externally generated traffic noise and noise from the adjacent residential development at 1069 Finchley Road has been submitted to and approved in writing by the Local Planning Authority.

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 the amenities of occupiers are not prejudiced by noise from traffic and adjacent residential use in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (2016) and 7.15 of the London Plan 2011

17 The layout of the residential units as indicated on the hereby approved plans shall be implemented 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 policy DM01 of the Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (October 2016).

18 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (October 2016).

19 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. access, 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.
- xi. 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.

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.

20 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

21 Before the development hereby permitted is first occupied, the cycle parking spaces and cycle storage facilities as indicated on the hereby approved Drawing no. 213 Rev B shall be implemented and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport 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 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 52% 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), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

23 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 they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

24 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 March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

RECOMMENDATION III:

0 That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 9th March 2017 unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control REFUSE the application under delegated powers for the following reason:

The development does not include a formal undertaking to ensure that the future occupiers of the development are prevented from being able to obtain parking permits for the Controlled Parking Zone and in the absence of sufficient on-site parking to serve the residential units. The proposal would result in an increased demand for on street parking which would lead to increased kerbside parking, resulting in a detrimental impact on highway and pedestrian safety contrary to policy DM17 of the Adopted Barnet Development Management Policies DPD 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. Your planning application has been assessed at this time as liable for a £34,125.00 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £125,365.20 payment under Barnet CIL.

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

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

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

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

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

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 Any highway approval as part of the planning process for the reinstatement or alteration to the existing access/crossovers or provision of a 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 including any relocation of street furniture, lighting columns or amendments to parking bays affected by the proposed 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.
- 5 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.

- 6 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.
- 7 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
- 8 The applicant is advised that Finchley Road is part of a Strategic Road Network (SRN). Transport for London (TfL) is the Traffic Authority for this road. If the proposed development is likely to cause any disruption to traffic, then the Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.
- 9 The applicant is advised that Finchley Road is Traffic Sensitive Road; deliveries during the construction period should not take place between Monday to Friday from 8.00am-9.30am and 4.30pm-6.30pm and from 9.00am to 4.30pm on Saturday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
- 10 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.
- 11 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 to date guidance and codes of practice if not already listed in the above list.

- 12 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet and further reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance: 1) Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, May 2015); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007) 5) London Local Air Quality Management Technical Guidance LLAQM.TG(16), 6) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014) and 7) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions'.

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

- 13 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999. Proof within the contractor's specification that all NRMM will be registered on the local government website
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o For major developments only: provide a copy of an asbestos survey for smaller developments confirmation that a survey has been carried out.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- 14 The applicant is advised that if the works are implemented in conjunction with planning permission 15/01377/FUL then they will be perceived to have been implemented as one development and would be liable to make provision towards affordable housing.

Officer's Assessment

1. Site Description

The site is a terraced building on the west side of Finchley Road, previously accommodating the Police Station, within the Garden Suburb Ward. The building is two storeys with additional roof accommodation within a large mansard roof at two more storeys. The building features larger parapet walls to either side. To the rear, the building steps down to three storeys with basement. There is also a detached two storey block to the rear close to dwellings on Temple Gardens.

At the rear of the site, consent has been granted for a five storey building to facilitate 9no self-contained flats under reference 15/07709/FUL. At the time of the site visit, building works had not started, however conditions pursuant to the development have been discharged.

The building is not listed nor does it lie within a conservation area, however the building does make a positive contribution to this section of the Town Centre and is adjacent to the Hampstead Garden Suburb Conservation Area.

2. Site History

Reference: 15/01377/FUL

Address: Site At Former Golders Green Police Station 1069, Finchley Road, London, NW11 0PU

Decision: Refused

Decision Date: 30 June 2015

Description: Erection of a new building up to five storey including 11no. off street parking spaces, solar panels to roof, refuse/recycling facilities and cycle storage to create 9no. self-contained flats, following demolition of existing buildings

Reason for refusal:

1. The proposed vehicular access via Temple Gardens would result in harmful impact to neighbouring residential amenity as a result of additional general activity including vehicular movements and comings and goings. This would be contrary to policy DM01 of the Adopted Barnet Development Management Policies

Appeal Reference: APP/N5090/W/15/3136451

Appeal Decision: Appeal allowed

Reference: 15/04900/FUL

Address: Site At Former Golders Green Police Station 1069, Finchley Road, London, NW11 0PU

Decision: Refused

Decision Date: 23 December 2015

Description: Demolition of existing buildings and erection of new five storey building including 11no. off street parking spaces, solar panels to roof, refuse/recycling facilities and cycle storage to create 9no. self-contained flats

Reason for refusal:

1. The proposed development by reason of its pedestrian access and relationship to Temple Gardens would result in a harmful impact on neighbouring residential amenity due to associated noise, disturbance and general activity as perceived by neighbouring residential properties on Temple Gardens, being contrary to policy DM01 of the Adopted Barnet Development Management Policies (2012)

Reference: 15/07709/FUL

Address: Site At Former Golders Green Police Station 1069, Finchley Road, London, NW11 0PU

Decision: Approved subject to conditions

Decision Date: 28 January 2016

Description: Demolition of existing buildings and erection of new five storey building to facilitate 9 no. self-contained flats including 11 no. parking spaces, refuse and cycle storage with solar panels to roof

Reference: 16/2005/CON

Address: Site At Former Golders Green Police Station 1069, Finchley Road, London, NW11 0PU

Decision: Split Decision

Decision Date: 11 May 2016

Description: Submission of details of condition 3 (Levels) 11 (Noise) pursuant to planning permission 15/07709/FUL dated 21/01/16

Reference: 16/2008/CON

Address: Site At Former Golders Green Police Station 1069, Finchley Road, London, NW11 0PU

Decision: Refused

Decision Date: 10 May 2016

Description: Submission of details of condition 8 (Ground Conditions) pursuant to planning permission 15/07709/FUL dated 21/01/16

Reference: 16/2971/CON

Address: Site At Former Golders Green Police Station 1069, Finchley Road, London, NW11 0PU

Decision: Approved

Decision Date: 14 June 2016

Description: Submission of details of condition 11 (Access) pursuant to planning permission 15/01377/FUL dated 04/04/16

3. Proposal

The applicant seeks planning permission for the partial demolition of the existing building, including front and side elevations, and associated part four part five storey rear extensions to accommodate a mix use development. The scheme would involve office space at ground floor level and 6no. self-contained flats on the upper levels, with associated 10no. cycle parking spaces, refuse/recycling provision and amenity space. In addition, the applicant seeks consent for the relocation of the entrance, new fenestration at front and front rooflights, in addition to the marginal increase of 0.5m of the ridge height to obscure the existing handrail and balustrade for the roof level. The scheme would not offer any off-street parking.

The proposed office would have a floor area of 124sqm at ground floor.

The proposed flats would be comprised of:

- 4 x 2 bed (4p) flats
- 2 x 1 bed (2p) flats

The communal roof terrace would have an area of 97sqm.

The rear extension would have a depth of 5.8m excluding the projecting windows, following the removal of the existing rearward wing to the southwest and external staircase. At ground floor, the extension would have a maximum width of 15.4m. At first and second floors, the side extension would have a width ranging between 25m to 21.8m, and at third floor the extension would be up to 6m from the northern boundary. The extension would have a height of 17.3m when measured at the rear (excluding lift); with the lift included the building would have a total height of 19.48m measured from the rear.

The building, including new rear extension would be sited 1.16m away (apart from the angled windows) from the rear boundary with the approved building at the rear.

4. Public Consultation

Consultation letters were sent to 132 neighbouring properties. 23 responses have been received, comprising 23 letters of objection.

The objections received can be summarised as follows:

- Addition parking and highways congestion/ lack of parking provision unacceptable
- Parking survey does not consider that houses have 2 cars & is generally misleading
- Overcrowding
- Loss of privacy/overbearing particularly on Temple Gardens
- Proposal for 15 flats is unacceptable.
- Nearby Post Office sold off recently and more likely for more residential units; area cannot take more parking pressure
- Affordable housing provision

A site notice was erected on the 8th December 2016.

The rear extension would have a depth of 5.8m excluding the projecting windows, following the removal of the existing rearward wing to the southwest and external staircase. At ground floor, the extension would have a maximum width of 15.4m. At first and second floors, the side extension would have a width ranging between 25m to 21.8m, and at third floor the extension would be up to 6m from the northern boundary. The extension would have a height of 17.3m when measured at the rear (excluding lift); with the lift included the building would have a total height of 19.48m measured from the rear.

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 2016

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.

Social Infrastructure SPG (May 2015)

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, DM03, DM04, DM08, DM13, DM14, 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

- 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:

- Principle of development
- 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 development would provide suitable amenities for future occupiers
- Whether the development would increase parking pressures and congestion (Highways)
- Access and Sustainability measures

5.3 Assessment of proposals

Principle of development

The proposals involve the loss of the former police station. There is no policy protection for police stations as such. Policy DM14 of the adopted Local Plan Development Management Policies could be considered relevant as the former use would have provided some employment. Whilst the applicant has previously stated that the policy is not strictly relevant given that a police station is a Sui Generis use, it would have nonetheless provided a level of employment and the loss of this is a material planning consideration irrespective of whether policy DM14 of the Barnet Development Management Policies is applicable.

The proposal would retain some level of employment on the site and therefore is considered to be acceptable in this regard. The site is located within the Temple Fortune Town Centre, where in accordance to policy DM14, employment uses should be encouraged.

The police station use could also be considered to constitute a community use by reason of its nature. Policy DM13 states that loss of community or educational use will only be acceptable in exceptional circumstances where:

- i. New community or education use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or
- ii. There is no demand for continued community or education use, and that the site has been marketed effectively for such use.

Policy 3.16 of the London Plan refers to the protection of the social infrastructure. The preamble to this policy advises that the loss of social infrastructure facilities may be acceptable where it is part of a programme of re-provision.

Paragraph 3.87A states that:

"Loss of social infrastructure in areas of defined need may be acceptable if it can be demonstrated that the disposal of assets is part of an agreed programme of social infrastructure re-provision (in health and community safety, for example) to ensure continued delivery of social infrastructure and related services."

This site was sold as part of the Mayor's Office for Policing and Crime 2013-16 Estates Strategy, a programme to rationalise existing premises and reduce running costs.

The London Plan in particularly Policy 3.16 and the Social Infrastructure SPG recognise this and advises that the loss of social infrastructure facilities may be acceptable where it is part of a programme of re-provision, which is the case here.

Therefore the development of the site for residential use is considered acceptable.

In terms of the density mix, this is considered to be acceptable in a Town Centre site.

The proposals would appear to comply with density standards in the Mayor's London plan. The site is located in an urban area and is located in an area of PTAL rating 2. The London Plan advises that development should be at 200-450 habitable rooms/hectare and 45-170 units/hectare. The proposal would result in 62.16 habitable rooms/hectare and 16.22 units/hectare, based on 23 habitable rooms.

Impact on the character of the area

Although not benefiting from a statutory listing, the LPA is of the view that the existing building should be considered as a Non-Designated Heritage Asset, and the Council would seek to retain the front building, particularly the street frontage. Therefore paragraph 135 of the NPPF would apply.

The applicant proposes to retain the front elevation as part of the redevelopment and a condition has been added requiring for details of the retention elements to be provided to the Local Planning Authority, including mitigation measures to prevent damage to the front facade. At the front, the scheme would involve the marginal increase in the ridge height to obscure the proposed hand-rail (to the same level as the existing hand rail). This is considered to be a positive alteration which would have a minimal impact on the character of the area or the appearance of the building, given the height of existing building and its siting.

The proposed rooflights at the front would retain a level of hierarchy to the building, and although larger than what would be expected in a listed building, it is accepted that the building holds no statutory protection and the windows are required at this size to provide suitable daylight to future occupiers. Overall however, these are considered to be subordinate on the main roofslope and are centrally located, retaining a level of hierarchy in the fenestration of the building.

The other proposed changes at the front including reconstruction of the existing arch, relocation of front door and ground floor windows and insertion of railings are all considered to be acceptable and would retain the architectural integrity of the building. The principle of these works are considered to be acceptable, however further details would be secured by a condition attached.

The existing building benefits from prominent flank walls which are clearly visible from the northern and southern approach. There are no additional windows proposed to the side elevations, and any additional windows would require planning consent; officers are therefore satisfied that the proposed impact from streetscene of the proposed development would be limited.

The rear extension, although a maximum of 5 storeys, would be similar in terms of bulk and massing as the existing structure, and would not be visible from the streetscene, therefore its impact is limited. At its highest point, this would be comparable in scale to the approved building at the rear, immediately adjacent to the site. It is accepted that the building at the rear is more modern in design and in principle the Local Planning Authority do not object to this, particularly given the approval to the adjacent site.

Details of the modern components of the building and materials at the rear, would be provided as part of a condition, including the "solid spandrel panel" and the "brise soleil".

Overall, the proposal is considered to have an acceptable impact on the streetscene and the general character of the area.

Impact on the amenities of neighbours

One of the Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours

amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Any development, particularly in a constrained site should ensure that the amenities of neighbouring occupiers are respected.

The Council's SPD 'Residential Design Guidance' states that new buildings and extensions should normally be subordinate and respect the original building. The Council's guidance advises that new development should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing building and using an appropriate roof form to ensure that the amenities of neighbours are not harmed.

The proposal is not considered to cause harm to the amenities of occupiers of Temple Gardens at the rear, given the distance. Furthermore, there is an approval development comprising of residential units between Temple Gardens and the host site. As mentioned above, the approval to the rear of the site is a material consideration in the determination of any planning application on the site (planning reference 15/07709/FUL). The plans for the development at the host site indicate the layout of the approved scheme. The limited windows of the new approval at the rear of the site serve non-habitable rooms. The windows on the host site facing the rear of this development have been conditioned to be obscured glazed to prevent the perception of overlooking and these do not serve habitable rooms. Similarly, the windows at the rear/ side and balconies to the proposed development have been designed to be angled and involve elements such as solid screening and obscured glazing to prevent overlooking.

The applicant has provided a daylight/ sunlight report which concludes that the light to the approved scheme would be comparable to what was previously considered to be acceptable (with the existing rearward structure). Officers are therefore satisfied that the visual amenities of neighbouring occupiers would not be compromised in this regard and consideration has been given to the existing structure.

Environmental Health officers have reviewed the scheme and supporting documents, and considered that as there are issues with poor air and noise quality due to traffic on Golders Green Road, however they consider that the proposal would be acceptable subject to certain conditions and further details. These include have recommended certain conditions relating to noise mitigation measures including acoustic ventilators, which at the rear would ensure noise mitigation for the proposed development at the rear, and acoustic fencing at roof level. The acoustic fencing (located at the rear only) would be sited a considerable distance to prevent overlooking into the approved building at the rear, as demonstrated by the section drawing provided and hereby recommended for approval.

In light of the considerations above, the proposal is recommended for approval.

Impact on the amenities of future occupiers

All residential development is expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2015. The SPD standards for bedrooms require double bedrooms to provide a minimum floor area of 12sqm and single bedrooms a minimum floor area of 8sqm. The Sustainable Design and Construction SPD also confirms that habitable floorspace in rooms with sloping ceilings is defined as that with 1.5 m or more of ceiling height. The proposed flats would all comply with the minimum space standards as stipulated in the London Plan

(Minor Alterations 2016) and supporting Council SPDs; in this regard the development is acceptable.

The Sustainable Design and Construction SPD specifies in Table 2.4 that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room. The applicant has demonstrated through the daylight and sunlight report, that the habitable rooms to the scheme proposed, particular to the west of the site, would benefit from suitable light in accordance with the BRE standards. All the units are dual aspect and therefore would be considered to provide suitable outlook to future occupiers. Note that part of outlook for flats 1,3, and 5 is towards flank wall of approved development so outlook is ok 'on balance'.

With regards to outdoor amenity space, all new residential development is expected to provide suitable and useable outdoor amenity space for future occupiers. For flats, options include provision communally around buildings or on roofs or as balconies. The proposal would involve the provision of outdoor amenity space for 2 units through private terraces. There would also be a roof terrace which is proposed to be used as a communal facility; Environmental Health officers are satisfied that subject to acoustic fencing, the communal area would provide a suitable outdoor amenity area. The cumulative outdoor amenity space provision for the development would be 109sqm through the communal terrace (97sqm) and balconies (total of 12sqm); the development would be expected to provide 115sqm based on 23 habitable rooms. Notwithstanding this, the site is located in an area identified as a Town Centre with the associated amenities and the units all exceed the minimum space standards, therefore the shortfall in this case is considered to be acceptable.

As with the comments above relating to the amenities of neighbouring occupiers, the Environmental Health team consider that subject to conditions, the noise and air quality issues due to the siting of the site could be mitigated. This would include the requirement for acoustic ventilators to both the front and rear windows to reduce noise levels between both buildings.

Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to its relationship both horizontally and vertically to neighbouring residential units. The applicant should achieve the required sound insulation levels; this will be enforced by an appropriate condition attached to the decision.

Highways

Officers have consulted with the Council's Highways team, who have assessed the scheme in terms of the impact on highways.

The site has an access road that was originally used for the police station, however will now be used for the approved residential development to the rear (approved under reference 15/07709/FUL). The site lies in a Town Centre location and associated local amenities, however has a low PTAL score of 2. The site has various traffic restrictions to the front, which include payment parking and no waiting areas. The site is located within a one hour Controlled Parking Zone (CPZ).

Pedestrian access is proposed both from the existing access road to the side of the development that serves the property to the rear of the proposed development and the front of the site. This is considered to be acceptable in terms of pedestrian safety.

In accordance with Policy DM17, the scheme would require the provision of between 5 and 8 parking spaces based on the number and size of the units proposed; however the proposal does not have any off-street parking provision due to the restrictions on the site.

The applicant has provided a Transport Assessment which includes a parking survey. The conclusions of this report indicated that the parking pressure on both the unrestricted parking area and the roads in close proximity to the site are high although there are parking spaces available further away from the site which can possibly accommodate any overspill parking from the development.

Highways Officers therefore consider that given that the immediate roads in the close proximity of the site are close to capacity, by allowing car free development in this location is likely to result in unnecessary circular vehicular trips by the new occupiers of the development seeking parking spaces initially on roads in the close proximity of the site, and then venturing further out when not able to find parking on roads in the close vicinity of the site. This could result in detrimental impact on the free flow of traffic. For this reason it is necessary to mitigate the impact of the car free development by exempting the occupiers of the new development from purchasing parking permits. The applicant has therefore agreed to enter into a legal agreement to restrict the issue of parking permits for the future occupiers of this development. Subject to the legal agreement and conditions, the proposal would be acceptable on Highways grounds.

Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). As the majority of the building is a new build, the proposal would be expected to comply with M4(2) and the scheme includes the provision of a lift. A condition is attached to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 52% CO₂ reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy

In terms of water consumption, a condition is attached to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

Community Infrastructure Levy

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 sqm (index related) 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 sqm (index related).

The proposal has been calculated to be liable for £125,365.20 of Barnet CIL and £34,125.00 of Mayor's CIL.

5.4 Response to Public Consultation

It is considered that comments raised by objectors have been addressed in the report particularly in the character and highways section of the report.

"Proposal for 15 flats is unacceptable" - The development is for 9 units and is independent of the approval at the rear. If the development is being considered by objectors to be being implemented as one operation/ development, it would invalidate the approval on both sites. If the objectors are concerned, they can contact the Planning Enforcement team once works begin, however the applicant for the development at the rear has begun discharging conditions pursuant to the approved scheme.

"Nearby Post Office sold off recently and more likely for more residential units; area cannot take more parking pressure"- The possibility of future development on adjacent sites and associated impacts do not form material considerations in the determination of the current application under its current context.

"Affordable housing provision"- The development due to the scale would be considered as a minor application and would not require affordable housing contributions.

6. 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.

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

