

LOCATION: North London Business Park, Oakleigh Road South,
London, N11 1GN.

REFERENCE: 15/07932/OUT
Received: 24 Dec 2015
Accepted: 4 January 2016

WARD: Brunswick Park
Expiry: 4 April 2016

APPLICANT: Comer Homes Group

PROPOSAL: Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises 360 residential units in five blocks reaching eight storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline element comprises up to 990 additional residential units in buildings ranging from two to nine storeys, up to 5,177 sqm of non-residential floor space (use Classes A1-A4, B1 and D1) and 2.54 hectares of open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking. March 2017

RECOMMENDATION

Recommendation 1

The application being one of strategic importance to London it must be referred to the Mayor of London. As such any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Mayor of London.

Recommendation 2

Subject to Recommendation 1 above, 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, subject to any changes as considered necessary by the Head of Development Management:

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

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

- (c) Affordable housing
10% affordable housing by units across the whole development (580 units in total) on the basis of 70:30 split between affordable rent and shared ownership.

For Development Phase 1 a minimum of 135 affordable units shall be provided in accordance with the following detailed mix:

Affordable Rent (95 Units)

10 x 1 bed 2 person
55 x 2 bed 4 person
30 x 3 bed 5 person

Shared Ownership (40 Units)

10 x 2 bed 3 person
30 x 2 bed 4 person

- (d) Affordable Housing – Review Mechanism
A positive review mechanism with the trigger to be agreed with the council for provision of affordable housing additionality on the former NLBP site in later stages to be agreed, limited to a maximum of the equivalent value of 40% of the total units proposed.
- (e) School plot land transfer to the EFA on a levelled, decontaminated and serviced plot.
- (f) Community Use Agreement School
- (g) Details of Delivery of SME Business Space including Start up Units including tenancy details and rental costs.
- (h) Provision of Minibus Services in perpetuity, details of number of vehicles, frequency of movement and mechanism of funding to be specified.
- (i) Off Site Highway Works in Oakleigh Road South, Brunswick Park Road and Benfleet Way
- (j) Local Employment Agreement
Shall include Forecasting of job opportunities; Notification of job vacancies; Local labour target; Jobs brokerage and skills training; Apprenticeships and work experience; Use of local suppliers and delivery of specific LEA targets in regards to providing at least 27 apprenticeships or alternative cash sum.

- (k) Travel Plan measures and monitoring:
Including Provision of Travel Plans covering the following:
Travel Plan – School
Travel Plan - Residential
Travel Plan - Commercial
Travel Plan - Nursery

An appropriate Travel Plan Monitoring Fee would also need to be paid.

- (l) Section 278 Works
Necessary works to the public highway under section 278 of the Highways Act to facilitate the implementation of the development
- (m) Public Open Space
Provision of a minimum of 2.5 hectares of Public Open Space which shall remain open and accessible to the general public. Within the main park the playing fields are required to be made available for use by the primary school.
- (n) Section 106 Monitoring contribution
- (o) All financial contributions listed above to be subject to indexation.

Recommendation 3

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Head of Development Management approve the planning application reference 15/07932/OUT under delegated powers, subject to the following conditions and any changes to the wording of the conditions considered necessary by the , the Head of Strategic Planning.

Conditions

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

Parameter Plan

211_WS_02_00-Rev B – Red Line Boundary Plan
211_WS_02_01-Rev B – Proposed Development Zone Plan
211_WS_02_02-Rev B – Access & Circulation Plan
211_WS_02_03-Rev B – Landscape Treatment Plan
211_WS_02_04-Rev B – Ground Floor Frontages Plan
211_WS_02_05-Rev B – Development Zones – Horizontal Limits of Deviation
211_WS_02_06-Rev B – Proposed Site Levels & Vertical Limits of Deviation
211_WS_02_07-Rev B – Development Zones & Maximum Heights
211_WS_02_08-Rev B – Proposed Site Basement Levels & Limit of Deviation
211_WS_02_09 – Site Plan

Sections

211_WS_05_01-Rev B – Contextual Sections AA BB
211_WS_05_02-Rev B – Contextual Sections CC DD
211_WS_05_10-Rev B – Parameter Sections 1 – 4
211_WS_05_11-Rev B – Existing Sections 1 – 4

Block 1A – School

211_1A_02_001-Rev B – Basement Plan
211_1A_02_00-Rev B – Ground Floor Plan
211_1A_02_01-Rev B – First Floor Plan
211_1A_02_02-Rev B – Second Floor Plan
211_1A_02_03-Rev B – Roof Level – MUGA
211_1A_02_04-Rev B – Roof Level – Parapet
211_1A_04_01-Rev B – School North & South Elevation
211_1A_04_02-Rev B – School East & West Elevation
211_1A_04_02A-Rev B – Detailed West Elevation – Wall fronting Brunswick Park Road
211_1A_04_03-Rev B – Sports Hall Elevations
211_1A_05_01-Rev B – School Sections

Block 1B

211_1B_02_00-Rev A – Block 1B, Ground Floor and First Floor Plan
211_1B_02_01-Rev A – Block 1B, Attic Floor and Roof Plan
211_1B_04_01 – Block 1B, North & South Elevations
211_1B_04_02-Rev A – Block 1B, East & West Elevations and Section AA

Block 1C & 1D

211_B1CB2D_02_001 – Basement Plan
211_B1CB2D_02_00-Rev A – Ground Floor Plan
211_B1CB2D_02_01-Rev A – First Floor Plan
211_B1CB2D_02_02-Rev A – Second Floor Plan
211_B1CB2D_02_03-Rev A – Third Floor Plan
211_B1CB2D_02_04-Rev A – Fourth Floor Plan
211_B1CB2D_02_05-Rev A – Fifth Floor Plan
211_B1CB2D_02_06-Rev A – Sixth Floor Plan
211_B1CB2D_02_07-Rev A – Seventh Floor Plan
211_B1CB2D_02_08-Rev B – Roof Level
211_B1CB2D_04_01-Rev A – Block 1C and Block 1D, East Elevation
211_B1CB2D_04_02 – Block 1C and Block 1D, West Elevation
211_B1CB2D_04_03 – Block 1C, South and North Elevation
211_B1CB2D_04_04 – Block 1D, South Elevation
211_B1CB2D_04_05-Rev A – Block 1D, North Elevations
211_B1CB2D_05_01-Rev A – Block 1C and Block 1D Section AA
211_B1CB2D_05_02-Rev A – Block 1C and Block 1D Section BB
211_B1CB2D_05_03 – Block 1C Section DD and CC
211_B1CB2D_05_04-Rev A – Block 1D Section EE and FF

Block 1E & 1F

211_B1EB1F_02_001 – Basement Plan
211_B1EB1F_02_00-Rev A – Ground Floor Plan
211_B1EB1F_02_01-Rev A – First Floor Plan
211_B1EB1F_02_02-Rev A – Second Floor Plan
211_B1EB1F_02_03-Rev A – Third Floor Plan
211_B1EB1F_02_04-Rev A – Fourth Floor Plan
211_B1EB1F_02_05-Rev A – Fifth Floor Plan
211_B1EB1F_02_06-Rev A – Sixth Floor Plan
211_B1EB1F_02_07-Rev A – Seventh Floor Plan
211_B1EB1F_02_08-Rev B – Roof Plan

211_B1EB1F_04_01 – B1EB1F West Elevation
211_B1EB1F_04_02-Rev A – B1EB1F East Elevation
211_B1EB1F_04_03-Rev A – B1F North Elevation & South Elevation
211_B1EB1F_04_04-Rev A – B1E North & South Elevations

211_B1EB1F_05_01-Rev A – Block 1E & Block 1F, Section AA
211_B1EB1F_05_02-Rev A – Block 1F, Section BB & CC
211_B1EB1F_05_03-Rev A – Block 1E, Section DD

Landscape Drawings

HED_1140_RBP_LA_0001-Rev 01 – Illustrative Landscape Plan
HED_1140_RBP_LA_0002-Rev02 – Landscape GA
HED_1140_RBP_LA_0003-Rev03 – General Arrangement, Central Park
HED_1140_RBP_LA_0004-Rev00 – Illustrative Landscape Sections: The Parkway
HED_1140_RBP_LA_0005-Rev02 – Illustrative Landscape Sections: Park (North)
HED_1140_RBP_LA_0006-Rev01 – Illustrative Landscape Sections: Central Park (South)
HED_1140_RBP_LA_0007-Rev00 – Illustrative Landscape Sections: Courtyard
HED_1140_RBP_LA_0008-Rev02 – Trees for Retention + Proposed + Removal

Phase 1: Detailed Application

HED_1140_RBP_P1_0001-Rev03 – Phase 1 Landscape: General Arrangement
HED_1140_RBP_P1_0002-Rev03 – Phase 1 Hard Landscape: Area 01
HED_1140_RBP_P1_0003-Rev01 – Phase 1 Hard Landscape: Area 02
HED_1140_RBP_P1_0004-Rev03 – Phase 1 Hard Landscape: Area 03
HED_1140_RBP_P1_0005-Rev03 – Phase 1 Landscape Planting: Area 01
HED_1140_RBP_P1_0006-Rev01 – Phase 1 Landscape Planting: Area 02
HED_1140_RBP_P1_0007-Rev02 – Phase 1 Landscaping Planting: Area 03
HED_1140_RBP_P1_0008-Rev00 – Phase 1 Planting Palette
HED_1140_RBP_P1_0009-Rev00 – Phase 1 Planting Palette
HED_1140_RBP_P1_0010-Rev00 – Phase 1 Planting Palette
HED_1140_RBP_P1_0011-Rev00 – Phase 1 Planting Palette
HED_1140_RBP_P1_0012-Rev00 – Phase 1 Illustrative Materials Palette

HED_1140_RBP_P1_0013-Rev02 – Phase 1 Trees for Retention + Proposed + Removal
HED_1140_RBP_P1_0014-Rev00 – Phase 1 Landscape Terraces
HED_1140_RBP_P1_0015-Rev00 – Phase 1 School Play Area
HED_1140_RBP_P1_0016-Rev00 – Phase 1 Residential Street
HED_1140_RBP_P1_0017-Rev00 – Phase 1 Lake & Board Walk
HED_1140_RBP_P1_0018-Rev00 – Phase 1 Private Gardens (front)
HED_1140_RBP_P1_0020-Rev00 – Phase 1 Street Section (Parkway)
HED_1140_RBP_P1_0021-Rev00 – Phase 1 Intensive Green Roof

Highways Drawings

0031-PHL-01-Rev C – Preliminary Highway Layout Sheet 1
0031-PHL-02-RevC – Preliminary Highway Layout Sheet 2
0031-PHL-03-RevC – Preliminary Highway Profile Sheet 1
0031-PHL-04-RevC – Preliminary Highway Profile Sheet 2
0031-PHL-05-RevC – Preliminary Highway Profile Sheet 3
0031-PHL-06-RevB – Preliminary Highway Profile Sheet 4
0031-PHL-07-RevB – Phase 1 Highway Layout
0031-PHL-08-RevA – Highway Access Plan
0031-PHL-12-RevB – Preliminary Eastern Access Arrangement and Benfleet Way Access Plan
0031-PDL-100-RevA – Phase 1 Preliminary Drainage Layout
0031-PDL-101-RevA – Proposed Detention Basin
0031-PDL-200-RevA – Preliminary Drainage Layout.

Supporting Documents

Development Schedule – Rev C, March 2017
Design Principles Document – Rev B, March 2017
Design and Access Statement – December 2015
Design and Access Statement Addendum – Rev B, March 2017
Planning Statement – Rev B, March 2017
Planning Application Specification Document – Rev B, March 2017
Utilities Report – December 2015
Analysis of Housing Mix & Primary School Demand / Supply – March 2016

Environmental Statement Volume 1 NTS – December 2015
Environmental Statement Volume 2 Main Report – December 2015
Environmental Statement Volume 3 Technical Appendices – December 2015
Environmental Statement Post-Application Amendments Addendum – March 2017

BREEAM Pre-Assessment – March 2017
Energy Assessment – March 2017
School Overheating Assessment – Rev A, March 2017
District Energy Assessment – Rev B, March 2017
Residential Overheating Assessment – March 2017

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2. The development hereby permitted shall begin no later than 3 years from the date of this permission and, in the case of Development Phases, no later than 2 years from:

- i. the final approval of the last Reserved Matters Application pursuant to Condition 3, or
- ii. The final approval of any pre-commencement condition associated with that Development Phase.

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

3. Applications for the approval of the reserved matters (being scale, layout, appearance, landscaping and siting) for Stages 2, 3, 4 and 5 be made to the Local Planning Authority before the expiration of seven years from the date of this permission.

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

4. With the exception of Ground Works and Site Preparation Works, no development shall commence until a Phasing Plan identifying the Development Phases and associated infrastructure works (including highways works) has been submitted to and approved by the Local Planning Authority.

The development shall be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out in appropriate phases and to allow the phasing plan to be amended to reflect changes to the phasing of the development that were not foreseen at the date when the phasing plan was approved.

5. Prior to Ground Works and Site Preparation Works, no development shall commence within a Development Phase until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the ES and shall include:

Construction site and works

- i. Site information (including a site plan and management structure)
- ii. Description of works, equipment and storage
- iii. Programme of works

- iv. Temporary hoarding and fencing
- v. Temporary works
- vi. Interim drainage strategy
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority)

Construction management and procedures

- viii. Code of Considerate Practice
- ix. Consultation and neighbourhood liaison
- x. Staff training and briefing procedures
- xi. Schedule of environmental legislation and good practice
- xii. Register of permissions and consents required
- xiii. Environmental Audit Programme
- xiv. Environmental Risk Register
- xv. Piling Works Risk Assessment
- xvi. Health and safety measures
- xvii. Complaints procedures
- xviii. Monitoring and reporting procedures

Demolition and waste management

- xix. Demolition Audit
- xx. Site clearance and waste management plan
- xxi. Asbestos survey and disposal strategy

Construction traffic

- xxii. Construction traffic routes
- xxiii. Construction traffic management (including 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)

Environmental Management

- xxiv. Ecology surveys and management plan (as required by the ES) in relation to any existing ecological features that may be affected by works in that Development Phase
- xxv. Measures to minimise visual impact during construction
- xxvi. Measures to minimise noise and vibration levels during construction
- xxvii. Measures to minimise dust levels during construction
- xxviii. Measures to control pollution during construction (including a Pollution Response Plan)
- xxix. Construction lighting strategy, including measures to minimise light spill
- xxx. Measures to reduce water usage during construction
- xxxi. Measures to reduce energy usage during construction
- xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan 2015.

6. Where remediation of contamination on the site is required completion of the remediation detailed in the Environmental 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.

7. In accordance with the ES, and unless otherwise agreed with the Local Planning Authority, no construction works shall occur outside the following times:

08:00 – 18:00 hours weekdays

08:00 – 13:00 hours Saturdays

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

8. Vegetation clearance should take place outside the bird breeding season (October to February). In accordance with the ES, any clearance of vegetation with the potential to support nesting birds during this period may only occur following a check by a qualified ecologist. If any active nests are found, works must cease, the area left in situ and an appropriate buffer zone established until such time as a qualified ecologist confirms that the nest is no longer in active use.

The clearance of vegetation within the gardens of properties that adjoin Rowan Drive must be undertaken according to a precautionary working method, with progressive clearance undertaken under the supervision of a qualified ecologist during the period that reptiles are active (April to September).

Reason: To avoid the potential for an offence under the Wildlife and Countryside Act 1981, as amended.

9. No development shall commence within a Development Phase (with the exception of Ground Works and Site Preparation Works) until a scheme of Advanced Infrastructure Works associated with that Development Phase is submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. Underground drainage details
- ii. Below ground energy infrastructure
- iii. Below ground services and utilities
- iv. Groundworks, earthworks, contouring and levels
- v. A statement of compliance with the site wide strategies (including the DAS Volume I and Addendum sections 6.19, 7.1 – 7.16, 8.1 – 8.3 and approved Primary Control Documents)

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure appropriate arrangements are made for servicing, utilities and infrastructure and to avoid potential conflicts between impacts upon the development as proposed and its servicing, utilities and infrastructure, in the interests of a sustainable development in accordance with the NPPF.

10. No Surface Infrastructure Works shall commence within the relevant Development Phase until a scheme of Landscaping Works for that Development Phase is submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the scheme shall include:

- i. Design and location of electricity sub stations, including surface treatment and means of enclosure
- ii. Vehicle parking and surfacing treatment (including petrol/oil interceptors)
- iii. Surface drainage details
- iv. Surface materials and finishes
- v. Cycle parking locations and details
- vi. Highways details (e.g. crossings and kerb heights)
- vii. Access and wayfinding strategy
- viii. Materials, types and siting of all fencing, boundary treatments, gates or other enclosures (including temporary arrangements to be in place until the site is completed in full)
- ix. Street furniture, lighting and signage
- x. Children's play spaces and play provision
- xi. Details of all proposed trees, hedge, shrub and other planting and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizing, density and arrangement
- xii. Ecological enhancements (in accordance with ES)
- xiii. The position of any existing trees and hedges to be retained or removed and the crown spread of each retained tree
- xiv. details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site
- xv. the position of any proposed excavation within the recommended protective distance referred to in BS5837: 2012
- xvi. means of planting, staking and tying of trees, including tree guards, and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use, referencing details approved under conditions 9 and 14 as relevant
- xvii. Details and specifications of all play, sport and recreational features to be included within the landscaped areas

xviii. Details of all proposed hard landscape works, including proposed materials, samples and details of special techniques to minimise damage to retained trees and details of techniques to be used to provide conditions appropriate for new plantings

xix. timing of planting

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Prior to completion of the development within the relevant Development Phase the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2015.

11. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

12. With the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works, no development shall be occupied until a Landscape Management Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and maintained in accordance thereafter.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan 2015.

13. If within a period of five years from the date of planting any tree, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place in the next available planting season (unless otherwise agreed in writing with the Local Planning Authority).

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

14. A Site Wide Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the

development. Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment and Addendum

The development shall be carried out in accordance with the approved Site Wide Car Parking Management Strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

15. Private parking provision for residential units shall be used for the purpose of residential parking and servicing only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015).

18. Prior to first occupation of the relevant Development Phase a detailed Car Parking Management Plan for that Development Phase, demonstrating compliance with the Site Wide Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:

- i. Location and layout of car parking spaces
- ii. Allocation of car parking spaces
- iii. On-site parking controls and charges
- iv. The enforcement of unauthorised parking
- v. For Stages 2, 3, 5 and 5 only, monitoring of parking in the development including use of electric vehicle charging points and disabled spaces
- vi. 'Blue badge' space quantities in accordance with London Plan (2016) guidance
- vii. Community transport points, shuttle bus and taxi drop-offs
- viii. Location of car club spaces
- ix. Electric Charging Points: Location, specification and timing. For residential parking spaces, timing and delivery of the 20% of parking spaces which shall be active and 20% which shall be passive electric charging points. For non-residential spaces, provision at 20% of spaces shall be undertaken with potential provision at a further 10% of spaces.
- x. Car parking reconciliation (evidence that the number of vehicular parking spaces proposed for each Development Zone is proportionate having regard to the Site Wide Car Parking Strategy).

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan and the abovementioned provisions shall be

implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

19. The development shall provide a total of 10% of units across the site designed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016); and to ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

20. Prior to the construction of any building, the following details for that building shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved and agreed):

- i. Full details (including samples, where appropriate) of the materials and finishes to be used on all external surfaces
- ii. Door, entrances, windows (including glazing specifications) and balconies (including drawings and section showing thresholds to adjacent internal spaces and drawings and sections of privacy screens)
- iii. Details of the design and access controls for the car park gate(s)
- iv. Building lighting
- v. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- vi. Details of biodiverse roofs
- vii. Details of any building security measures including cctv

Thereafter the feature hereby approved shall be installed prior to occupation of the relevant phase and thereafter maintained in secure and good working order for the lifetime of the development.

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 CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

21. Notwithstanding the details submitted with the application, prior to the construction of any building within the relevant Development Phase, the following details for that Development Phase shall be submitted to and approved in writing by the Local Planning Authority:

- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
- ii. satisfactory points of collection; and
- iii. details of the refuse and recycling collection arrangements

The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason: To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

22. Prior to the construction of any building details of all extraction and ventilation equipment to be installed for that building shall be submitted to and approved in writing by the Local Planning Authority. This shall be accompanied by a report carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and proposes mitigation measures for the development if necessary to reduce these noise impacts to acceptable level (as defined in the relevant British Standard). 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.

The development shall be implemented in accordance with details approved under 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 amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

23. The level of noise emitted from any plant including ventilation equipment hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

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

24. Prior to commencement on site a scoping assessment report identifying the need for overheating analysis in respect to that building (and the assumptions to be used in the analysis) shall be submitted to and agreed in writing by the local planning authority. Where the scoping report (based on SAP design stage outputs) identifies a risk of overheating above 'slight', an overheating analysis shall be conducted and any resultant necessary additional passive measures identified. The analysis shall be undertaken using dynamic simulation software to show compliance with CIBSE overheating criteria (using CIBSE TM52 with weather files from TM49). A report providing the results of the analysis and any required mitigation proposals shall be submitted to the local planning authority for approval prior to construction of the building.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.2 and 5.6.

25. Part A:

Energy provision for the development shall be in accordance with the Energy Statement and Addendum (ref. PC24) unless otherwise agreed in writing.

Part B:

Prior to first occupation of Development Stage 1, details of the energy supply network shall be submitted to and approved by the Local Planning Authority. Details shall be in accordance with the Energy Statement and Addendum unless otherwise agreed and shall include:

- i. Details of connections available for each building
- ii. Proposals for the staged installation of plant within the energy centre and any temporary energy provision required
- iii. Details of safeguarded connections to an area wide heat network if found to be feasible following further engagement with the local planning authority and GLA.
- iv. Details of any potential future connections available to nearby buildings
- v. A statement of compliance with the site wide Energy Statement and Addendum

Part C:

As part of Reserved Matters applications, details of the energy supply for each building in Development Stages 2, 3, 4 & 5 shall be submitted and approved by the Local Planning Authority. Details shall be in accordance with the Energy Statement and Addendum unless otherwise agreed and shall include:

- i. Details of the energy supply for each building connections, including a statement of compliance with the Energy Statement and Addendum
- ii. Details of any temporary energy provision required
- iii. A statement of compliance with the site wide Energy Statement and Addendum.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.2 and 5.6

26. CHP and or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the construction of Block H, evidence to demonstrate compliance with these emission limits will be required.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan 2015 in relation to air quality.

27. Prior to construction of any building, a rainwater and greywater feasibility study, investigating the potential for incorporating rainwater or greywater recycling into building across the site, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.13, 5.14 and 5.15.

28. All commercial units shall achieve a minimum of BREEAM Very Good. Within three months of first occupation of the building, a copy of the summary score sheet and BREEAM Post Construction Certificate shall be submitted to the Local Planning Authority to demonstrate that this has been achieved.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan 2015.

29. Prior to occupation of the relevant phase of the development hereby approved, an External Lighting Assessment of lighting proposed within that Development Phase shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings as well as mitigate any impacts to species including bats. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to occupation of the relevant phase.

Reason: To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan and to mitigate the impact to species including bats in accordance with policies CS7 and DM16.

30. No building shall be occupied until a Delivery and Servicing Management Plan in respect of that building has been submitted to and approved in writing by the

Local Planning Authority. Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment and Addendum. The development shall be carried out in accordance with the approved Delivery and Service Management Strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest 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.

31. No building shall be occupied until an Estate Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The development shall be managed in accordance with the approved Estate Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the coordinated management and maintenance in good working order of the site not limited to an including its buildings, roads including the Peel Link, infrastructure including SUDs, parks, gardens, landscaping, street trees, public squares, energy centre and site network in the interests of sustainable development in accordance with the NPPF, London Plan 2015 and Barnet Core Strategy.

32. No residential unit shall be occupied until the access roads and highways works (on and off-site) associated with the block in which that unit is located (as defined by the approved phasing details) are made available for use.

Reason: To ensure there is adequate access available to all residential units.

33. No building shall be occupied until an Operational Waste Management Plan, setting out the measures for the management of operational waste across the site, has been submitted to and approved in writing by the Local Planning Authority. This development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policy 5.3, and to ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

34. No residential unit shall be occupied until the private and/or communal amenity space provision, (excluding public open space) for that unit is available in accordance with the Approved Plans.

Reason: To ensure there is adequate amenity space available for all residential units.

35. Prior to first occupation within the relevant Development Phase, unless otherwise agreed in writing as part of the approved phasing, the play space and sport and recreation features shall be provided in accordance with the approved

details for the Development Phase to which the play space relates and thereafter maintained for the lifetime of the development.

Reason: To ensure there is adequate plays space available for all users in accordance with London Plan 2015 policy 3.6 and Barnet Development Management policy DM02.

36. In respect of any future Class A1 retail use no persons other than staff shall be permitted to be on the premises between the hours of 07.00 and 23.00 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that occupation of the premises does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

37. Prior to occupation, a scheme for the provision of communal/centralised satellite and television reception equipment shall be installed on all blocks unless otherwise agreed in writing by, the Local Planning Authority. The equipment shall thereafter be retained and made available for use by all occupiers of the development.

Reason: To ensure that the development makes appropriate provision for such equipment, so as to not impact adversely on the character of the area, in accordance with policies CS5 and DM01 Barnet Local Plan.

38. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) the following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

The installation of any structures or apparatus for purposes relating to telecommunications on any part the development hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policies CS5 and DM01 Barnet Local Plan.

39. With the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works, no development shall commence until

a) A scheme for air pollution mitigation measures in accordance with the Environmental Statement shall be submitted to and approved by the Local Planning Authority prior to the construction of the building to which the mitigation relates.

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 (adopted April 2013) and Policy 5.3 of the London Plan 2015.

40. Prior to the construction of any building, details of mitigation measures in accordance with the Environmental Statement 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 shall be submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from any plant or equipment 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.

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

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

41. 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 any acoustic walls, fencing and other acoustic barriers to be erected on the site (if identified as necessary) has been submitted to the Local Planning Authority and approved in writing.

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.

42. Development shall be undertaken in accordance with the approved Drainage Strategy unless otherwise agreed in writing by the local planning authority in consultation with the sewerage undertaker.

No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

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

Reason: To prevent any damage to nearby underground sewerage utility infrastructure.

44. Prior to occupation, details and location on elevations of bat and bird boxes bricks for that Development Phase shall be submitted for approval in writing by the council.

Bat bricks and boxes in the fabric of new buildings and trees will be specified to meet the roosting preferences of species of bat recorded during the baseline surveys and those known to be present in the local area. These will be installed as an inherent component of new buildings to provide new and replacement roosting opportunities as soon as the first phase of development becomes operational.

Prior to completion the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

Reason: In the interests of protecting and enhancing biodiversity in accordance with Barnet Core Strategy policy CS7 and Development Management policy DM16.

45. Notwithstanding the content of plans hereby approved, prior to the commencement of development, details comprising a scheme of measures to enhance and promote biodiversity within the development shall be submitted to the Local Planning Authority and approved in writing. The approved scheme of measures shall be implemented in full in accordance with the approved details before the development is first used.

Reason: To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan 2015.

46. No site works or other works within a Development Phase shall be commenced before temporary tree protection measures to safeguard trees adjacent to the Development Phase have been erected in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved shall remain in place until after the development works hereby consented are completed and no material or soil shall be stored within any of the protected areas during the works associated with this development.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2015.

47. No site works or other works within a Development Phase shall be commenced before a method statement detailing the precautions to be taken to minimise damage to trees adjacent the Development Phase, in accordance with British Standard BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2015.

48. Prior to the commencement of the development hereby approved within a Development Phase details of the location, extent and depth of all excavations for drainage and other services in relation to trees to be retained, or trees on adjacent sites, shall be submitted to and approved in writing by the Local Planning Authority for that Development Phase. The development shall be carried out in accordance with such approval.

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

49. No development shall take place within a Development Phase in Phases 2-5 (with the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works) until Reserved Matters Applications, with full details of the amount, layout, scale, appearance and landscaping of development within that Development Phase, are submitted and approved by the Local Planning Authority.

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

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

50. Cycle parking shall be provided in accordance with the minimum standards in the London Plan (2015) unless otherwise agreed in writing with the Local Planning Authority. Motorcycle parking shall be provided in accordance with the Transport Assessment and Addendum (PC16).

Prior to the construction of any building in Stages 2-5, plans identifying cycle and motorcycle parking locations shall be submitted and approved in writing by the Local Planning Authority for that building to demonstrate the provision of secure, convenient and accessible locations.

Cycle and motorcycle parking so designated by detailed approval shall be used for the purpose only and retained thereafter in accordance with the approved details.

Reason: 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.

51. The retail units hereby approved shall not exceed a floorspace of more than 500sqm (unless otherwise agreed in writing).

Reason: In support of smaller business and an enhanced neighbourhood centre in accordance with London Plan 2015 policies 2.7, 4.8 and 4.9.

Reason: At the time of this permission being issued the Applicant is not able to bind all relevant interests in the site to the terms of the planning obligations in the Section 106 Agreement.

52. Development shall not commence until detailed working drawings and evidence of securing of necessary landowner consent for the proposed highway works on Brunswick Park Road have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest 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.

53. Before the building hereby permitted are first occupied the proposed window(s) in the eastern wing elevations of Blocks 1E and 1F facing properties in Howard Close and Brunswick Park Gardens shall be non openable below 1.7m and glazed with obscure glass only and shall be permanently retained as such thereafter.

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).

54. No phase of the development except infrastructure works in relation to Phase 1 shall take place unless and until the applicant has secured the implementation of a programme of archaeological recording of the existing air raid shelters and any

finds of industrial heritage, in accordance with a written scheme of investigation to submitted to and agreed in writing by the Local Planning Authority.
approved by the Local Planning Authority.

Reason: The planning authority wishes to secure the recording of these structures in accordance with the provisions of the NPPF and London Plan policy 7.8 and Barnet Core Strategy Policy CS5 and Development Management Plan Policy DM06.

INFORMATIVE(S):

1 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

National Planning Policy Framework

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.

In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing

Standards Minor Alterations to the London Plan published in March 2016 and the Parking standards Minor Alterations to the London Plan published in March 2016.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are as follows:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.2 (London and the Wider Metropolitan Area)

2.7 (Outer London Economy)

2.8 (Outer London Transport)

2.13 (Opportunity Areas and Intensification Areas)

2.18 (Green Infrastructure: The Multi-Functional Network of Green and Open Spaces)

London's People:

Policy 3.1 (Ensuring equal life chances for all)

Policy 3.6 (Children and young people's play and informal recreation facilities)

Policy 3.16 (Protection and Enhancement of social Infrastructure)

3.18 (Education facilities)

Policy 3.19 (Sports facilities)

London's Response to Climate Change:

5.1 (Climate Change Mitigation)

5.2 (Minimising Carbon Dioxide Emissions)

5.7 (Renewable Energy)

5.10 (Urban Greening)

5.11 (Green Roofs and Development Site Environs)

5.12 (Flood Risk Management)

5.13 (Sustainable Drainage)

5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach)

6.2 (Promoting Public Transport Capacity and Safeguarding Land for Transport)

6.3 (Assessing Effects of Development on Transport Capacity)

6.4 (Enhancing London's Transport Connectivity)

6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure)

6.7 (Better Streets and Surface Transport)

6.9 (Cycling)

6.10 (Walking)

6.11 (Smoothing Traffic Flow and Tackling Congestion)

6.12 (Road Network Capacity)

6.13 (Parking)

London's Living Places and Spaces:

7.4 (Local Character)

7.6 (Architecture)

7.8 (Heritage assets and archaeology)

- 7.14 (Improving Air Quality)
- 7.15 (Reducing and Managing Noise)
- 7.16 (Green Belt)
- 7.18 (Protecting Open Space and addressing deficiency)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and Woodlands)
- 7.7 (Location and design of tall and large buildings)

Mayoral Supplementary Guidance

Sustainable Design and Construction (May 2006)

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development. In terms of waste, the preferred standard seeks to provide facilities to recycle or compost at 60% of waste by 2015. The SPG also states that the siting of recycling facilities should follow consideration of vehicular access to the site and potential (noise) impacts on amenity.

The Mayor's Climate Change Mitigation and Energy Strategy (October 2011)

The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low carbon energy supply for London and moving London to a thriving low carbon capital.

Accessible London: Achieving an Inclusive Environment (April 2004)

The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.

Planning for Equality and Diversity in London (October 2007)

This guidance sets out some of the overarching principles that should guide planning for equality in the London context.

All London Green Grid (March 2012)

This strategy provides guidance for designing and managing green and open spaces to bring about previously unrealised benefits. In doing so, we aim to encourage boroughs, developers, and communities to collectively increase the delivery of green infrastructure for London.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD which were both adopted on 11 September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS7 (Enhancing and Protecting Barnet's Open Spaces)
CS8 (Promoting a strong and prosperous Barnet)
CS9 (Providing safe, effective and efficient travel)
CS10 (Enabling inclusive integrated community facilities and uses)
CS11 (Improving health and wellbeing in Barnet)
CS13 (Ensuring the efficient use of natural resources)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM04 (Environmental considerations for development)
DM05 (Tall Buildings)
DM14 (New and existing employment space)
DM13 (Community and education uses)
DM15 (Green Belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are material considerations for the determination of planning applications:

Local Supplementary Planning Documents and Guidance:

Sustainable Design and Construction SPD (April 2013)

North London Business Park Planning Brief

The Council adopted the Copthall Planning Brief following extensive public consultation in March 2016. The brief sets out the spatial strategy for the development of the North London Business Park Site.

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)

Planning Obligations (April 2013)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Health Issues in Planning (June 2007)

Planning for Equality and Diversity in London (October 2007)

All London Green Grid (March 2012)

1.2 Key Relevant Planning History

The site at North London Business Park was historically first brought into use as a cemetery by the Great Northern cemetery company in 1855. Subsequently the site

was purchased by Standard Telephones and Cables in 1922 and various industrial buildings were subsequently erected in the period up to the Second World War.

The site was partly redeveloped in the 1980's and in the early 200's into the form which is present today. Standard Telephones and Cables was bought out by Nortel in 1991 who vacated the site in 2002 when the site was renamed as North London Business Park.

In terms of more recent history, the following applications are identified in the applicant's supporting Planning Statement. In addition to this history a planning application was approved in November 2016 under planning application reference 16/5027/S73 to allow for the variation of condition 3 (Time period to discontinue use) and condition 5 (Number of pupils) pursuant to planning permission B/01615/13 dated 25/07/2013 for "Change of use of Building 5 North London Business Park, from Business (B1) to Educational (D1) use for a temporary period (3 years), including external alterations to provide car parking and fencing" Variation include to increase the capacity of the school up to 500 pupils and to enable the school to operate until 31st August 2019.

Another current application is currently under consideration under planning application reference 17/1426/FUL for the temporary change of use from office (Use Class B1) to Educational Use (Use Class D1) to part of second floor of Building 4; conversion of the 'south car park' to provide a multi-use games area, including new fencing and associated works.

15/05245/192	Use of suite as office for taxi administrative purposes.	Lawful	22/10/2015
B/01735/13	Change of use of Building 5, from Business (B1) to Educational (D1) use for a temporary period (3 years), including external alterations to provide car parking and fencing.	Approved	25/07/2013
B/04375/12	Application for a Lawful Development Certificate for an Existing Use relating to the use of the existing café at Building 4 ancillary to the use of the main office.	Lawful	21/12/2012
B/03102/09	Change of use of Building 3 from B1 office to D1 college for a temporary period.	Approved	21/12/2009
N00429GJ/07	Single storey rear extension to provide garage plus associated works to Building 4.	Approved	11/09/2007
N00429GH/07	Temporary change of use of existing Building 5 (4,800 sq m) for 3 years for Class D1 further education use for Barnet College.	Approved	10/10/2007
N00429GD/06	Change of use of part of existing social club to day nursery.	Approved	02/08/2006
N00429GA/05	Temporary change of use of part ground floor of Building 2 from offices (B1) to higher education (D1).	Approved	28/09/2005
N00429FU/04	Construction of a new glazed link between buildings 2 and 3 for temporary use for 5 years as entrance to Barnet College.	Approved	17/12/2004
N00429FN/04	Use of Building 3 for Class D1 education use for a temporary period incorporating provision for 180 car parking spaces.	Approved	23/07/2004

1.3 Pre-application Consultation by the Applicant

A statement of community involvement has been submitted with the Planning Application which outlines the consultations which the applicant carried out prior to the submission of the application. This included workshops with the GLA and the London Borough of Barnet, meetings with Local Ward Councillors and residents associations as well as Public Consultation Events held at the site.,

1.4 Public Consultations by the Council and Views Expressed

Public Consultation

2831 local residents were consulted on the planning application by letter on 25.01.2015. The application was advertised in the local press on 14 January 2016 and site notices were put up on site on 25 January 2016. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

First re consultation

Neighbouring residents were re-consulted on the 8th July 2016, following the receipt of amended plans involving the following changes:

Re-distribution of units across phases, reduction in height of blocks 1D, 1E and 1F, provision of independent access to sports facilities from basement car park and Brunswick Park Road, and further amendments including ground floor access points and fenestration.

Second re-consultation

Neighbouring residents were re-consulted on the 30th March 2017, following the receipt of amended plans involving the following changes:

The provision of 10% Affordable Housing across the site with an overall increase in the proposed number of housing units from 1,200 to 1,350. The tallest buildings have been reduced in height from 11 to 9 storeys with some buildings along the boundary of the rail line increased from 7 to 9 storeys.

E-Petitions

An e petition has been completed on the Council's Web Petition signed by 227 persons urging the refusal of the application due to: Extreme building height, excessive scale of overall development, opening of any type of access route from/to via Weirdale and Ashbourne Avenues and lack of local community infrastructure and facilities.

A second e petition is also currently live signed by 243 persons (at the time of writing of this report) objecting to the latest amended plans as the new plans continue to show an increase of density, extreme building height and access from Weirdale/ Ashbourne Avenue which the petition considers completely inappropriate.

Public Representations

As a result of the consultation, a total of 228 responses have been received with 226 objections, 17 letters of support and 4 neutral responses.

The comments received from members of the public have been summarised as follows:

Summary of main points raised by members of the public in objecting to the scheme.

GP Surgery's and Local Primary Schools full, is not catered for by the development and can not cope with increased number of units.

Height and density of the proposal excessive building high rise flats while surrounding area 2 storey houses

Insufficient information how the build would take place without inconveniencing local residents

Lack of information on the environmental and conservation impact of this project.

Problems accessing documents online

Density of development excessive and out of keeping with the area.

Safety of children at new school as a result of increased traffic

Overlooking of school from neighbouring flats

No natural playspace for school only hard surfaced play areas.

Air pollution already high will be increased by development

Number of units excessive also resultant car numbers and will overwhelm area and surrounding roads.

Need to take account of other consented developments in the area including

Sweets Way and Oakleigh Road Traffic.

Lack of local bus services which are often at capacity and infrequent

Roads outside immediate facility i.e.

Betstyle Circus (at the southern end of Brunswick Park Road and Oakleigh Road) -

already close to standstill every rush hour with numerous accidents. 8. This

proposal must be rejected. Redevelopment must focus on providing much needed

family housing at significantly lower density with considerable investment in local infrastructure to support influx of new residents.

Housing is all smaller units, character of area and policy requires more larger family housing

Redevelopment must be sympathetic to the surrounding area not a high rise ghetto

Problems accessing documents online

Lack of Consultation

Lack of time to make consultation comments

Loss of Trees on Weirsdale Avenue

Noise and disturbance and traffic disturbance as a result of the proposed school.

Height and form of development follows mistake of post war urban planning and fails to develop a cohesive vibrant community.

Height is contrary to policy which requires that tall buildings are located in identified areas.

Proposed amendments lowering height of parts of blocks 1E to 1F adjoining Brunswick Park Road are minimal and do not change the basic excessive height and density of the scheme

Proposed reduction in height of two blocks from 11 to 9 is cancelled out by the increase in height and footprint of other blocks increasing the total number of units on site.

Proposed increase in number of units to 1350 exacerbates previous concerns regarding congestion on the roads, lack of health care and school provision etc.

Lack of social housing: To impact on local housing need, the council and Comer developers have a moral imperative to increase the % of high quality social housing from 10% to 20%

Provision of 10% affordable housing does not justify increased number of units and buildings.

Lack of a community based school: rather than a faith school.

Insufficient provision for retail and future residents and neighbours will have to commute (by car) to neighbouring centres.

Absence of train station at NLBP which would improve transport situation

Adopted planning brief advises that existing nursery will be rehoused to at least equivalent quantity and quality, while proposed new location appears to lack any outdoor space.

Air Pollution from additional traffic

Pollution and disturbance and traffic congestion from construction

Area can not cope with proposed number of units and cars.

Heights should be limited to 5 storeys

Weirdale Avenue double parked and can not take any traffic or emergency vehicles
Access will encourage people in and visiting the development to park on Weirdale Avenue.

Access will result in problems of crime with criminals using it as a point of access and getaway

Comer Group could potentially use Weirdale as a Construction Access

Accidents already occur in adjoining road proposed increase in traffic would increase likelihood of accident.

Due to provision of mostly smaller units, most demand will be for primary not secondary school which is not being catered for.

Proposals ride roughshod over neighbours' concerns

Proposed number of smaller units will lead to overcrowding as families will not be able to afford to move.

High rise blocks are a failure as a housing type and will end up having to be demolished.

People in this area need cars so naïve to consider transport measures will reduce car usage.

Surrounding Roads already in gridlock any extra traffic will cause congestion as would an accident.

Application documents do not address contaminate land and the 14 tunnels under the playing fields at the north of the site.

Request for confirmation that relevant authorities have been informed regarding protected species i.e. bats and slow worms. Proposal massive overdevelopment of the site

Council in failing in duties in not opposing scheme despite massive neighbour opposition

Summary of main points raised by members of the public in support of the scheme.

Proposal will further enhance the local area., objectors need to see the bigger long term plan and not hinder economic growth

The bigger long term plan needs to be seen and residents need to understand that by objecting the plan they are hindering economic growth in the area. Great plans to further enhance the area

strongly support the application as it will bring vast benefits to the area. A modern, Outstanding Secondary school will be on the door steps of the local residents, which will raise their property prices

Support scheme but consider residential development too much and concern regarding impact on services.

Secondary School looks amazing and will be a wonderful addition to the local area, especially given the "Outstanding Ofsted" report.

No more delays for the school

The plans accommodate a wide range of the community and offer housing as well as amazing new grounds and a purpose built school for St Andrews the apostle an outstanding school which needs proper facilities and room to grow.

Complaints about traffic and noise applies to living in London and doesn't justify refusal of application.

Proposal would be a high quality scheme which will enhance the local area.

Officer Comment

All of the above representations have been taken into account in the officer assessment, which form part of the officer assessment below.

Elected Representatives.

Councillors

Councillor Cooke has provided comments that he does not consider that the provision of the school should be allowed to justify any reduction in affordable housing levels as it is the responsibility of the EFA to purchase the school site and build out the land.

Councillor Levine has objected to the application for the following reasons:

OVERDEVELOPMENT

The London Plan proposes that residential density for suburban locations with a PTAL of 1-2 should be between 35-75 units per hectare. This proposal is at 81.6. Well over the maximum and nearly 60% above the average. The surrounding area is one primarily of houses with a limited number of small blocks of flats. This proposal is attempting to overdevelop the site.

HOUSING MIX

Barnet's Core Strategy as expressed in Policy CS4 is seeking to ensure a mix of housing products in the affordable and market sectors to provide choice for all households. Barnet's plan found that our dwelling size priorities are for family accommodation across all tenures. Four bedroom properties are the highest priority with 3 bedroom medium priority (but highest for social housing). This proposed development has no 4 bedroom properties and only 18% 3 bedroom in Phase 1 with 17.5% 3 bedroom over all phases of development. This mixture of housing is unacceptable.

AFFORDABLE HOUSING

Barnet has a delivery target of 40% affordable homes (with a minimum of 5,500 by 2025/26). The proposed 10% affordable units is derisory on a development of this size and is not acceptable.

PROTECTING AND ENHANCING BARNET'S CHARACTER

Barnet's policy CS5 seeks to protect and enhance Barnet's character to create high quality places. It clearly states areas where tall buildings (8 stories, or 26m, or more) may be developed. This does not include the North London Business Park site. It also states that '*Outside of these specific locations, proposals for tall buildings will not be supported.*' The proposals for blocks of 9 stories is not acceptable and is opening the gates for further erosion of Barnet's strategic plan.

TRANSPORT AND TRAFFIC

Transport links in the area concerned are poor with a very low PTAL of only 1-2. Residents will use their own transport adding to the congestion already experienced on Brunswick Park Road, Russell Lane and Oakleigh Roads both North and South.

SITE ACCESS

It is proposed that emergency vehicle, pedestrian and cycle access will be opened from the site into Ashbourne and Weirdale Avenues. It is wrong to suggest that this was ever a public access route, when it was only used many years ago as a security managed works entrance. The quality of life of existing residents in this area is important and this proposal will have a devastating effect on them as can be seen from the high level of objections raised to this proposal.

Councillor Rutter has objected to the application for the following reasons:

Summary

Phase 1 which includes the build of the New Greek school will be decided at the Planning committee which is on the **22nd June**. There was some confusion as to whether it was on the 26th June but the date on Barnet Council website confirms 22nd June. Residents are happy for the New Greek school to go ahead and commented how it was a shame that the school was linked to the whole development on the site.

Residents are still not happy about the high buildings in Phase 1 but understand the importance of the school going ahead as mentioned in the meeting and that any amendments to this Phase will only cause a delay to the school. The residents are therefore prepared to accept Phase 1 to go ahead.

However it was confirmed in the meeting by Comers that if residents wish to amend any other details to the rest of the proposed development then this can be put forward after the Planning committee on the 22nd June to the Mayor of London. I asked for this to be noted in the minutes of the meeting as residents would still like the tall buildings to be reduced in height.

Barnet's London Plan document defines 8 storey buildings as tall and planning officers and the committee need to take this into consideration when making any decisions. Although the revised plans have reduced the 11 storey block to 9, the original **FIVE** 8 storey blocks running along the rail way have been increased to 9 storeys.

*5.7.19 Regarding the maximum height permissible on the site, the Local Plan Policy DM5 is clear that development classified as "tall" (8 storeys or more) will only be permissible in strategic locations as set out in the Core Strategy. As the **NLBP site is not a strategic location**, development of 8 storeys or more will be in conflict with the Local Plan*

Residents are not happy with the height of the 8 and 9 story buildings and believe that these are tower blocks. No matter how aesthetically they are built into the new

site the residents feel that this is very much out of character to the surrounding neighbourhood and the character of the Borough of Barnet which is renowned for preserving its character. Extensive research into tower blocks demonstrate having a detrimental effect on communities and people (esp. families) who live in them – linked to higher crime rates, lower educational outcomes, increased stress and mental health difficulties.....

The developments look and feel should blend with its surroundings. Residents also mentioned in the meeting that they are also keen to see some plans on the materials and the look being proposed to have a better understanding of the proposed development.

The density of the development is another concern. The Policy and Resources Committee (22/3/16) NLBP planning Brief - Summary stated:

5.7.18 Regarding how density varies across the site, the principal of requiring the edges of the site abounding neighbouring residential properties to be built a lower heights and densities is broadly supported by all parties with the exception of the developer seeking a “transitional zone” in the area adjacent to the residential properties of Howard Close. It is unclear why this is appropriate compared to other edges on the site, an accordingly the Planning Brief will now be amended to include this principal.

Barnet's philosophy is to provide an attractive, clean and green environment where people want to live and hopefully continue to carry on living. Any new developments should take into account the topography of the borough and help to enhance and make it more attractive.

Barnet's local plan document states;

2.3.7 Protecting character helps to maintain Barnet's heritage. Policy DM01: Protecting Barnet's Character and Amenity states that development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. In order to protect character Policy DM01: Protecting Barnet's Character and Amenity requires development to demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused.

6.1.3 London Plan Para 7.25 defines a tall building as one that is substantially taller than its surroundings, or significantly changes the skyline. **Barnet's Core Strategy defines a tall building as being eight storeys (equivalent to 26 metres above ground level) or more and identifies locations where proposals may be appropriate.**

Policy DM05: Tall buildings outside the strategic locations identified in the Core Strategy will not be considered acceptable. Proposals for tall buildings will need to demonstrate:

- i. an active street frontage where appropriate
- ii. Successful integration into the existing urban fabric
- iii. a regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- iv. not cause harm to heritage assets and their setting
- v. that the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm. Proposals for redevelopment or refurbishment of existing tall buildings will be required to make a positive contribution to the townscape.

It is interesting and the committee should also note that in the Evening Standard newspaper on the 28th March 2017 (link below) the Mayor of London and cabinet member quotes the following;

<https://www.standard.co.uk/news/mayor/sadiq-khan-backs-tall-buildings-if-they-enhance-londons-skyline-a3500851.html>

Evening standard newspaper 28th March 2017

“Without doubt, tall buildings have a role to play in London but they should only be built in suitable areas, contribute positively to the skyline and their locality and, if residential, should help ease the capital’s housing crisis.” The Mayor can call in planning applications for new tall buildings if the development would have significant impacts that are likely to affect more than one borough, would have a significant impact on the implementation of the London Plan, and there are sound planning reasons for intervention.

Councillor Daniel Astaire, the council’s cabinet member for planning and public realm, has said he is “open to taller and higher buildings as a matter of policy” but that this would have to mean “appropriate buildings in appropriate places”.

In conclusion

Residents request the committee to please consider all the concerns raised above and the notes highlighted when making their decision for this proposed development.

Whilst residents are happy for Phase 1 to proceed on the 22nd June, residents ask that an application is put forward to the Mayor of London to please consider the tall buildings proposed for the rest of the development and to note as already mentioned above that;

*As the **NLBP site is not a strategic location**, development of 8 storeys or more will be in conflict with the Local Plan*

and as in 2.3.7 above;

In order to protect character Policy DM01: Protecting Barnet's Character and Amenity requires development to demonstrate a good understanding of the local characteristics of an area. ***Proposals which are out of keeping with the character of an area will be refused.***

Members of Parliament

Teresa Villiers MP has objected to the application for the following reasons:

'I very much support the plans for a school on the site. St Andrew the Apostle is a great school which needs bigger and better facilities than it currently has.

The new buildings proposed will enable the school to continue to deliver excellent educational opportunities for pupils and the school places provided as St Andrew's expands will benefit the surrounding area.

However, I believe that it would be far better to separate the planning application for the new school building from the residential development proposed for NLBP. The controversial nature of the housing development is likely to overshadow the decision on the school and potentially cause unnecessary delay. It would be far better to consider it separately. These are two distinct proposals and there is no pressing justification why they have to be linked in the way they have been.

Turning to the residential component of the application, I note that the changes made compared to previous proposals for the site will increase in the overall number of housing units from 1,200 to 1,350. Although the tallest buildings have been reduced from 11 to 9 storeys, some of the buildings along the boundary of the railway line appear to have increased from 7 to 9 storeys.

My constituents living near the site in Weirdale Avenue are particularly concerned about privacy and overlooking.

I am worried about the impact of the number of units proposed. Even on the basis of the earlier plans for NLBP for 1200 dwellings, constituents had already told me of their concerns about the impact on traffic entering and leaving the site on surrounding roads. This latest increase in the number of flats proposed will only worsen the situation. I do not believe that local infrastructure and services can properly support the very significant population increase envisaged in this planning application.

I understand that the plans indicate that there is no vehicle or emergency vehicle access for Ashbourne Avenue and Weirdale Avenue. That is to be welcomed but residents in those areas have contacted me to query whether in fact some access might still be proposed in the application. I would therefore ask for confirmation that plans for any kind of vehicle access have been dropped and are not included in this planning application and therefore will not be approved in any circumstances.

So whilst I support the plans for new school buildings, I oppose the residential component of the application. The changes made in this proposal to bring down the height of some of the blocks are not sufficient to make the development acceptable.

The impact on the surrounding area, both visually and in terms of traffic and parking, would still be considerable.'

GLA Assembly Member

Andrew Dismore AM has objected to the application for the following reasons:

Introduction

I am objecting to this application in my capacity as London Assembly member for Barnet and Camden.

This application is seen in the local community as a 'Trojan Horse' project which will be the precursor for further high density planning applications in the area, including more tall buildings, if it gains consent.

It is generally felt that this high density development will fundamentally change the character of the local area.

Whilst I welcome the siting of the school, I do not believe that other additional infrastructure that will be needed will be in place, putting further strain on local services.

Traffic and parking

The proposed access to the site from Weirdale Avenue and Ashbourne Avenue is completely unacceptable. These roads are already busy and difficult to park in. allowing access to the site from here will add further pressure and make these roads busier and more congested.

The main roads nearby, Brunswick Park Road, Oakleigh Road North and Russell Lane are already congested at certain times, and I fear this proposal for 1,000 extra properties will only make a bad situation worse, particularly bearing in mind the impact of the waste depot for which consent has been already given.

I do not believe the local public transport network will be able to cope with such a large increase in the local population. Local buses are not well interconnected and as the area is far from large retail centres, it is likely most residents will own and use private cars. I am concerned that there will be inadequate parking provision as has occurred elsewhere in the borough, with the developers charging exorbitant fees for parking spaces, so that residents park in the nearby streets. This leads to the escalation of parking problems and ultimately a need for controlled parking zones.

I note there are no proposals to increase cycling infrastructure in the area, which might mitigate against some of the increased traffic. I also do not believe the pedestrian crossings in the area are big enough to cope with the expected increase in the number of people using them.

Overdevelopment

This application contains 8-storey blocks. This is completely out of character with the local area, which comprises mainly family housing, with some 3-4 story blocks. 8 floors are too high and dense. They would have a visually intrusive impact on the

skyline. The taller towers are close to Howard Close and Brunswick Park Gardens, whose interests are overlooked as will be the homes there.

Housing tenure mix

The London Plan and Barnet's own planning policies (Local Plan Policy DM10) require 40% of a development of this size to be 'affordable' subject to 'viability'.

There is no indication from this application what will be the percentage of affordable or social housing. Given the scale of the development, I do not believe anything less than that required by the London plan would be acceptable.

Consultation responses from neighbouring associations other non-statutory bodies.

Consultation Responses from Statutory Consultees

Greater London Authority (GLA)

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The Proposal

Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises 376 residential units in five blocks reaching eight storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline element comprises up to 824 additional residential units in buildings ranging from two to eleven storeys, up to 5,177 sqm of non-residential floor space (use Classes A1-A4, B1 and D1) and 2.9 hectares of open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking. London Plan policies on employment, education, housing, urban design, inclusive design, climate change, and transport are relevant to this application.

Conclusion

The principle of the residential-led mixed-use redevelopment of this site is supported. However, a number of strategic concerns are raised, and consequently the application does not accord with London Plan Policy:

- Employment and education: whilst the current London Plan identifies the site as SIL, it is accepted that this function is increasingly becoming obsolete and will be less viable in the future. The Council should secure the delivery of the replacement employment space, including controls over terms and rent levels for SMEs, through the S106 agreement and ensure that the requirement for primary school places is mitigated, to satisfy London Plan Policies 2.17 and 3.18.

- Housing: the quantum proposed is high for a suburban context. The absence of any affordable housing is unacceptable for this scale of development and the proposal therefore does not comply with London Plan Policy 3.12. The applicant should also address concerns raised with regard to the housing mix, to increase the delivery of family housing, and residential quality.
- Urban design: the density, height and scale in a predominantly suburban area are challenging. However, the applicant should seek to address concerns relating to residential quality, layout and visual impact, to ensure compliance with London Plan Policies 3.5 and 7.3.
- Climate change mitigation: the energy strategy does not accord with London Plan policies 5.2, 5.6 and 5.9. The applicant's position on district heating, site wide heat network and CHP is not supported and further justification is required. Further information is also required regarding overheating and PV siting.

Comments Received 15/02/2017

Whilst I do not yet have a final report to share with you, I have met with Gerald Eve today and they have confirmed that they are in agreement with the overall conclusions of the updated work undertaken on the revised scenario – that 10% is the maximum reasonable amount of affordable housing with the additional 150 units and the school site included. I suggest therefore that you proceed to amend the scheme on that basis, subject to any comments the Council may have.

As well as resolving the other outstanding matters from our Stage 1 (energy and transport), it will be necessary to bottom out what will be included in the S106 heads of terms in relation to the details of the affordable offer and review mechanisms. In particular:

Affordable offer

- Quantum of affordable housing by phase;
- Tenure split and mix;
- Proposed rent levels for affordable rent and income thresholds/monthly expenditure for shared ownership;
- Potential to incorporate grant funding under the Mayor's funding guidance.

You are encouraged to appoint an RP to help inform this.

Review mechanisms

In line with the draft Affordable Housing a Viability SPG, an early stage review will be required if the scheme has not reached an agreed level of progress within 2 years of grant of planning permission.

In addition, given the phased nature of the scheme, it would be appropriate to have a phased review mechanism that enables the re-appraisal of scheme viability, say prior to submission of reserved matters for each phase. This will enable updated costs and sales values to be used to determine whether there is any surplus that can be used to increase affordable housing delivery on site in future phases. This should also factor in any relevant grant funding regime at the time.

Transport for London (TfL)

1. Given the importance that Mayor and TfL places on improving air quality and promoting active travel in London, I'm concerned that it appears that Barnet Council and the developer plan to provide 1923 parking spaces on this site for 1,350 units that is 1.4 per unit will prove unacceptable. TfL would like to see less car parking than proposed and evidence of restraining traffic growth from this site. This car parking proposal will contribute to poor air quality on site and in the wider environment. There is no reference to Electric Vehicle Charging Points.
2. School traffic - Given there is a sizeable school on site, not clear why parking provision has not been revised downwards? The applicant needs to show how these proposal discourage school pupils and staff from travelling to school by car.
3. In Stage 1 report to the Mayor, TfL indicated we could improve local bus services, to clarify we currently assume this would mean raising the 382 from a low frequency route of four buses per hour to high frequency route of five buses per hour. Contribution request was £165,000 per annum over 5 years, to achieve this outcome. We note the impact assessment in the addendum refers to the bus capacity as 58 passengers per vehicle. Given the nature of the route, TfL specifies a 45 person capacity vehicle on this route and the planning capacity of the route is 35 people per bus. Can the Council confirm there position on this funding request? Enhancing this service would benefit residents of the development and mitigate impact on existing residents along the route. This seems an outcome that the Council would want to support.
4. The proposal assumes there will be shuttle bus service provided, which will only be used by residents of the development. If the Council is taking account of this service, TfL is concerned that funding of the service should be secured for at least 5 years (against an agreed level of service), and we suggest that developers will demonstrate how the services will be maintained into the longer term. The facility will need places to pick-up/ drop-off and layover during service, so we can assess operational impact on TfL existing services, we need to see those details. If you provide a shuttle service it needs to meet the needs of all residents including wheelchair users, as well as people with other disabilities (visual, audio is important) as well tie into late night LU services. Promoting equal access to transport is important to TfL and the Mayor.
5. TfL runs bus services in London for all Londoners, we are also responsible for regulatory other services in London through the London service permit scheme. If this is a local bus service where passengers pay individual fares to travel then a London service permit (LSP) issued by TfL would be required. We may choose not to grant a permit if this likely to be detriment to TfL services. Under an LSP, TfL we cannot dictate the fares being charged and any acceptance of Oyster etc would have to be under a separate agreement.

6. TfL welcomes the proposals for offsite cycle and pedestrian improvements. Please confirm how these measures will be secured and how Barnet Council will assure compliance with TfL Pedestrian Design Guidance (London Plan Policy 6.10) and London Cycle Design Standards (London Plan Policy 6.9).

Sport England

Sport England – Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications.

<http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/open-space-sports-and-recreation-facilities/>

This application falls within the scope of the above guidance as it relates to; residential development

It is further understood that the northern part of the Site used to comprise private sports facilities but these have not been used by the mid 1990s. It is not known if the site therefore forms, or constitutes land last used as playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).

However, as the playing field has not been used since the mid-1990s, the consultation with Sport England is not a statutory requirement.

Notwithstanding the non-statutory nature of the consultation, if the Sport England has considered the application in the light of the National Planning Policy Framework (particularly Para 74) and Sport England's policy on planning applications affecting playing fields 'A Sporting Future for the Playing Fields of England' (see link below): www.sportengland.org/playingfieldspolicy

Sport England's policy is applied to any land in use as playing field or last used as playing field, irrespective of whether that use ceased more than five years ago.

Lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality. Such land can retain the potential to provide playing pitches to meet current or future needs.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field or land last used as such, unless one or more of the five exceptions stated in its policy apply.

Strategic/Local Need for the Facility

Sport England has used its strategic planning tools (Facility Planning Model National Run 2015) to assess the current supply and demand for artificial grass

pitches which indicates that there is demand for new artificial grass pitches particularly for football/rugby. A review of the FPM information we hold for sports halls also indicates there is a need for a sports hall facility. Nb. This conclusion assumes that Active Places Power database is up to date and correct and takes no account of planned changes in supply (e.g. recent facility closures) or demand (e.g. population growth).

Facility Design

Sport England seeks to ensure the new sports facilities are fit for purpose. The details submitted with the application do not detail how the design of the sports facilities was reached. Having regard to;

- Sports halls
- Artificial Surfaces for Outdoor Sports
- Comparative Sizes of Sports Pitches and Courts
- Pavilions and Clubhouses

Sport England is concerned that the design of the proposed facility does not meet the above technical guidance for the following reasons;

Insufficient information has been provided about the proposed artificial grass pitch (AGP). Sport England would like details of; the proposed surface (different surfaces are appropriate for different sports), pitch dimensions and run-offs, fencing, floodlighting.

The sports hall is not a community sports hall (e.g. 34.5 x 20.0 x 7.5 m.) and may not be sufficient to support the needs of the School and the community (see EFA Building Bulletin 103 and Sport England's Sports Hall design guidance). How has the sports hall design been arrived at, can it be increased in size and details of its layout be provided?

The MUGA and community sports pavilion should also meet the standards set out in our design guidance. Has a drawing showing the internal layout of the pavilion been provided for comment?

We also wish to draw the Council's attention to our other relevant design guidance;

- Artificial Sports Lighting Design guidance
- Artificial Grass Pitch (AGP) Acoustics - Planning Implications

Availability for Community Sport

The primary purpose of this development is to deliver community sport and as such Sport England is satisfied that it will fulfil the benefits to community sport identified above. The application has identified the potential for this facility to be used for community sport, and this is reflected in its design, location and intended hours of operation. Sport England would wish to see this intention consolidated by way of a Community Use Agreement.

Subject to the satisfactory establishment of a Community Use Agreement through the condition identified below, Sport England is satisfied that the proposed MUGA,

sports hall, sports pavilion and AGP will deliver benefits to community sport identified above.

The Proposal and Assessment against Sport England's Objectives and the NPPF

As it is not clear which part of the site may have been used as playing field or its size, and given the significant time lapse since a private sports club was on the site, it is difficult to make an assessment against paragraph 74 of the NPPF and Sport England's playing fields policy. Notwithstanding, it is recognised the new site includes sports facilities including a MUGA, sports hall, sports pavilion and AGP. However, if Sport England is to accept that the loss of playing fields (albeit that these have been out of use for a long period of time) and that the new sports facilities built will meet the needs of the school and the residents of the 1000+ residential units on this site, Sport England requires the Council to ensure that the sports facilities provided meet with the standards in our design guidance and are fit for purpose.

In light of the above, Sport England wishes to **object** to this application. Sport England is likely to withdraw its objection to this application if further information is provided regarding the design of the proposed sports facilities that demonstrates they meet with Sport England's design guidance and therefore are fit for purpose.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Environment Agency (EA)

There are no constraints which fall within our remit for this application. We did not need to be consulted on this application and therefore have no comments.

NHS England

In relation to the growth in the population from the development of the North London Business Park, if the growth will be an estimate of 2,400 residents this will not warrant a new GP practice. To enable a practice to be financially viable on a standard APMS contract (if procured) the patient registered list would need to be 6,000 patients or more.

I have not had a chance to look at the number of neighbouring practices within 1 mile of the NLBP but at a 2,400 growth we would review if the existing practices could absorb the additional capacity.

If there is not sufficient capacity we could access funding through the Primary Care Transformation Fund.

Thames Water (TW)

Waste Comments

With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning

Authority look to approve the application ahead of further information being provided, we request that the following 'Grampian Style' condition be applied - "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result

in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Supplementary Comments

Developer to provide proposed points of connection to Thames water network and Drainage strategy. Thames Water advise that a drainage strategy should contain details of pre and post development surface water run off rates for storm periods 1 in 10, 30, 100 and the proposed methods of surface water flow management e.g. attenuation, soakaways etc. The London Plan Policy 5.13 Sustainable Drainage states the drainage hierarchy that suggests discharge rainwater direct to a watercourse before considering discharge rainwater to a surface water drain.

Metropolitan Police Crime Prevention Design Advisor

1. All communal and all residential doors will be to a security certificated standard. BS PAS 24-2012, LPS 1175 sr2 +, STS 201, STS 202 BR2.
2. All opening and accessible windows will be to BS PAS 24-2012 (etc as above) with P1a Laminated glazing.
3. Access control will be audio and video with no trades button.
4. Post delivery will be either through the wall, or internal lobby with secondary BS PAS 24-2012 door fitted.
5. Car Park. Roller shutter to LPS 1175 sr2 standard. Stair cores have access to the basement. Should the fire button be activated these doors will open and allow anyone access to the stair core. The number of fire routes should be considered. The fire route should exit the building at ground level. Otherwise each level will have BS pas 24-2012 doors leading from the stair core. Lighting to BS 5489.
6. Bins and bike stores. Self closing and self locking doors. Bike stores will have BS PAS 24-2012 doors fitted. I suggest sub-division of the cycle store to reduce risk of the number of bikes stolen.
7. Stud partition from common parts to be supported with 9mm plywood or expanded metal mesh.

8. CCTV and alarm. If cctv is used then will be registered and comply with the information commissioners office guidelines. www.ico.gov.uk.

9. Further access control will be provided at each 25 unit basis. This can be achieved by access control on each floor, and encrypted fob on the lift.

10. Utility meters will be located in central locations.

Layout.

Increase surveillance. Decrease permeability. Increase territoriality.

We discussed how territoriality could be gained. Prevent access to the rear of building with railings. 1.8m high minimum. Gating as near to the building line as possible. Opened during the day was mentioned and I highlighted that residential burglary is most common during the day. Although gating at night prevents other crime or ASB (anti-social behaviour).

Residential units at ground level, should have fencing and foliage to prevent others viewing through ground windows. Territoriality strip of 2m would provide a privacy zone. Gable ends may have windows at first floor level.

Surveillance. Lighting to BS 5489 with no bollard lighting. Any recess would be to a maximum of 600mm. Landscape design would provide a surveillance window, with planting below 1m high and above 2m high.

Decrease Permeability. Directed routes only. This should not allow a pedestrian to walk through the estate. A perimeter around the site should be established with fencing to 1.8m high as minimum.

Gating should be of a design not easy to climb. Backing onto residential gardens should have restricted access. Movement should be prevented with 1.8m to 2m high walls or fence.

I would not support a pedestrian route from Weirdale Road/Ashdale Avenue. Routes should be from public roads where lighting, passing motorists etc will provide a degree of surveillance. If benches are fitted they should be

easily removable. Should ASB occur then to break the cycle the bench can be removed and replaced at a later time.

Internal Consultation responses

Transport and Regeneration

To be Reported

Environmental Health

No Objections raised subject to the attachment of appropriate conditions regarding

construction method extraction, noise mitigation and contamination.

Trees and Landscape

Discussion

□□ North London Business Park has a wide variety of trees in extensive grounds. These features including a pond provide a significant benefit to the local area in terms of visual amenity, open space, wildlife and rest for staff working on site.

□□ The assessment of the trees by fpcr is in my opinion accurate and the trees have been correctly evaluated.

□□ The tree removal and retention plans 6457-A-03-01A to 6457-A-03-03-A require updating to reflect changes in design in the May 2016 revision. Also there is significant confusion in the detailing on these plans; trees marked as red (Cat U) have been categorised as blue (Cat B) on the main surveys. I believe these trees should have been hatched red for removal for the development. However this needs to be clarified.

□□ Japanese knotweed has been identified on the site present within TG2 as recorded on the ecological data. This plant must be controlled and eradicated from the site in due course.

□□ Recommendations/conclusions

□□ A considerable number number of trees will be removed for this development approximately 141. However this may change as the design has been modified since the arboricultural impact assessment was written.

□□ The impact of such a large number of trees being removed will be significant.

□□ Design guidance: trees on the boundaries and entrances to the site should be retained. Within the site key trees and groups of tree must be retained, the current plans are a good attempt at achieving this.

□□ A tree replacement strategy is required in order to offset the loss of these trees.

□□ The arboricultural impact assessment and tree removal plan require updating to reflect the current submitted design. Once this work has been submitted I will undertake a more detailed review.

Education and Children's Services

Having inputted the data you provided though the GLA's child yield tool, the child yield for NLBP is suggested to be:

	Sub region: North
Yield 0-9	636.2
Yield 10-18	173.3
Yield 19+	2203.1

The NLBP development is likely to require an additional 2FE at primary level. The impact at secondary is estimated at less than 1FE.

In terms of whether the demand for primary places at NLBP could be absorbed by primary schools in the wider area, the school roll projections currently suggest that sufficient capacity is projected in the local area (see table below):

	Surplus primary forms of entry
2019-20	1.1
2020-21	1.0
2021-22	1.2
2022-23	1.5
2023-24	2.0
2024-25	2.3
2025-26	2.7
2026-27	3.1
2027-28	3.4

Skills and Enterprise

The scheme in terms of size and loss of employment floorspace is not dissimilar to the NIMR, which I understand has been referred to the GLA, and which I have been advised is not expected to retain the contributions that we asked for originally.

The loss of employment floorspace is significant, with an estimated job loss of circa 3012 jobs based upon the below (I am aware these calculations can have lots of mitigating factors so please let me know if there is anything I am likely to have missed). This would traditionally drive quite a high figure for a loss of employment floorspace contribution – in fact in the case of NIMR, we had to revert to an alternative calculation method, as it's just not appropriate in such big developments.

Loss of Employment Floorspace Contribution

Select Employment Floorspace Types from Drop Down List

Below

	Existing Type	Existing (sqm)	Proposed (sqm)	Total Job Loss
1	Office - B1 (a) - Business Park	33845	2892	3322.968085
2	Retail - A1 - High Street		2018	31.04615385
3	Leisure & Visitor Attractions - D1 - Cultural Attractions		13170	-280.212766
4				
5				
6				
7				
Total Loss of Jobs				3012

The construction cost of the scheme is £158m, which puts it into the highest tier for the SPD calculation, driving the below outcomes:

LEA Obligations	Obligation
Forecasting of Job Opportunities	2 months' notice
Local Labour Target	30%
Local Supply Chain Use	30%
Progression into employment (under 8 months)	16
Progression into employment (over 6 months)	10
Apprenticeships	27
Work experience (16+)	35
School/college/university site visits	316
School/college workshops	174
	£
Contribution in Lieu of LEA	676,413.80

Given the size of the scheme, we would definitely request:

Those conditions highlighted in yellow above

The provision of a Skills and Employment Co-ordinator to ensure that outcomes are achieved.

The provision of a Skills and Employment Action Plan to outline how the outcomes would be achieved.

The apprenticeship number over 7 years is about 4 apprentices per year, which we do occasionally receive pushback on. I suggest we halve this number of 15 apprentices over the scheme and request a contribution for the remaining number of apprentices. This contribution is normally based on the number of apprenticeships * cost of an apprentice, which would be roughly £300k.

The developer may want to have the apprenticeships instead – if that is the case, happy to agree to it, however we would expect the s106 to include the requirement that any apprenticeship not recruited to will require a contribution in lieu.

Progression into employment could have contribution in lieu – this would be roughly £130k.

Site visits and workshops are nice to have but we could probably halve these without much fuss.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

This planning application concerns the redevelopment of the North London Business Park (the Site), which is located within the Brunswick Park Ward in the east of the London Borough of Barnet.

The Site measures 16.53 hectares, of which approximately 13 hectares comprises of areas of disused open space and car parking. The Site is bounded by the East Coast Mainline railway along the entire western boundary, whilst the New Southgate Cemetery is adjacent to the eastern boundary. Properties to the north and south are predominantly residential, typically characterised by two/three storey suburban detached, semi-detached and terraced housing. The Site does not contain any listed buildings, nor is it located within a Conservation Area.

There are principally 4 buildings on site providing office accommodation in buildings up to ground plus three storeys in a campus style layout. The current single largest tenant is Barnet Council who occupy over 55% of the total floorspace on the site.

St Andrew the Apostle School is also located on the Site having opened as a free school in September 2013, occupying 'Building 5' on a temporary basis, which is a central block to the west of the existing lake.

The northernmost existing building on the Site is currently occupied for function / conference purposes, as well as an existing nursery (Leo's Nursery).

The Site varies significantly in topography with a steep gradient comprising a level difference of 24 m across the Site from the northern boundary to its lowest point at Brunswick Park Road.

A lake currently occupies part of the lower section of the Site, which can be seen upon entry from Brunswick Park Road. This is a man-made structure dating from the mid-1980s with the primary function of water attenuation.

The nearest National Rail stations to the Site are New Southgate to the south and Oakleigh Park to the north, both of which are located within one mile of the Site and provide access to central London within 20 minutes. Also located within one mile of the Site is Arnos Grove Station which provides access to the London Underground Piccadilly Line. New Southgate has also recently been identified as a preferred location for Crossrail 2, which is proposed to connect National Rail networks in Surrey and Hertfordshire and link in with the existing London railway infrastructure, through tunnels connecting Wimbledon and New Southgate.

The Site is served by the 382 bus along Brunswick Park Road connecting the Site from Southgate in the east, to Friern Barnet and Finchley in the west, and also the 34 (connecting the Site from Barnet in the west to Walthamstow in the east) and 251 (connecting the Site from Edgware in the west to Friern Barnet in the east) from Oakleigh Road South. The PTAL of the site is currently 1-2.

The site has two principal access points, one to the south onto Oakleigh Road South (A109) and one to the east onto Brunswick Park Road. There is also a redundant, unused access point to the northern boundary which would provide

access to Ashbourne Avenue, were it not currently fenced off. Ashbourne Avenue leads onto Russell Lane (B1453), which comprises a neighbourhood retail frontage.

2.2 Description of the Proposed Development

Planning permission is being sought for the following works (the Proposed Development): *“Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed-use development.*

The detailed element comprises 360 residential units in five blocks reaching eight storeys, the provision of a 5 Form Entry Secondary School, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road. The outline element comprises up to 990 additional residential units in building ranging from three to nine storeys, up to 5,177 sq m of non-residential floorspace (Use Classes A1-A4, B1 and D1) and 2.54 hectares of public open space. Associated site preparation / enabling works, transport infrastructure and junction works, landscaping and car parking.

This application is accompanied by an Environmental Statement.”

The planning application is submitted part in full and part in outline with all matters reserved other than access, with the details of both elements provided below.

Detailed Element

The detailed part of the Hybrid Application comprises Phase 1 of the masterplan as identified in the Parameter Plans. This includes the new secondary school and associated facilities together with 360 residential units.

New Secondary School Facilities

A new secondary school is proposed to be located in the south-eastern corner which will provide a purpose built and larger facility for the St Andrew the Apostle Greek Orthodox School which are currently operating out of converted office accommodation in Building 5. The new secondary school will include the following:

- 11,165 sq m (GIA) school building situated across basement, ground plus two storeys;
- 118 sq m (GIA) multi-use games area (MUGA) to the roof of the main school building;
- 764 sq m (GIA) new single storey sports hall;
- A new 4,610 sq m all-weather sports pitch and associated 379 sq m (GIA) changing pavilion.

Vehicular access into the School will be via Brunswick Park Road which will lead into a drop-off facility for parents and the provision of parking in a basement for staff members. The proposals provide for on-site disabled car parking and a dedicated servicing and delivery bay. In addition to the drop off area, there is an access to the staff car parking which takes the form of a basement parking area, with 92 permanent parking spaces.

Residential Accommodation

In addition to the secondary school facilities, Phase 1 also proposes the delivery of 376 residential units in five development blocks:

- Block 1B – 7 residential units in buildings reaching three storeys;
- Block 1C – 114 residential units in buildings reaching seven storeys;
- Block 1D – 123 residential units in buildings reaching seven storeys;
- Block 1E – 58 residential units in buildings reaching eight storeys, albeit stepping down to three storeys at the boundary edge;
- Block 1F – 58 residential units in buildings reaching eight storeys, albeit stepping down to three storeys at the boundary edge.

In terms of the unit split It is proposed across the five blocks to provide 69 1-bed units (19% of Phase 1), 227 2-bed units (63% of Phase 1) and 64 3-bed units (18% of Phase 1).

Outline Element

The outline element of the Hybrid Application comprises Phases 2-5 detailed on the masterplan and Parameter Plan. The outline elements are predominantly residential, however also include provision for complementary non-residential uses such as office floorspace, small-scale retail floorspace and community facilities, alongside the provision of public open space, play space and other infrastructure.

Residential Accommodation

The outline elements of the application propose the delivery of an additional 990 residential across within four development phases. The unit split and configuration is set out below.

Phase	1-bed Apartments	2-bed Apartments	3-bed Apartments	2-bed Houses	3-bed Houses	Total
2	N/A	3	41	32	63	139
3	45	169	45	N/A	N/A	259
4	59	219	58	N/A	N/A	336
5	45	167	44	N/A	N/A	256
Total	149	558	188	32	63	990

Table 3: Outline Element Residential Schedule

Non-Residential Floorspace

The application proposes approximately 2,892 sq m (GIA) of office accommodation in Blocks 3A and 5A. It is proposed that some of this space will be let in the form of flexible, short-term accommodation targeting small and medium sized companies.

4.15 In addition to the office accommodation, the application proposes 744 sq m (GIA) of community floorspace in the form of two different units. It is proposed to re-

provide a nursery to compensate for the loss of the existing facility along with an additional community facility, the final design and exact use of which will be determined through a future Reserved Matters application.

The application also proposes 2,017 sq m (GIA) retail floorspace to accommodate small scale retail operators within the later phases. This floorspace is envisaged as serving the residential community, rather than providing larger retail units which would detract from any nearby retail frontages.

Car Parking

In addition to the school car parking residential car parking is proposed to be located within basement car parks with some additional on street parking spaces for visitors. Phase 1 has 513 car parking spaces within the four basement parking areas.

The outline element of the scheme will include a minimum of 1,410 allocated car parking spaces, the precise details of which will be provided at Reserved Matter stage.

Access

It is proposed to utilise the existing access routes into the Site at both Oakleigh Road South and Brunswick Park Road. In order to provide a safe entry and egress point for the School, it is proposed to undertake off-site improvements through the introduction of a roundabout at the entrance along with a new access on Benfleet Way.

The application also proposes to reopen an extinguished connection at Ashbourne / Weirsdale Avenue, which is currently fenced off for pedestrian and cycle traffic only.

Landscape

The Proposed Development would provide a total of 25,375 sq m of usable open space which includes 1,640 sq m of combined neighbourhood play space (within 400m of new residential dwellings). This is predominantly laid out in three main parks, with additional publically accessible open space.

Four Locally Equipped Areas of Play (LEAPs) are provided across the Proposed Development and doorstep play provision is included for all residential blocks.

The existing surface water attenuation lake in the south-eastern portion of the Site is retained but slightly reconfigured to reflect the location of the School, as well as maximising the landscape enhancements in the surrounding parkland.

Scheme amendments in the course of the application

Following the initial consultation and assessment of the application, there have been amendments to the scheme. The changes were consolidated into an updated set of revised and additional supplementary documents. The application was re-notified in both July 2016 and March 2017 following the receipt of these amendments.

A summary of the changes are as follows:

July 2016 Changes

Re-distribution of units across phases, reduction in height of blocks 1D, 1E and 1F, provision of independent access to sports facilities from basement car park and Brunswick Park Road, and further amendments including ground floor access points and fenestration.

March 2017 Changes

The provision of 10% Affordable Housing across the site with an overall increase in the proposed number of housing units from 1,200 to 1,350. The tallest buildings have been reduced in height from 11 to 9 storeys with some buildings along the boundary of the rail line increased from 7 to 9 storeys.

3. PLANNING CONSIDERATIONS

3.1 Environmental Impact Assessment (EIA)

The EIA procedure in the UK is directed by the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'Regulations'), EU Directive 85/337/EEC (as amended), Circular 02/99 as well as the National Planning Practice Guidance (2016). While the EIA Regulations were amended in May 2017, this only applies to the consideration of applications received after this date and as such the application needs to be considered in the context of the 2011 regulations.

Screening and Scoping for EIA development

In respect of EIA screening, the proposed development does not fall within 'Schedule 1' development. However, the development is considered to constitute the 'Schedule 2' development namely, an 'urban development project' in accordance with Section 10(b) of Schedule 2 of the Regulations. The threshold identified for such projects is an area exceeding 0.5ha. Although, it is noted that the site is not located in a sensitive area as defined in the regulations.

Prior to the subject application, an EIA Scoping Opinion was sought by the applicant in November 2015 pursuant to section 13 of the Town and Country Planning Act 1990. Following consultation and assessment, the council provided its opinion on 31 December 2015 (Ref: 15/07116/ESC). The Council's opinion was that while the basic format of the scoping report was considered acceptable an insufficient level of information was provided to allow the Council to formally approve the scoping particularly in relation to highway information and density.

It is noted that additional information regarding these matters were provided in the application submission, and additional amendments and documentation which has been submitted during the application process. As such it is considered that the applicant has satisfactorily responded to the previous scoping refusal and it is

considered that the application is a valid application from the perspective of the EIA regulations.

3.2 Principle of Development

Employment

The London Plan 2016 identifies the site as a Strategic Employment Location with the sub category, Industrial Business Park. The designation reflects the historic employment use of the site. However, owing to the site's location, the type and quality of office accommodation relative to the needs of the current market, the occupation of the office space on the site has decreased significantly in recent years. At present, Barnet Council is the single largest tenant on site, occupying 55% of the total floorspace. However, they plan to vacate the buildings by November 2017 and after this time the majority of buildings will be vacant and given the site's remote location from public transport or town centres such large scale outer London offices are unlikely to be re-let.

Paragraph 22 of the NPPF states that "planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities".

The London Office Policy Review 2012 indicates that office based employment may grow, although the London Plan recognises that this growth has not always translated into new floorspace in Outer London. The London Plan encourages the renewal and modernisation of office stock in viable locations in both Outer and Inner London and urges boroughs to manage changes of surplus office space to other uses, providing overall capacity is sustained to meet London's long-term office needs. The persistent vacancy rate demonstrates that NLBPs location is not viable for the type and quality of accommodation on offer and will not be sustainable in the longer term in the event that Barnet Council vacates the site. Therefore replacement of the existing strategic floorspace for alternative uses will be considered acceptable.

Local Plan policy expects re-provision of employment space where a loss of employment floorspace occurs. The Barnet Entrepreneurial Strategy highlights the contribution of small and medium sized enterprises to the health of North London's economy. The main employment generating use that would remain in the redeveloped scheme is the Comer Innovation Centre, which offers short term leasing arrangements for SMEs. The proposed B1 floorspace would be similar to the current Comer Innovation Centre, with short term lets and smaller, modern, flexible office floor plates. This type of space better reflect the modern needs of the local economy and this location.

Overall therefore, the Council considers that the removal of the Industrial Business Park designation is appropriate in this instance in line with the provisions of the NPPF and London and Local Plan Policy. The proposal provides the opportunity to deliver a mixed use development that will better reflect the needs of the local community, whilst retaining some SME/incubator employment to serve local start-up businesses.

Housing

The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that accords with an up-to-date Local Plan should be approved.

Policy 3.3 of the London Plan recognises the pressing need for more homes in London and seeks to increase housing supply in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

Policy CS3 'Distribution of growth in meeting housing aspirations' identified the North London Business Park Site as a smaller development area in the east of the borough that was estimated to provide in the range of 400 new homes as part of a mixed use development in accordance with the 2006 adopted planning brief.

The 2006 planning brief was subsequently superseded by a new planning brief for the site which was adopted on the 22nd March 2016. This brief while not stating how many units should be contained within the site envisaged and supported a predominately residential led development which covered the entirety of the site, in comparison with the 2006 brief which was based on a predominately commercially based development and as such the anticipated housing numbers are higher than they were at the time the Core Strategy was adopted. Overall the basic principle regarding the provision of residential housing on the site is considered acceptable subject to detailed assessment as set out below.

The redevelopment accords with the abovementioned policies for an intensive, mixed-use proposal which is intended to positively transform the site and the area with its uses including residential, commercial, school and open space provision, as well as its design and the associated improved relationships to and connectivity with the surrounding area.

Specific aspects of the development principles of this proposal are discussed in more detail below.

Housing Density

London Plan policy 3.4 seeks to optimise the housing potential of sites. This provides a guide to appropriate density ranges for particular locations, depending

on accessibility and setting.

The Transport Assessment indicates a varying PTAL across the existing site of between Level 1 (Very Poor) and Level 2 (Poor) through the site.

The density matrix of the London Plan 2016 nominates a density range of 150-250 habitable rooms per hectare for PTAL 1 and between 150 to 250 units habitable room per hectare for Suburban PTAL 2.

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150–200 hr/ha	150–250 hr/ha	200–350 hr/ha
3.8–4.6 hr/unit	35–55 u/ha	35–65 u/ha	45–90 u/ha
3.1–3.7 hr/unit	40–65 u/ha	40–80 u/ha	55–115 u/ha
2.7–3.0 hr/unit	50–75 u/ha	50–95 u/ha	70–130 u/ha
Urban	150–250 hr/ha	200–450 hr/ha	200–700 hr/ha
3.8 –4.6 hr/unit	35–65 u/ha	45–120 u/ha	45–185 u/ha
3.1–3.7 hr/unit	40–80 u/ha	55–145 u/ha	55–225 u/ha
2.7–3.0 hr/unit	50–95 u/ha	70–170 u/ha	70–260 u/ha
Central	150–300 hr/ha	300–650 hr/ha	650–1100 hr/ha
3.8–4.6 hr/unit	35–80 u/ha	65–170 u/ha	140–290 u/ha
3.1–3.7 hr/unit	40–100 u/ha	80–210 u/ha	175–355 u/ha
2.7–3.0 hr/unit	50–110 u/hr	100–240 u/ha	215–405 u/ha

The Site has an existing PTAL rating ranging between 1-2. In accordance with Table 3.2 of the London Plan, the Site is located within a suburban setting defined as an area *“with predominantly lower density development such as, for example, detached and semi-detached houses, predominantly residential, small building footprints and typically buildings of two to three storeys”*. Given the Site’s PTAL rating and suburban local, the London Plan seeks to provide residential densities of between 150-250 habitable rooms per hectare.

The Proposed Development results in an average density of 251 habitable rooms per hectare which marginally exceeds the London Plan Density Matrix. Although due to the limited amount by which this is exceeded to would be more accurate to describe the density proposed as at the top end of the matrix. The numerical application of the London Plan density matrix needs to be balanced against design quality and the quality of residential environment created. Account also needs to be taken of the improved connectivity through the site and to the surrounding area including its public transport as well as the provision of social infrastructure on site. This reflects the approach of *“optimising”* housing according to London Plan Policy 3.4, it being noted that the density matrix is not intended to be applied mechanistically (London Plan para 3.28).

In addition the Mayors housing SPG sets out the exceptional circumstances where densities above the relevant density range may be justified (London Plan para 3.28A). Exceptional circumstances include the following and which are considered relevant in the case of this application:

- “Liveability” as described in section 2.2 – 2.4 of the SPG (E.g.

Neighbourhood scale and provision of outdoor spaces, playspace, designing out crime, social infrastructure, dwelling standards and facilities, and sustainability)

- Exemplary design and quality
- Access to services
- Management of communal areas
- Contribution to 'place shaping'

These comments are reflected in the GLA comments which do not raise any strategic concerns and instead, considers that the densities across the site are broadly appropriate.

Education

Section 14 of the Education Act 1996 (the 1996 Act) places a general duty on local authorities to secure sufficient schools for providing primary and secondary education for their area. Schools available will be sufficient if they are sufficient in number, character and equipment to provide all pupils with appropriate education. Subsection (3A) requires a local authority to exercise its functions under this section with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

In relation to planning law Paragraph 72 of the NPPF advises that:

'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter schools; and
- Work with schools promoters to identify and resolve key planning issues before applications are submitted.'

In terms of regional guidance London Plan Policy 3.18 advises that:

'Policy

A The Mayor will support provision of childcare, primary and secondary school, and further and higher education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, including in parts of London with poor educational performance.

B The Mayor strongly supports the establishment of new schools, including free schools and opportunities to enable local people and communities to do this.

Planning decisions

C Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Those which address the current and projected shortage of primary school places and the projected shortage of secondary school places will be particularly encouraged. Proposals which result in the net loss of education

facilities should be resisted, unless it can be demonstrated that there is no ongoing or future demand.

D In particular, proposals for new schools, including free schools should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.

E Development proposals which maximise the extended or multiple use of educational facilities for community or recreational use should be encouraged.

F Development proposals that encourage co-location of services between schools and colleges and other provision should be encouraged in order to maximise land use, reduce costs and develop the extended school or college's offer. On-site or off-site sharing of services between schools and colleges should be supported.

G Development proposals that co-locate schools with housing should be encouraged in order to maximise land use and reduce costs.'

In terms of local Policy. Policy DM13 advises in relation to new community or educational uses that:

'New community or educational uses should be located where they are accessible by public transport, walking and cycling, preferably in town centres or local centres. New community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties.'

In terms of the need for secondary school places along with many parts of London, Barnet has seen an unprecedented growth in demand for school places. Children in the additional primary school places that have been provided in Barnet since 2009 will require a secondary school place at the end of the primary phase. The borough is already operating at almost full capacity in the secondary sector.

GLA projections indicate that between 18- 20 forms of additional entry at the secondary sector will be required to meet demand through to the beginning of the next decade. The need for more secondary provision is proposed to be met by a combination of school expansions and free school applications. The provision of additional forms of entry at St Andrew's the Apostle School would contribute towards meeting this requirement.

Currently the St Andrew the Apostle Free School occupies Building 5 of the NLBP site, operating as a 2-form entry secondary school although temporary permission has been sought to expand this to 5 form utilising additional buildings in NLBP. It is understood that the current facilities are not ideal from an educational perspective utilising converted office space with limited outdoor play facilities. The current application seeks to replace this facility with a new purpose campus fronting Brunswick Road with purpose built outdoor recreation space beyond. The new school would represent both a qualitative and quantitative improvement and is welcomed in Planning Terms in Land Use Terms.

Retail and community uses

In addition to the commercial and residential elements of the proposal, the application also proposes up to 2,017 sq.m of retail floor space and 744 sq.m of D1 Community Use, which includes the re-provision of the existing nursery space on the site. The purpose of inclusion of this space is to enable active ground floor frontages and to cater for local convenience needs rather than attracting visitors from outside the site. On this basis the proposed retail centre is unlikely to adversely affect any neighbouring shopping centres and is considered acceptable. The re-provision of the proposed D1 Community space is also welcomed and is in accordance with Policy.

Sport facilities

The northern area of the site was historically used as a private sports field for the former STC/Nortel business occupiers, and associated changing facilities/club, however it is understood that this has not been in use since the 1990s. The detailed proposals for the school include provision of an all-weather sports pitch, an indoor sports hall and a multi-use games area (MUGA) on the roof of the building. These facilities would be managed and maintained by the school, but are proposed to be made available to the wider community outside of school hours, which is welcomed. Council officers consider that the proposed sports facilities provision would adequately mitigate against the loss of the historic sports facilities on the site and the proposal.

3.3 Housing Quality

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch 3 'London's People', and Ch 7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD and CAAP policy 5.2.

Unit mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan Policy 3.8, and Barnet Development Management Policies DPD policy DM08). The council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

In terms of the unit split the detailed phase 1 development proposes the following unit split: 69 1-bed units (19% of Phase 1), 227 2-bed units (63% of Phase 1) and 64 3-bed units (18% of Phase 1).

The outline elements of the application propose the delivery of an additional 990 residential across within four development phases. The unit split and configuration is set out below.

Phase	1-bed Apartments	2-bed Apartments	3-bed Apartments	2-bed Houses	3-bed Houses	Total
2	N/A	3	41	32	63	139
3	45	169	45	N/A	N/A	259
4	59	219	58	N/A	N/A	336
5	45	167	44	N/A	N/A	256
Total	149	558	188	32	63	990

Table 3: Outline Element Residential Schedule

In terms of dwellings types which constitute family accommodation provision, the London Housing Design Guide classifies family housing as all units upwards of 2 bedroom 3 person units. It is worth noting that all of the 2 bed units proposed in Phase 1 are larger 2 bed 4 person units.

As such while the total percentage of three bed units represents 23% of the total number of units, the total percentage of family housing represents 84% of all units. Overall therefore it is considered that the proposal proposes an appropriate split in housing type to address housing preference and need in accordance with the abovementioned policy.

Affordable Housing

London Plan 2015 policy 3.12 seeks the maximum reasonable amount of affordable housing to be negotiated. The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings. All of the above policies seek a tenure split of 60% social rented and 40% intermediate housing.

The development comprises a total minimum affordable housing provision of 135 units which is equivalent to 10% by unit numbers. All of these units will be delivered in Phase 1 and would be of the following configuration with a tenure split 70:30 between affordable rent and shared ownership tenures.

Affordable Rent (95 Units)

10 x 1 bed 2 person
55 x 2 bed 4 person
30 x 3 bed 5 person

Shared Ownership (40 Units)

10 x 2 bed 3 person
30 x 2 bed 4 person

The application has been subject to an independent assessment of viability carried out both by GL Hearn on behalf of the London Borough of Barnet and Gerald Eve on behalf of the Mayor of London. These reviews have confirmed that this is the maximum level of affordable housing that the development can support having regard to the existing value of the site, the significant Barnet CIL and Mayoral CIL contributions totalling over £21,832,947 and other contributions including the provision of the school site.

Therefore, in accordance with the abovementioned policy justification, the level of affordable housing secured is considered acceptable on balance.

Floorspace standards

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling, as set out in the below table, which shows the areas relevant to the unit types in this proposal.

Table 3.3 Minimum Space standards for new dwellings (adapted from London Plan)

	Dwelling Type (bedroom/persons- bed spaces)		Gross Internal Area Standard (m ²)
Flats	1 bedroom person	1	37
	1 bedroom person	2	50
	2 bedroom person	3	61
	2 bedroom person	4	70
	3 bedroom person	5	86
	3 bedroom person	6	95
	4 bedroom person	5	90
	4 bedroom person	6	99
2 storey house	2 bedroom person	4	83
	3 bedroom person	4	87
	3 bedroom person	5	96
	4 bedroom person	5	100
	4 bedroom person	6	107

3 storey house	3 bedroom person	5	102
	4 bedroom person	5	106
	4 bedroom person	6	113

All the dwellings in the Phase 1 stage of the development meet the minimum standards as demonstrated in the applicant's supporting documents

It will be necessary for the future phases 2-5 to address these minimum floorspace requirements or any update to the standards at the time of later reserved matters applications.

Lifetime Homes and wheelchair housing standards

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific considerations. All units should comply with Lifetime Homes Standards (LTHS) with 10% wheelchair home compliance, as per London Plan policy 3.8.

In respect of LTHS, while this legislation has been abolished the applicant advises in their application submission that all units will be built to this standard. This is considered acceptable and in any event is controlled by Building Regulations.

In respects of wheelchair housing for the Stage 1 detailed design, the applicant has advised that 10% of units will be built to wheelchair standards and as such is in accordance with Policy. A suitable condition is attached to this affect.

Amenity space

Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

Table 2.3:Outdoor Amenity Space Requirements	Development Scale
For Flats: •5 m ² of space per habitable room.	Minor, Major and Large scale
For Houses: •40 m ² of space for up to four habitable rooms •55 m ² of space for up to five habitable rooms •70 m ² of space for up to six habitable rooms •85 m ² of space for up to seven or more habitable rooms	Minor, Major and Large scale
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

Based on the GLA policy requirement of 5 sq m of private amenity space per 1-2 person dwelling and an additional 1 sq per additional occupant, the applicant has calculated that the minimum policy requirement would be 9,302 sq m of private amenity space.

The scheme provides 9,080 sq m in private courtyards alone with additional space provided in the form of individual terraces which the proposed results would benefit from. As such the proposal is well in excess of the policy requirement. The exact quantum of the floorspace achieved through the private terraces will be clarified through future Reserved Matters applications for the latter phases.

Playspace and Open Space

London Plan Policy 3.6 of the London Plan requires housing development to make provisions for play and informal recreation based on child yield, referring to the Mayor's SPG Shaping Neighbourhoods: Play and Informal Recreation 2012.

London Borough of Barnet Core Strategy Policy CS7 requires improved access the children's play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan.

In terms of the application proposals the Proposed Development would provide a total of 25,375 sq m of usable open space which includes 1,640 sq m of combined neighbourhood play space (within 400m of new residential dwellings). This is predominantly laid out in three main parks, with additional publically accessible open space. Four Locally Equipped Areas of Play (LEAPs) are provided across the Proposed Development and doorstep play provision is included for all residential blocks. This is considered an appropriate level of provision and is welcomed as part of the application proposals.

Therefore the varying provisions made across the site are acceptable and are considered to address the demand of the development in accordance with the abovementioned policies and guidance.

3.4 Design

High quality design underpins the sustainable development imperative of the NPPF 2012, as well as London Plan (2016) chapter 7 'London's Living Places and Spaces', in particular policies 7.6 'Architecture' and 7.7 'Location and Design of Tall and Large Buildings'. In addition, Barnet Core Strategy DPD (2012) policies CS NPPF, CS1 and CS5 as well as Development Management Policies DPD (2012) DM01, DM02, DM03, DM05.

Masterplan Concept

The proposed illustrative masterplan is based on a hierarchy of streets and interconnected open spaces framed by buildings of varying scale height and density. The streets form a series of perimeter blocks with active ground floor

frontages which provide clear and legible routes through the site.

The masterplan responds to the topography and the surrounding lower density housing to the north and north east of the site (Within the Outline Element), with development in these zones consisting predominately of houses limited to a maximum of three storeys in height. Three storey blocks are also proposed on the south eastern portion of the site fronting Brunswick Crescent and three central blocks 1D, 1E and 1F drop down to three storeys where they adjoining the residential properties in Howard Close and Brunswick Park Gardens. The School Building fronting Brunswick Park Road is also 3 storeys.

The highest buildings within the detailed element of the scheme are the ends of the blocks in the central portion of the wider scheme extending up to 7 and 8 storeys in height. The area to the north of this fronting the railway line to the north contain the highest densities extending up to 9 storeys in height framing the main central park located in the middle of this phase.

Height, bulk, scale and massing

Reflecting the hybrid nature of the application, the details of the height, bulk, scale and massing for Development Phase 1 (detailed component) are secured on the application drawings whereas, the details for Phase 2, 3, 4 & 5 (outline component) are secured in the parameter plans and Design Principles Documents.

As mentioned above the proposed built form of the site comprises a series of perimeter blocks and development zones organised around a network of streets and public spaces. The bulk, scale and massing of individual blocks varies to account for the proposed uses and the scale of the spaces that they frame or relate to. This provides variation in character, visual interest, identity, place and way-finding across the masterplan.

Heights vary across the site between 3 and 9 storeys, with the maximum height in the detailed phase being 8 storeys. It is noted that in relation to the blocks in the detailed phase for which the design is known, only some parts of this block reach this height with undulation included in the actual roof form and lower three storey wings where it adjoins existing residential houses. It is also noted that where heights have been increased in height from 8 to 9 storeys to facilitate the increase in units and reductions in height this is predominately on the elevation facing the railway tracks and match the proposed height of other parts of the blocks.

The detailed design of the future outline section would be provided as part of a future reserved matters application and as such might not reach the maximum storey heights in all instances.

Tall buildings assessment

Barnet Core Strategy defines tall buildings as buildings of 8 storeys or 26m and states that they may be appropriate in strategic locations subject to detailed assessment criteria. The application site is located outside of the identified strategic locations.

London Plan Policy 7.7 states that tall buildings should not have an unacceptably harmful impact on their surroundings. It states that tall buildings should be part of a plan-led approach to the development of an area and should not have an unacceptably harmful impact on their surroundings. In particular, Para. 7.7 requires tall buildings to *“relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features) particularly at street level”*.

Local Development Plan Policy DM05 ‘Tall Buildings’ further advises that:

‘Tall buildings outside the strategic locations identified in the Core Strategy will not be considered acceptable. Proposals for tall buildings will need to demonstrate:

- i. an active street frontage where appropriate
- ii. successful integration into the existing urban fabric
- iii. a regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- iv. not cause harm to heritage assets and their setting
- v. that the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm.

Proposals for redevelopment or refurbishment of existing tall buildings will be required to make a positive contribution to the townscape.’

While the proposal is located outside an identified strategic location, this is not in itself considered sufficient grounds for the application to be refused, as planning policy requires Local Authorities to take into account other material planning considerations which can include urban design justifications for a departure, absence of planning harm along with any benefits which the scheme brings forward.

It is noted that while the buildings are classified as Tall Buildings the height of the buildings is at the lower end of the Tall Building classification consisting of 8 and 9 storey blocks and are considered appropriate on the basis that they are contained within the site and relate appropriately to the scale of new open spaces being created. It is also considered that the proposals are broadly in compliance with the assessment criteria contained within London and Local Plan Policies as well as National Guidance as set out below.

London Plan Policy considerations:-

- Will not adversely affect their surroundings in terms of microclimate, wind, overshadowing, noise and reflected glare
- No impact is identified in terms of aviation, navigation and telecommunications interference
- The site and its surroundings including listed buildings/structures and conservation areas are not considered to be sensitive or adversely affected by the proposal
- Both the elevations of the detailed component as well as the primary controls for the outline component and supporting details illustrate the scheme is of the highest architectural quality. The tall elements of the scheme serve as markers to the development including its public spaces, new neighbourhood centre as well as the nearby public transport interchange on Colindale

Avenue

Barnet Development Management Policy considerations:-

- Active ground floor frontages are provided with commercial retail space fronting areas of open space in Blocks 3A and 4B.
- The proposed design integrates into the surrounding urban fabric noting that this overall form of the development accords with the adopted North London Business Park Planning Brief.
- The Taller Buildings are located on the part of the site with lower Topography and screened by the existing railway line to the west and the lower density form of development along the site peripheries.
- There are no adverse impacts identified to views and the skyline
- There is no harm to heritage assets and their setting, including conservation areas
- The microclimate effects on adjacent the site within the proposed spaces on site are not significant nor compromise their intended use and function

English Heritage/CABE Guidance on Tall Buildings considerations:-

- *Context:* Reflects broadly compliance with the adopted Planning Brief for the site.
- *Historic assets impact:* There is no adverse impact to listed buildings, conservation areas or their setting
- *Relationship to transport:* There is availability of public transport and planning contributions are to be secured to enhance the accessibility of the site.
- *Architectural quality:* The detailed design of Phase 1 as well as controls on future phases 2- 5 indicate buildings of the highest quality, including tall buildings will be proposed
- *Sustainability:* The proposals minimise energy use and maximise the CO2 reductions
- *Design Credibility:* The scheme is being developed by an established developer who has successfully delivered other schemes in the locality such as Princess Park Manor.
- *Contribution to spaces and facilities:* The development contributes ground floor active frontages, a range of uses including convenience retail and community uses as well as public amenity space.
- *Environmental effect:* No significant adverse impacts are identified including microclimate, overshadowing, night-time appearance, vehicle movement or to neighbour's amenity
- *Contribution to permeability:* The proposal opens up the site to public access with streets and connections to the surrounding area
- *Well-designed environment:* In summary, high quality public and semi-private communal spaces and connections to well-designed buildings which address the needs of future users and provide a high level of amenity are demonstrated in the proposal

Character and appearance

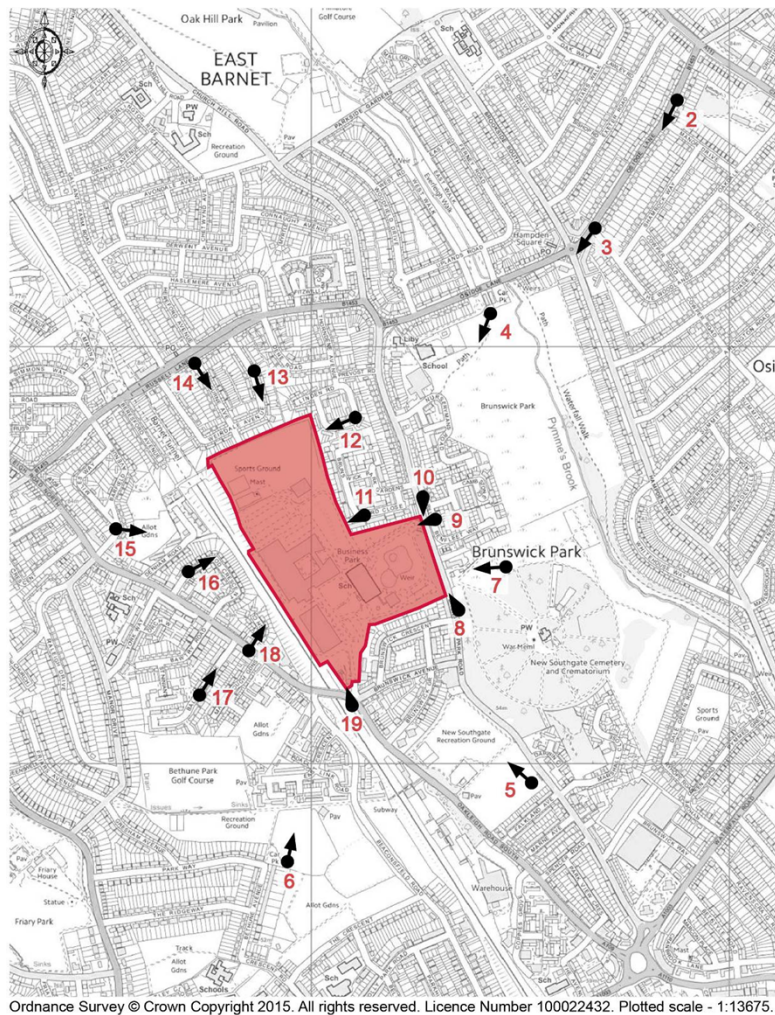
Both the Phase 1 detailed design component and the information submitted in support of the outline Development phases 2- 53 indicate a high quality design

which will improve and enhance the site and the wider area. The following key attributes are noted in particular:

- A traditional architectural composition of a defined base, middle and top. The ground floor of the blocks is carefully designed to ensure that they provide active frontage and natural surveillance of the street. A defensible zone or landscape buffer is provided for residential dwellings which have a front door and habitable rooms and private amenity space fronting the street
- A traditional organisation to dwelling design, employing mansion block and terrace house formats as well as perimeter flat blocks and tall building elements.
- Contemporary architectural design employing a limited palette of high quality materials, including a prevalence of face brick as the primary material as well as other secondary materials to provide a degree of variation across the site as well as articulation of individual buildings.
- Façade detailing including the attention paid to the pattern of fenestration, deep recesses and design and organisation of private balconies and other features, further reinforce a sense of a high quality appearance and enduring architectural character.

Visual impact and views

The applicant has submitted a detailed Townscape and Visual Impact Assessment which includes viewpoints from 19 different locations around the site as illustrated on the map below:



The Townscape and Visual Impact Assessment demonstrates that the development would be of limited visibility from the surrounding area, with only localised viewpoints such as 9, 10, 11 and 12 showing any noticeable change with the only perceived negative view being from viewpoint 11. The applicant has subsequently amended the buildings adjoining this view lowering the height of part of the relevant blocks in order to overcome this identified harm. Overall it is considered that the submitted assessment adequately demonstrates that the proposal would not be significantly detrimental to the surrounding Townscape and reinforces the Council's conclusions earlier regarding height and massing.

Layout and connectivity

The site layout comprises a network of streets providing access and connectivity in and around the site and defining the perimeter block arrangement of buildings and the public open spaces across the site.

Vehicular access into the site is via two the two existing access points i.e. Oakleigh Road South to the South-West and Brunswick Park Road to the East. Additionally a pedestrian and cycling link is proposed to the North to Weirdale allowing pedestrians and cyclists easy access to the shops and busses on Russell Lane. These provide the primary route through the site. More minor roads provide servicing and access to the remainder of the development.

The improved connectivity and permeability of the site, which accords with the intent of London Plan and Barnet Core Strategy reconnects the site with its surrounding neighbourhoods providing access to its proposed facilities (retail and community) uses and public open spaces) as well as improved access to adjacent public transport and wider networks such as cycling routes.

Safety, security and crime mitigation

Pursuant to London Plan policy 7.3 and Barnet Core Strategy Policy CS12, the scheme is considered to enhance safety and security and mitigate the potential of crime because:

- Routes through the site and network of spaces are legible and will be well maintained noting that the scheme is supported by an estate management plan
- It is considered that the design details provide a clear indication of whether a space is private, semi-public or public, with natural surveillance of publicly accessible spaces from buildings at their lower floors achieved across the entire site
- The design including active ground floor frontages and surveillance and mix of uses encourages a level of human activity that is appropriate across the site, which will maximize activity throughout the day and night, thereby creating a reduced risk of crime and a sense of safety at all times
- The network of communal spaces proposed are considered to be laid out and detailed in such a way to promote an appropriate sense of ownership
- Security measures will be integral to the design of buildings with details secured through appropriately worded conditions, it being noted that the MPS Designing Out Crime Officer has provided advice on achieving Secured by Design accreditation for the scheme
- The design of the scheme including perimeter development, defensible frontages and active ground floors across the site is considered to minimise the safety and security interventions needed and therefore the demands of ongoing management and maintenance costs

Conservation and Archaeology

The preservation and enhancement of heritage assets is one of the 12 core principles of the NPPF. It is a statutory obligation of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the special architectural and historical interest as well as the setting of listed buildings as well as the character and appearance of conservation areas. Saved PPS5 'Planning and the Historic Environment' provides guidance regarding consideration of designated and non-designated heritage assets. In addition, London Plan policy 7.8 and Barnet Core Strategy CS5 and DM06 variously require the consideration of the impact to heritage assets including listed buildings, conservation areas and archaeology. In this regard, the ES Chapter 13 has considered the assessment of the potential effects of the scheme.

In respect of archaeology, the application is not located in an area of interest however the submitted Environmental Statement identifies two surviving air raid

shelters, historic industrial activity and potential human remains. The applicant has proposed to provide a watching brief to record the air raid shelter and industrial heritage which is welcomed and safeguarded by condition.

In respect of potential impact on Listed Buildings and Conservation Areas, no Conservation Areas, Listed Buildings or registered parks are located within 1km of the site., while some Listed Buildings are located within 2 km of the site, it is considered that proposal would not result in any demonstrable impact due to the distance and the limited visibility of the site in longer views.

3.5 Amenities of Neighbouring and Future Residents

Part of the 'Sustainable development' imperative of the NPPF 2012 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2011 policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces'. In addition Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD provide further requirements and guidance.

Privacy, overlooking and outlook

The Barnet Residential Design Guidance SPD states there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

Privacy and separation to surrounding sites

The majority of the proposed buildings are located over 11m from site boundaries, being located between 30-55m from rear elevations of surrounding properties. It is noted that all larger blocks all of these are located over 40m from neighbouring properties. Due to these distance separations the proposal would not result in any demonstrable loss of daylight/ sunlight or privacy.

The only instance where buildings are located closer than 11m to the respective boundaries are in the case of the flank walls of the 3 storey wings to blocks 1E and 1F. A condition is attached requiring any windows on these elevations to be fitted with obscure glazing in order to ensure no impact on privacy.

Privacy and separation within the site

In relation to buildings within the site, all of the proposed apartment buildings have large central amenity areas, resulting in a distance separation of between 30 – 76m between opposing flanks. These distance far exceed minimum policy requirements and are considered acceptable.

Noise and general disturbance

No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. Whilst there is an increase in the intensity of use of the site, the use is consistent with the residential character of the wider area. The commercial and community uses including the school are appropriately located and accord with the redevelopment intent of the adopted planning brief.

In considering the potential impact to neighbours, conditions are recommended to ensuring that any plant or machinery associated with the development achieves required noise levels for residential environment. The council's environmental health team have recommended appropriately worded conditions for noise reporting and impact mitigation, extract and ventilation equipment, plant noise, noise mitigation in the case of any gym use, acoustic fencing, school noise mitigation as well as informatives relating to extraction flues and acoustic consultants. It should be noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

Air quality

In respect of air pollution, no significant impacts are identified by the council's environmental Health Team. The applicant has submitted an Air Quality Assessment in support of the application. Suitable Conditions are attached regarding ventilation and the submission of details of proposed plant and equipment.

In respect of traffic and parking impacts on air quality, the levels of parking are controlled and the travel plans which will be secured as part of planning obligations will encourage transport by other modes. In respect of the design, the scheme contributed towards overall reductions in CO2 production, having regard to energy and sustainability policies.

Daylight and Sunlight

The proposal would not result in any demonstrable impact on daylight/ sunlight levels to adjoining properties due to the distance separation of the proposals from neighbouring houses as discussed above. The proposed blocks have also been designed on a spacious layout with large gaps between blocks and within courtyards which will allow daylight and sunlight to permeate through the development to both existing and future residential occupiers.

3.6 Transport, highways and parking

To be reported

3.7 Waste and Recycling

Although the NPPF does not contain specific waste policies, it does state that part of the environmental dimension to 'sustainable development' is waste minimisation (para 7). As part of London Plan 2011 Chapter 5 'London's Response to Climate Change' policy 5.17 seeks suitable waste and recycling storage provision in new

developments as does the Barnet Core Strategy DPD 2012 policy CS14 which also promotes waste prevention, reuse, recycling, composting and resource efficiency over landfill.

A suitable condition is attached to ensure the provision of adequate waste and recycling facilities in accordance with the above requirements.

3.8 Energy, Sustainability, and Resources

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve a 40% reduction in carbon dioxide emissions on 2010 Part L Building Regulations. The London Plan Sustainable Design and Construction SPG 2014 updated this target of 35% on 2013 Part L Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes.

An Energy Report is included within the Environmental Statement which demonstrates that the proposal would meet this 35% target through fabric efficiency, block based communal heating and PV Panels. Site wide district heating was considered and discounted due to economies of scale and heat loss. This is considered acceptable to the Council but will be subject to eventual Stage 2 approval from the GLA.

BREEAM

The Sustainability Statement includes a BREEAM pre-assessment which demonstrates an 'Excellent' level can be achieved for the scheme. An appropriately

worded condition is recommended for assessment at the time of detailed assessment to reconfirm the target will be achieved.

3.9 Landscaping, Trees and biodiversity

The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2016 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

Landscape and Open Space

The application masterplan includes the provision of three main public parks with an overall size of 22,680 sq.m out of a total open space provision of 25,375 sq m. The main parks consist of the lakeside park contained within the detailed Phase 1 part of the development and the Northern and Southern Central Parks contained within the Outline Elements of the proposal. This is considered an appropriate level of provision providing valuable amenity space for future residents of the development as well as helping to frame and shape buildings through the site.

Trees

The applicant has submitted an amended Arboricultural Method Statement and Tree Protection Plan in February of this year. The report surveyed the existing trees on the site as follows:

Table 1: Summary of trees by category

	Individual Trees	Total	Groups of Trees	Total
Category U - Unsuitable	T25, T28, T29, T63, T64, T74	6	TG38	1
Category A (High Quality / Value)	T66	1		0
Category B (Moderate Quality / Value)	T1, T2, T3, T4, T5, T7, T8, T9, T10, T12, T13, T16, T20, T21, T22, T23, T24, T30, T32, T35, T37, T38, T39, T40, T41, T42, T46, T47, T48, T53, T55, T56, T60, T61, T62, T67, T68, T71, T72, T75, T76, T81, T82, T83, T84, T85, T86, T88, T89, T90, T91	51	TG1, TG2, TG3, TG4, TG5, TG6, TG7, TG8, TG10, TG11, TG13, TG15, TG16, TG18, TG19, TG20, TG21, TG22, TG24, TG25, TG27, TG32, TG33, TG37, TG41, TG43, TG45, TG47, TG48, TG49, TG52, TG55, TG56, TG58, TG59	35
Category C (Low Quality / Value)	T6, T11, T14, T15, T17, T18, T19, T26, T27, T31, T33, T34, T36, T43, T44, T45, T49, T50, T51, T52, T54, T57, T58, T59, T65, T69, T70, T73, T77, T78, T79, T80, T87	33	TG9, TG12, TG14, TG17, TG23, TG26, TG28, TG29, TG30, TG31, TG34, TG35, TG36, TG39, TG40, TG42, TG44, TG46, TG50, TG51, TG53, TG54, TG57, H1, H2, H3, H4, H5	28

As can be seen from the above the majority of the trees on the Site are Category B and C with only 1 Category A Tree (A Copper Beach Tree located near the entrance to Oakleigh Road South). The latest tree protection plans aims to retain a greater number of trees than were shown to be retained on the original submission including the Category A tree and as far as is possible trees sited within the proposed parks and along the periphery of the site. To compensate for the trees which are proposed to be removed the application proposes a significant amount of new tree planting both in linear form along roads and within the new parks and other green spaces.

Overall it is considered that the proposed tree removal is considered acceptable in this instance in order to allow for the development of the site. Parks and areas of landscaping have been arranged in order to take maximise tree retention, and in numerical terms the quantity of replacement planting is greater than the number of trees proposed and is considered acceptable.

Biodiversity

The applicant has submitted an Ecological Appraisal together with Bat, Badger, Reptile, Great Crested Newt surveys in support of their Planning Application.

The ecological appraisal and surveys conclude that habitats within the site are of limited conservation value due to the dominance of buildings, hardstanding and well managed amenity grassland. Tree groups and the limited hedgerows provided some potential for commuting and foraging, however these lacked structural and

botanical diversity. The reports evaluated that the current habitats on site are of negligible conservation value. The proposed development will have biodiversity enhancements, which will include native planting of hedgerows and trees, but also areas of wildflower grassland which will be included within the public parks and reptile receptor site. These will create a nectar source for invertebrates and increased foraging potential for other wildlife species. It is thought that such enhancements would have a minor beneficial effect at site level in the long term.

Fauna within the site was limited due to poor habitat availability. Evidence of badgers using the site was located within the semi-improved grassland compartment at the north of site where a number of snuffle holes and a squeeze were identified. It is recommended that sufficient precautions are taken during the construction phase.

Relatively low levels of bat activity were recorded during both activity and static surveys, with common pipistrelles being the most frequently recorded species. A total of five species recorded, however the majority consisted of no more than five contacts; it was therefore assessed that the site was of negligible value to local bat populations. The buildings and trees to be lost to the development have no roosting opportunities and/or no evidence was recorded, therefore there are no constraints concerning roosting bats.

The inclusion of appropriately designed GI within the proposed development will create additional navigational and foraging opportunities, especially as invertebrates will be encouraged to the development through more native planting and increased nectar sources. The habitat enhancements and creation will have a long term minor beneficial effect for foraging bats at a site level.

In relation to the pond, this is a large manmade water body, constructed in the 1980's, that lacked aquatic vegetation but had fish and a large number of waterfowl present. The HSI assessed this waterbody as poor suitability for Great Crested Newts (GCNs). The location of the pond within an urbanised area, isolated from any records of GCNs, meant that colonisation is unlikely to have occurred. These combined factors have concluded that GCNs are absent, and no further surveys are required, hence there is no constraint to the development concerning GCNs.

A 'good' population of slow worms were found within the north western parts of the site, these will be translocated to a nearby receptor site during the construction works to avoid any offence under the Wildlife & Countryside Act 1981 (as amended). The GI will be designed to incorporate new suitable habitats for reptiles, ensuring that a favourable conservation status can be maintained into the future. This will have at least minor beneficial effects in the long term for reptile populations within the site.

In conclusion the submitted ecological reports demonstrate that the current site is of poor conservation value due to the intense management practises and the built environments; this is reflected by the habitats and fauna found during the surveys. Areas in the north had a higher value due to the absence of any recent management and given that slow worms were found and bats were recorded around tree groups in this area. The mitigation measures proposed will ensure that the conservation status of species are maintained and enhanced through habitat

creation, incorporation of hibernacula and the provision of bat and bird boxes. The possible habitats to be created within the site will provide more opportunities for biodiversity, however due to the context of the development, isolated within a highly urban area, it is thought that there would only be a minor beneficial effect in the long term at a site level.

Conditions are attached requiring the provision of Bat and Bird Boxes and a scheme of ecological enhancements.

Flood risk, Water Resources, Drainage and SUDs

In support these considerations Flood Risk is considered within the submitted Environmental Statement

In respect of flood risk, the site is within Flood Zone 1 which is classified as being of low risk of flooding. The proposed development is acceptable in this zone and there is no requirement for exception and sequential testing of the acceptability of the scheme.

In line with policy requirements the proposed development proposes to restrict runoff from the site to the equivalent greenfield runoff rates. This will enable a significant reduction in surface water runoff being discharged off-site, freeing up capacity within Thames Waters surface water sewers and thus reducing flood risk within the downstream catchment. The proposed drainage strategy promotes the use of rainwater harvesting. This will reduce the demand for potable water supply and will help to capture the first 5mm of runoff, reducing the level of pollutants being discharged off-site. The inclusion of a SuDS attenuation pond will offer water quality enhancement as well as other ecological and biodiversity benefits.

Exceedance flows beyond the 100 year plus 30% critical storm event will be routed towards convenient holding points within the confines of the development area, away from properties and primary access routes.

Foul flows from the development will discharge to the existing foul sewerage network beneath Brunswick Park Road.

The Environment Agency and Thames Water have been consulted on the application. No in principle objection has been raised, however Thames Water have requested the imposition of a Grampian Style Condition which is included in the list of suggested conditions.

3.10 Other matters

Utilities

In support of the application a Utilities report has been submitted in support of the application. The utility report ascertains that the site has live connections to all primary services. A review of the asset record plans for each utility provider has confirmed that existing on-site services could be diverted to accommodate any future development phase, without disruption to any off-site networks.

It is concluded that each phase of the proposed redevelopment scheme can be delivered without any abnormal utility constraints. Furthermore, given the inclusion of renewable energies and rainwater harvesting within the proposed redevelopment scheme, there are not expected to be any future capacity restrictions or abnormal reinforcement requirements.

In regards to sewer infrastructure, Thames Water have requested a Grampian style condition is imposed requiring the drainage strategy to be agreed which is included in the list of suggested conditions.

Ground conditions and Contamination

In regards to potential contamination, the submitted Environmental Statement acknowledges that remediation will be required due to the previous historic industrial use of the site. The council's Environmental Health Team have also recommended appropriate contamination remediation conditions.

3.11 Viability, Planning Obligations & CIL

S106 obligations & viability

Policy CS15 of the Barnet Local Plan states that where appropriate the Council will use planning obligations to support the delivery of infrastructure, facilities and services to meet the needs generated by development and mitigate the impact of development.

The full list of planning obligations is set out in the heads of terms to this report.

In summary the scheme includes **10%** affordable housing by unit number with an affordable housing review mechanism and other contributions such as the provision of a serviced site for the new school and requirements to address the transport impacts of the proposal in the form of securing the proposed minibuss shuttle bus provision and off site highway works.

LB Barnet CIL

As noted in SPD para 2.2.11, the purpose of Barnet's CIL is to secure capital funding to help address the gap in funding for local infrastructure. The money raised by Barnet's CIL will be used to pay for infrastructure required to mitigate the impact of development across the Borough.

Pursuant to the LB Barnet Planning Obligations SPD, the CIL charging rate is £135 per sqm. In the case of Barnet's CIL, ancillary car parking space is not chargeable (SPD Para 2.2.14).

Mayoral CIL

Pursuant to the Table 3: Mayoral CIL Charging Rates of the Mayor's April 2013

SPG 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy', a flat rate charge of £35 applies to the application, this

In total approximately the applicant's supporting documents indicate that £21,832,947 will be payable under both Barnet and Mayoral CIL.

4. EQUALITY AND DIVERSITY ISSUES

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

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

For the purposes of this obligation the term “protected characteristic” includes:

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

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

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

A minimum of 10% of units will be wheelchair adaptable.

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.

Dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

The proposals are considered to be in accordance with national, regional and local

policy by establishing an inclusive design, providing an environment which is accessible to all.

7. CONCLUSION

In conclusion, the scheme is considered acceptable on balance having regard to relevant national, regional and local planning policies and guidance. The principle of the redevelopment of the site is considered acceptable and accords with the adopted Policy Framework and the adopted North London Business Park Planning Brief.

An ES has been submitted which robustly assesses the proposed development against a full range of topics and identifies appropriate mitigation such that there are no significant adverse impacts posed by the scheme. The proposed detailed design for Phase 1 is considered to be high quality with appropriate levels of amenity space, public open space and residential standards achieved for future occupiers reflecting a development of this intensity and balanced with the need to optimize the use of the site. The proposal would also provide a purpose built Secondary School which would replace the existing substandard accommodation which St Andrew's the Apostle is utilising at the moment as well as helping to meet Barnet's Education Needs.

The amenities of neighbouring residential occupiers are not considered to be unduly impacted by the proposals.

The potential transport impacts of the scheme have been considered and appropriate mitigation proposed including the provision of the proposed shuttle bus service, provision of a detailed travel plan as well as improvements to access and connectivity as part of the proposal.

The scheme deals with its waste and recycling requirements and in terms of energy and sustainability, a range of measures are proposed achieving a 35% reduction in CO2 emissions.

A suitable approach is taken to landscaping and biodiversity with retention of trees where possible as well as enhancement of the biodiversity values within the site with appropriate treatments and species and mitigation.

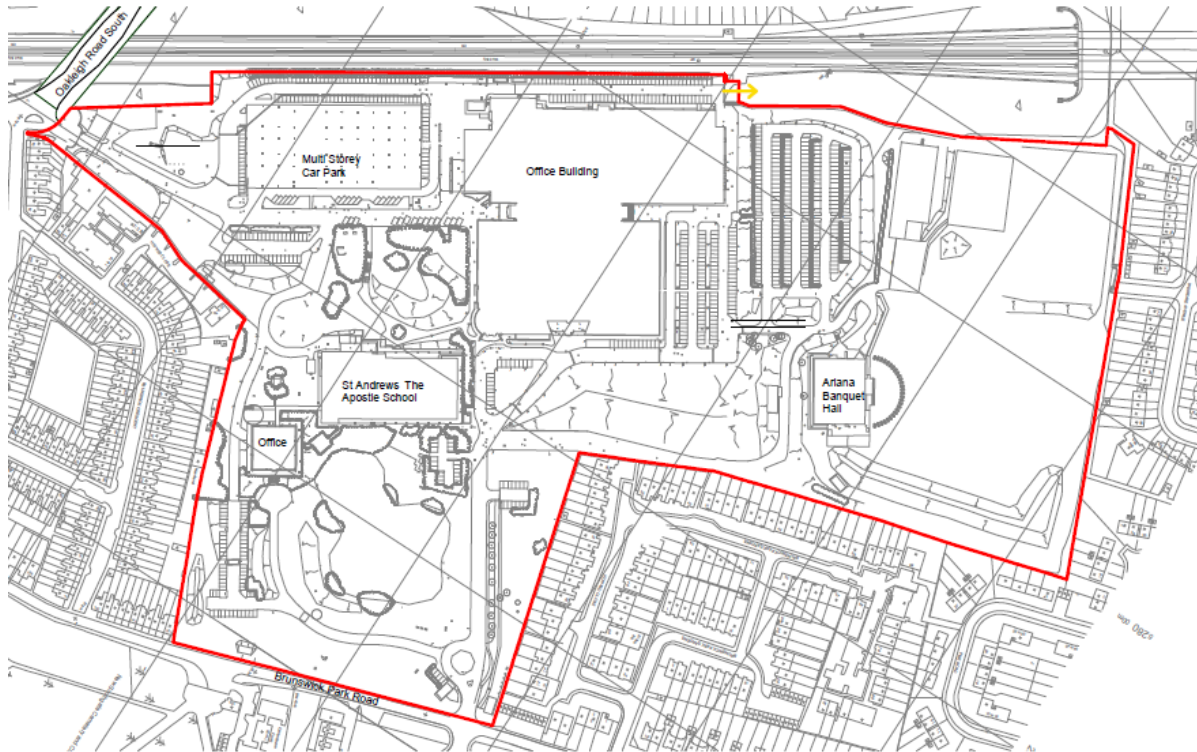
The scheme has also considered utilities provision and contamination and appropriately worded conditions are recommended. The scheme is considered to be appropriate and acceptable having regard to the full range of considerations in this report including the stated policies and guidance.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development

generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to referral to the Mayor of London, a decision not to call in the application by the Secretary of State (in light of the objection by Sport England) and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.

SITE LOCATION PLAN: North London Business Park, Oakleigh Road South, London N11 1GN

REFERENCE: 15/07932/OUT



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