

LOCATION: 30 Brookhill Road, Barnet, EN4 8SN

REFERENCE: 17/5331/FUL Received: 16.08.2017

WARD: East Barnet Expiry: 15.11.2017

APPLICANT: Aldi Stores Ltd.

PROPOSAL: Demolition of existing buildings, including vehicle showroom/repairs (Use Class - Sui Generis) and self-storage unit (Use Class B8), and the erection of a new retail store (Use Class A1) along with car parking, servicing, landscaping and associated works

EXECUTIVE SUMMARY

Whilst all of the issues associated with the application have been addressed in the subsequent report – it is considered that the two key issues relate to the principle of development related to the out of centre location of the application site; along with the transport and highways impacts of the development.

Permission is sought for the comprehensive redevelopment of the site including the demolition of all of the existing buildings and the erection of a new retail store (Use Class A1) along with car parking, servicing, landscaping and associated works. The store would have a GIA of 1,471 sqm of which 1,059 sqm would constitute retail space.

The application site is located outside of any designated town centre and as such the development would represent an out of centre location. In such cases, Paragraph 26 of the NPPF states that local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sqm). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to 5 years from the time the application is made. For major schemes where the full impact will not be realised in 5 years, the impact should also be assessed up to 10 years from the time the application is made

Policy DM11 of the Barnet Local Plan states that significant new retail and other appropriate town centre uses outside the town centres or any expansion of existing out of centre sites will be resisted

unless they can meet the sequential approach and tests set out in the NPPF or are identified in an adopted Area Action Plan.

A Planning and Retail Statement (PARS) inclusive of both an impact assessment and a sequential assessment were duly submitted in support of the application. The PARS was subject to an independent review by Peter Brett Associates on behalf of the Council. The sequential assessment confirms that there are no suitable sites in any of the centres assessed within either LB Barnet or LB Enfield whilst the impact assessment found that the impact on the existing centres would be acceptable. Both the methodology in the assessments carried out and the conclusions reached are considered to be reasonable and acceptable by officers.

In terms of the principle of development, officers therefore consider that the application would be in accordance with the relevant paragraphs 24 and 26 of the NPPF along with Policy DM11 of the Barnet Local Plan.

In terms of transport, the development proposes to provide 60 parking spaces which is in line with London Plan maximum parking standards for food retail stores in a development of this location (PTAL-3). It should be noted that Barnet Policy DM17 defers to London Plan parking standards with regards to parking for non-residential uses.

Based on the Transport Assessment submitted by the applicant and reviewed by the Council's transport and highways officers, the trip generation associated with the proposed development indicates that the levels of traffic would not have a detrimental impact on the surrounding road network. This is based on the attraction and dispersal of traffic evenly around the highway network.

The application is therefore found to be acceptable in terms of both of the key issues as considered by officers. The subsequent report addresses both of these issues in detail along with all other issues associated with the application.

RECOMMENDATION

Recommendation 1: That the applicant and any other person(s) having a requisite interest in the land be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes of seeking to secure the following:

(a) Legal Professional Costs Recovery

Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.

(b) Enforceability

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

(c) Travel Plan

A Travel Plan shall be secured in line with the draft Travel Plan submitted by Connect Consultants (August 2017) along with a £15,000 monitoring fee.

(d) Employment and Enterprise

The applicant shall enter into a Local Employment Agreement with the LPA and shall commit to providing a minimum of the following:

- Progression into employment (under 6 months) – 2
- Progression into employment (over 6 months) – 1
- Apprenticeships (End User) -2
- Work Experience – 6

Recommendation 2: That upon completion of the agreement specified in Recommendation 1, the Chief Planning Officer approve the planning application reference 17/5331/FUL under delegated powers and grant planning permission subject to the conditions set out in Appendix 2 of this report.

Recommendation 3: That the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals 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.

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents. These were both adopted by the Council in September 2012.

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.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The London Plan

The London Plan (2016) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.15 (Town Centres).

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) and 3.13 (Affordable Housing Thresholds).

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.10 (Support New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land).

London's Transport

6.1 (Strategic Approach); 6.2 (Providing 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); and 6.13 (Parking)

London's Living Places and Spaces

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise) and 7.18 (Protecting Local Open Space and Addressing Local Deficiency).

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance 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)
CS6 (Barnet's Town Centres)
CS9 (Providing safe, effective and efficient travel)
CS12 (Making Barnet a safer place)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM02 (Development Standards)
DM03 (Accessibility and inclusive design)
DM04 (Environmental considerations for development)
DM11 (Development Principles for Barnet's Town Centres)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents:

A number of local and strategic supplementary planning guidance (SPG) and documents (SPD) are material to the determination of the application.

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)

Planning for Equality and Diversity in London (October 2007)

All London Green Grid (March 2012)

National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan. 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 Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

PLANNING ASSESSMENT

1.0 SITE DESCRIPTION

- 1.1 The site is located immediately to the south-east of the junction of Brookhill Road and Crescent Road and has an area of approximately 0.4 hectares. To the north of the site is a parade comprising residential units on the upper floors with commercial uses at ground floor. To the east of the site is a community centre (Use Class D1), currently occupied Royal British Legion. To the south, the site adjoins the rear private amenity areas of the residential properties fronting onto Crescent Road.
- 1.2 The site is currently occupied by a Motor Sales and Servicing Centre (Use Class Sui Generis) and Self-Storage Centre (Use Class B8). There are existing pedestrian footways and vehicular access points to the site.

- 1.3 The site is not located in a designated town centre, being located approximately 250 metres from East Barnet Local Centre. The site is not located within a conservation area and there are no listed buildings or protected trees in the immediate vicinity.

2.0 PROPOSED DEVELOPMENT

- 2.1 Permission is sought for the comprehensive redevelopment of the site including the demolition of all of the existing buildings and the erection of a new retail store (Use Class A1) along with car parking, servicing, landscaping and associated works.
- 2.2 The proposed retail store would have a GIA of 1,471 sqm of which 1,059 sqm would constitute retail space. The store would have an overall footprint of 1,542 sqm with external dimensions of approximately 49.3m long and 37.5m wide, at the widest points. The proposed maximum height of the store would be 5.6m high from ground level which is roughly equivalent to a two storey building.
- 2.3 The store would be orientated north to south with the south elevation featuring a large expanse of glazing forming an active elevation and incorporating the main entrance to the unit. A secondary servicing entrance would be located to the rear of the store below street level.
- 2.4 An on-site car park would be provided to the south and south west of the main entrance which would provide a total of 60 spaces including disabled parking and electric charging points. An enclosed servicing bay would be provided adjacent to the façade which would allow for an HGV to load and unload internally. The layout of the development would allow for an HGV to access and egress the site in forward gear.
- 2.5 Areas of soft landscaping would be provided on the edges of the proposed car park as well as to the front of the Brookhill and Crescent Road elevations.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The site has been the subject of various planning applications and applications for Advertisement Consent, none of which are considered to be relevant in the consideration of the current application.

4.0 CONSULTATIONS

- 4.1 As part of the consultation exercise 900 letters were sent to neighbouring occupiers in September 2017. The application was also publicised through site notices and a press notice was published in the Barnet Press on 24th August 2017. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this scale and nature. The extent of consultation exceeded the requirements of national planning legislation and complied with Barnet's own adopted policy on consultation to be carried out for schemes of this nature.

4.2 As a result of the consultation, a total of 408 responses were received with 146 objections, 260 letters of support and 2 neutral responses.

4.3 A summary of the material planning objections received within the consultation responses is set out in the table below. The objections received have been summarised, consolidated and outlined by category of objection.

Objection	Officer Response
The development would result in unacceptable harm in highway safety adjacent to the site, particularly in light of the adjacent nursery.	<p>A cluster of two minor injury accidents have occurred at the junction of Brookhill and Crescent Road. There was one serious accident at this location in this time. The nature of this accident was two cars collided with one of the passengers in a vehicle receiving serious injuries. There is no pattern to the accidents in this location over the past 15 years of surveyed data.</p> <p>A new priority junction (access) has been proposed in association with the development. Visibility splays are proposed and the design looks to be suitable for this type of development</p> <p>As such the proposed developments size and nature will have no impact on any existing road safety issues on the immediately surrounding highway network.</p>
The proposed building lacks architectural merit and is not of a high aesthetic quality.	The design of the development is considered to be appropriate for its use and its context. The materials palette is simple and refined which would ensure that it would not be overly prominent and would not be discordant within its surroundings. The design of the development is fully assessed in paragraph 6.5 of this report.
Inadequate levels of parking have been proposed for the intended use.	The development proposes 60 parking spaces which is in line with London plan maximum parking standards for food retail stores in a development with a PTAL of 3.
Unacceptable levels of noise would arise from 24 hour deliveries.	Deliveries would be controlled through a delivery and servicing management plan

	<p>which would seek to ensure that deliveries were not undertaken at unsociable hours. Furthermore, an enclosed delivery and servicing area would be provided within the development which would minimise levels of noise generation from such activities. A condition is attached which would restrict the hours of deliveries to sociable hours.</p>
<p>Unacceptable levels of noise would arise from the proposed plant and machinery.</p>	<p>Plant and machinery would be subject to a condition limiting the noise output to 5db which would ensure that any noise impact on neighbouring residential occupiers would be minimal.</p>
<p>A supermarket in this location would draw custom from the local town centres and harm their vibrancy and viability.</p> <p>There is no need for the proposed development with a good level of existing similar retail provision in the local area.</p>	<p>The application documents submitted includes a Planning and Retail Statement (PARS) which is also inclusive of a sequential assessment which considers the availability, suitability and viability of any alternative sites located within any local town centres. This assessment identified 3 sites within the centres assessed and found none of them to be appropriate in terms of suitability or availability. The PARS and the inclusive sequential assessment were independently reviewed by Peter Brett Associates on behalf of the Council. The methodology used and the conclusions reached were found to be reasonable and acceptable. An impact assessment was also carried out which found the likely impacts of the development to be acceptable.</p> <p>Whilst the Planning and Retail Statement discusses 'need' at some length, it should be noted that is not a retail planning test and while this may be a consideration in balancing the wider planning issues, it is no longer relevant in retail planning terms and should not be afforded weight in this context.</p> <p>The principle of development and the implications of the out of centre location are discussed fully in Section 5.0 of this</p>

	report.
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4.4 A representation was received from Theresa Villiers MP (Member of Parliament for Chipping Barnet), the representation objected to the application and can be summarised as follows:

- Too close to the road - reduces visibility for car drivers travelling from the village along Crescent Road and then turning right into Brookhill Road. This is a junction where there have been many accidents due to poor visibility.
- This junction is difficult to negotiate for drivers; this is exacerbated by the fact that the 384 turns into Brookhill Road from Crescent Road at this point.
- Too close to a nursery where people walk with their children twice a day. Cars entering and leaving the store will be a hazard to pedestrians.
- Increased noise and pollution from the number of people driving to the supermarket. Too close to the nursery causing increased pollution for young lungs.
- Increased litter in the area.
- Crescent Road is already congested with parked cars, buses and drivers using the road as a cut through. Building a supermarket on this site is going to be detrimental to all residents of Crescent Road as traffic in the street is going to increase and this will be 7 days a week. These roads are just too narrow to support any more traffic.
- The building of the leisure centre at the other end of Crescent Road is going to cause an increase in traffic so adding both Aldi and this together will make Crescent Road heavily congested.
- Another supermarket in the area is not needed. It will take business from all the small independent shops in East Barnet Village ruining the atmosphere of the area.

4.5 Summary of Responses from External Consultees

Thames Water – No objection to the scheme subject to conditions.

London Fire Brigade – The brigade is satisfied with the proposals in terms of access for vehicles. It is strongly recommended that sprinklers are fitted within the development. Fire safety is covered by Building Regulations, however an informative is attached advising that the application should comply with all relevant Building Regulations relating to fire safety.

4.6 It should be noted that the following bodies were consulted on the application and did not respond:

Metropolitan Police
London Fire Brigade
Environment Agency

4.7 Summary of Responses from Internal Consultees

LBB Environmental Health – No objection subject to conditions. Full comments are set out in Section 7 of this report.

LBB Traffic and Development – No objection subject to conditions. Full comments are set out in Section 8 of this report.

LBB Travel Plans – No objection subject to a Travel Plan being secured through the S106 Agreement. The full requirements of the Travel Plan are set out in the preface to this report and in Section 8.

5.0 LAND USE / PRINCIPLE OF DEVELOPMENT

Retail Use

5.1 When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, Paragraph 26 of the NPPF states that local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sqm). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to 5 years from the time the application is made. For major schemes where the full impact will not be realised in 5 years, the impact should also be assessed up to 10 years from the time the application is made

5.2 Within Barnet, the designated town centre boundaries are set out in the Development Management Policies DPD. Para 12.6.1 of the document sets out that boundaries are identified for 14 district centres and one major centre. The boundaries clearly delineate town and hinterland residential suburb and enable a clear definition of an edge of centre site. An edge of centre site is locally defined in Barnet as being within 150 m of the town centre boundary. The application site located within 300m of East Barnet local centre, however because of the lower edge-of-centre local threshold of 150m set out at paragraph 12.6.1 of the Barnet Local Plan Development Management Policies, it is considered to be out of centre for the purposes of the sequential test.

5.2 Policy DM11 states that significant new retail and other appropriate town centre uses outside the town centres or any expansion of existing out of centre sites will be resisted unless they can meet the sequential approach and tests set out in the NPPF or are identified in an adopted Area Action Plan.

5.3 On the basis of the policy context set out above and following on from pre-application discussions, a retail assessment was undertaken by the applicant to underpin the Planning and Retail Statement (PARS) submitted in support of the application. To ensure a robust and comprehensive assessment of the submitted PARS, the Council instructed an external consultant, Peter Brett Associates, to carry out an independent review of the document;

specifically in relation to the methodology used, the assumptions made within the document and the conclusions that are drawn.

5.4 In considering the sequential approach, it is relevant to consider the parameters within which it has been undertaken as these are closely linked to whether the applicant has satisfied the requirement of the NPPF to exercise reasonable flexibility. In this regard, the principal considerations are the area of search and the size of sites considered. In this case, paragraph 4.21 of the submitted PARS sets out that sites of less than 0.3 ha were discounted; given the application site extends to 0.43ha, it is accepted that the consideration of sites that are a minimum of 70% of size of the application site accords with the requirement to demonstrate reasonable flexibility. A 10 minute drive-time for the catchment area is also adopted within the document which is welcomed.

5.5 In terms of the town centres included as part of the sequential assessment, the following centres were assessed:

- New Barnet District Centre
- East Barnet Local Centre
- Whetstone District Centre
- Chipping Barnet District Centre

5.6 The aforementioned centres were agreed with the Council as part of the pre-application discussions and the scope of the assessment is considered to be appropriate for this particular application. Having assessed the local centres set out and using the agreed search criteria, the following sites were identified and included along with a summary of the applicant's conclusions with regards to the sites availability, suitability and viability.

Site Location	NPPF Location	Available	Suitable/Viable
A1 Self Storage, Downland Close (0.9ha)	Edge-of-centre	No	No, doesn't serve East Barnet and too big.
Car Park behind Waitrose, Boots (0.56ha)	In-centre	No	No, doesn't serve East Barnet and loss of district centre car park.
Barnet Army Reserve Centre, 12 St Albans Road (1.15ha)	Edge-of-centre	No	No, doesn't serve East Barnet and too big.

5.7 It is accepted that none of the sites identified can be considered to be available or suitable and can be dismissed.

Retail Impact

- 5.8 The NPPF states that a retail impact assessment should be carried out for any out of centre retail development with a floorspace of over 2,500 sqm, unless a lower threshold is applied through a local authority's development plan. In this case, the Local Plan Development Management Policies Document (DMPD) sets a lower threshold of 500 sqm. In this case, the proposed development exceeds this lower threshold and as such an impact assessment has been included as part of the PARS submitted in support of the application.
- 5.9 The methodology used to undertake the impact assessment was reviewed by Peter Brett Associates and whilst it was largely accepted, there were some minor changes adopted for the purposes of the assessment.
- 5.10 The PARS forecasts a convenience impact of 6% on East Barnet local centre and 12% on New Barnet district centre in 2022. In East Barnet, the key impact is on the existing Co-op store where diversion of £0.2m is forecast. In New Barnet, the majority of this impact will fall on the existing Sainsbury's store, which is quantitatively overtrading, but where it is anticipated 50% of the new store's convenience turnover (£4.6m) would be diverted from. The residual diversion is forecast to come from the Waitrose stores in Chipping Barnet (£0.2m) and Whetstone (£0.4m) and also the existing Asda at Southgate (£1.8m).
- 5.11 As the two stores are the closest to the application site, PBA agree that there will be diversion from the Co-op and Sainsbury's stores. Following the principle of like competing with like and having regard to the anticipated main food shopping role of the proposed store, PBA accept that the majority of impact will fall on the Sainsbury's as the nearest store which currently dominates local main food shopping patterns. The diversion from the Co-op store will be more limited because, as evidenced in the market shares arising from the household survey, it is primarily meeting top-up shopping needs rather than catering to main food shopping needs.

Retail Need

- 5.12 The PARS points to the proportion of shoppers in the PCA using discounters being 26%, compared to the SCA's 41%, the implication is that the PCA is underserved by discounters. This cannot be conflated with unmet 'need' in the PCA; it could equally reflect that people are more inclined to shop at their local store so it is inevitable that take up in the PCA would be lower than SCA.
- 5.13 As the PARS acknowledges at para. 4.17, shopping patterns are often a function of the closest store. In this instance, the main store in the PCA is the Sainsbury's at New Barnet and to a lesser extent the Asda at Southgate. It is agreed that the addition of a discount foodstore within the PCA would likely have the effect of increasing the market share in the PCA but this does not demonstrate need. In any event, need is not a retail planning test. Nor is competition within the remit of the planning system.

5.14 While the Huntingdon decision provided at Appendix 11 of the PARS is noted, the circumstances of that decision are not directly relevant to the current application. In that instance, the Inspector noted 'that the need for a LAD foodstore in Huntingdon had been identified for about 8 years' (para. 15) and that this was supported in the two retail studies produced during that period. There is no such evidence in this case.

Conclusions

5.15 The submitted PARS concludes that there are no sequentially preferable sites in located within the LBB centres assessed. This conclusion is considered to be sound and is accepted by officers. The retail review carried out by PBA notes that the PARS fails to consider the following retail centres within LB Enfield:

- Southgate
- Cockfosters
- Palmers Green

5.16 Subsequent to the retail review from PBA, a supplementary retail note was submitted by the applicant along with a confirmatory note from Aldi's Property Director, outlining that Aldi are actively looking at a new store in LB Enfield in addition to the proposed store in East Barnet. This in itself lessens the need for the LB Enfield sites to be considered as part of the current application given that the retail centres would be considered as part of any sequential assessment submitted in support of a new retail store in LB Enfield.

5.17 Nevertheless, for the sake of completeness in respect of the assessment of the current application, the applicant undertook a supplementary sequential assessment of the LB Enfield retail centres identified. No sites were identified in Southgate or Cockfosters whilst 4 potential sites were identified in Palmers Green:

- Lodge Drive Car Park
- The Fox Public House
- Morrisons Car Park, Bridge Drive
- Travis Perkins, Bridge Drive

5.18 All of the sites identified were either unsuitable in terms of size or is unavailable. In all cases it is considered that the deductions made to reach these conclusions are logical and reasonable. On this basis, it is considered that the proposed development is in accordance with the sequential approach to site selection as set out in paragraph 24 of the NPPF.

5.19 Whilst, the retail review from PBA disagreed with some methodology of the assessment carried out within the PARS, they also concluded that changes to these minor points would not fundamentally alter the overall conclusion that was reached.

- 5.21 Therefore, officers consider that the application complies with the sequential approach and impact tests set out in national and development plan policy, subject to conditions that are outlined within Appendix 2. This position is fully supported by Peter Brett Associates who carried out an independent retail review on behalf of the Council.

6.0 DESIGN ASSESSMENT

- 6.1 Paragraphs 56-58 of the NPPF set out the importance of good design. This is reflected in Policy CS5 and DM01 of the Barnet Local Plan, which seeks to achieve a high quality design in all developments.

- 6.2 The proposed development would comprise a building with an overall footprint of 1,542 sqm with external dimensions of approximately 49.3m long and 37.5m wide, at its widest points. The maximum height of the store would be 5.6m high from ground level.

Layout

- 6.3 The proposed retail store would be located to the north-east corner of the site, adjacent to the junction of Brookhill Road and Crescent Road. The façade of the building fronting onto Crescent Road would be staggered with a recessed building line to the west aligning with the prevailing residential building line. It is considered that such a staggered building line would help ensure successful integration into the surrounding urban grain.

Height, Scale and Massing

- 6.4 The height of the building would be largely similar to that of a two storey building which would be commensurate with the building heights in the immediate vicinity ensuring congruence. The overall scale of the proposed development would not be significantly greater than the buildings currently on site and as such is considered to be appropriate for the context.

Design and Appearance

- 6.5 The development would comprise of external elevations incorporating use of white rendered walls, blue engineering brick work plinth, large anthracite framed double-glazed shop front windows to the elevations facing the car park and Brookhill Road. The proposed materials palette is considered to be appropriate for the use and the location of the development. The corner element of the development, featuring a solid brickwork element would serve to frame the development and would break up the horizontality of the elevations to either side which is welcomed. Soft landscaping would be introduced in front of both the Crescent Road and the Brookhill elevations which would soften the visual appearance of the elevations.

Conclusion

6.6 It is considered that the scheme would represent a high a quality development that would not be incongruous within its surrounding context and thus is accordant with Paragraphs 56-58 of the NPPF and Policies CS5 and DM01 of the Barnet Local Plan.

7.0 Impact on Residential Amenity

7.1 Policy DM01 of the Barnet Local Plan states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Daylight, Sunlight and Overshadowing

7.2 The location and the scale of the proposed development in the context of the surrounding residential development would ensure that there would be no noticeable harmful impact in terms of daylight, sunlight or overshadowing. There would be no facing windows of neighbouring residential properties which would breach the BRE recommended 25 degree assessment which would indicate a likelihood of a perceptible impact and the need for further assessment. It should also be noted that the proposed development represents a reduction in scale from the buildings that currently occupy the site.

Outlook

7.3 The separation distance from the surrounding residential windows to the facing elevations of the proposed development would be a minimum of 22 metres which is in line with Barnet's recommended minimum (Sustainable Design and Construction SPD) and as such is considered to be adequate to ensure that the development would not cause any unacceptable loss of outlook for existing and future neighbouring residential occupiers.

Privacy and Overlooking

7.4 The Barnet Supplementary Planning Document on Sustainable Design and Construction outlines that new developments should provide a minimum separation distance of 22 metres to neighbouring facing habitable room windows and 10.5 metres to the boundary of neighbouring residential curtilages. The development achieves these minimum distances and does not incorporate any areas of glazing with would allow for potential overlooking of neighbouring occupiers.

Noise

7.5 The application is accompanied by a Noise Impact Assessment from Sharps Redmore which has been reviewed by the Council's Environmental Health officers. The report considered the following potential sources of noise:

- Fixed mechanical plant
- Car Park noise

- Service Yard noise
- Change in road traffic noise

7.6 Having considered the aforementioned activities, the report reached the following key conclusions:

- Noise from car parking activity will be within the WHO day time guideline values.
- Plant noise will be controlled by condition ensuring that the rating level of plant does not exceed the existing background noise levels.
- Having assessed the impact of noise from deliveries against objective criteria it is concluded that noise from deliveries between 0600 – 2300 hrs (Monday to Saturday) and 0800 – 2000 hrs (Sunday) without causing adverse impact in accordance with the policy aims contained within the NPPF.

7.7 The report and the conclusions that were drawn from the relevant assessments were reviewed by the Council's Environmental Health officers who concurred with the findings. Nevertheless, conditions are attached relating to noise levels emanating from the plant machinery, hours of delivery and opening times in order to control noise levels accordingly.

Conclusion

7.8 Having regard to all of the above officers consider that the development, subject to conditions, would not result in an unacceptable impact on the residential amenity of the neighbouring residential occupiers in line with Policy DM01.

8.0 Transport and Highways

8.1 Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Accessibility:

8.2 The application site is situated to adjacent to the junction of Crescent Road and Brookhill and the surrounding area is largely residential with small elements of commercial and community uses. The site has a PTAL of 3 (average) with only bus and train available within the PTAL calculation area. The development is not located in a controlled parking zone nor is there likely to be one in place by the time the proposed development is operational.

Highway and Pedestrian Safety

- 8.3 A cluster of two minor injury accidents have occurred at the junction of Brookhill and Crescent Road. There was one serious accident at this location in this time. The nature of this accident was two cars collided with one of the passengers in a vehicle receiving serious injuries. There is no pattern to the accidents in this location over the past 15 years of surveyed data. As such the proposed developments size and nature will have no impact on any existing road safety issues on the immediately surrounding highway network.
- 8.4 The passage for vulnerable road users into the site from the surrounding highway network is suitable, interaction between vehicles and vulnerable road users would be minimal. Furthermore, footway widths on Brookhill Road are approximately 2.4m in width, which is suitable for the level of pedestrian flow expected to be generated.
- 8.5 Swept paths have been submitted showing the entry and exit of an articulated vehicle, plans show the vehicle entering and exiting the site in a forward gear with no encroachment on any of the parking bays or pedestrian cycle facilities which is also welcomed.

Cycle Parking

- 8.4 Paragraph 2.3.2 of the submitted Transport Assessment mentions cycles replacing short vehicles trip in association with the development, while cycle use in association with the proposed store will be welcomed, the store will be of a size to provide a range of goods to form a weekly shop there for the use of cycles will not alter vehicles trip generation calculated using existing comparable sites. London Plan stated minimum cycle parking levels suggest that a development of this nature should provide 31 cycle parking spaces. This development proposes 38 spaces which is in excess of London plan minimum levels. The development is looking to promote zero car use age by staff by providing secure end of journey cycle parking facilities, these facilities are separate to the long stay parking, covered and secure, which is welcomed.

Parking Provision:

- 8.5 The development proposes to provide 60 parking spaces which is in line with London Plan maximum parking standards for food retail stores in a development of this location (PTAL-3). It should be noted that Barnet Policy DM17 defers to London Plan parking standards with regards to parking for non-residential uses.
- 8.6 The weighted parking accumulation leaves an available parking capacity level of 13% at peak times this level of available capacity will provide a suitable level of parking availability to cater for particularly busy times experienced by food stores (the two Saturdays before Christmas for example) without impact on the operation of the highway network or increase in parking stress on the surrounding curb side.
- 8.7 The applicant has submitted a study of electric charging usage which was undertaken at a store in South London, which shows that at present the demand for electric charging facilities is significantly below the provision requested via the London Plan. The applicants have suggested the same number of bays will be provided however made convertible and switched over when there is a genuine demand for electric charging facilities at the store.

Notwithstanding, a condition is attached requiring the provision of charging points in accordance with London Plan policy.

- 8.8 Disabled car parking provision has been provided and located within an immediate proximity of the shops access. A condition to secure this provision would be attached to any permission.

Traffic Impact / Trip Generation

- 8.9 A number of sites have been extracted from trip generation databases which are all food stores with a number "discount food stores". There for the level of trip generation calculated for this site is considered to be appropriate and are as follows:
- 105 two way movements in the PM peak
 - 157 two way movements in the weekend peak.
- 8.10 The applicant has suggested that there will be a vast number of linked trips associated with the development. The location of the store is not within the immediate proximity to a town centre or any other key amenities, whilst these trips may be on the wider highway network, they would not be expected to be on the highway network as assessed in the TA, there for the impact of the development will be calculated by assessing the number of trips estimated using comparable sites.
- 8.11 The applicant also explored the possibility of passer by trips, while I accept these do occur, at peak times of usage deliberate trips are made to the site, and passer-by trips are going to be deterred by the peak time busy nature of the store and not benefit from the convenience offered by a store coinciding with their journey routing.
- 8.12 Development plus five year flows have been submitted (2022). Development trip generation figures have also been overlaid the 2022 data. These submitted figures show a reduction in vehicular traffic. For the sake of robustness the 2022 figures have been combined with the trip generation figures extracted using comparable sites to ascertain the developments impact on the operation of the surrounding highway network.
- 8.13 Generally speaking the attraction and dispersal of traffic evenly around the highway network would not cause any perceivable impact on the operation of the surrounding highway network. With the exception of the right turn on to East Barnet Road from Brookhill Road and in all using trip generation figures, dissipation percentages and 2022 flows it has been estimated that the queue length of the right turn from Brookhill Road to East Barnet Road should increase by 1 vehicle every 2 mins, which is equivalent to a junction signals cycle.
- 8.14 One extra vehicle every cycle could further impact on the operation of the right turn of the junction, and stop left/ straight ahead movements. To continue to facilitate this movement the existing yellow line on the south west side of Brookhill Road should be increased by three car lengths (15m) to facilitate the free flow of non-right turn vehicles during the PM and Weekend peak hours of movement.
- 8.15 Given the proposed operator of the site (Aldi) a number of typical food store models have not been used for this assessment, such as click and collect or home delivery from the store.

- 8.16 Typically there will be 2/3 HGV's servicing the store per day, and 1/2 smaller vehicles delivering more local produce. This level of service trip generation will not cause a significant level of harm, service management plans can mitigate the perceived level of harm generated by associated servicing vehicles. It's also suggested that servicing vehicles do not access the site during the peaks, this will reduce the likelihood of conflict between HGV's accessing the site via the car park and vehicles using the development/car park along with the reduction in congestion and impacts on the highway network surrounding the development.

Construction:

- 8.17 Details of the construction phase have been provided. In terms of trip generation by large vehicles the demolition phase will be the most intensive with approximately 5 HGV's generated in a day. The TA states that there will be on site management to stop multiple vehicles arriving at once, this will mitigate the perceived impact of the construction phase. There will also be on site car parking provided for those associated with the construction phase, deliveries during the construction phase will also be managed so that multiple vehicles do not access the site at once, wheel washing and dust suppressants will also be on site to stop debris being deposited on the surrounding highway network.

Travel Planning:

- 8.18 The development represents a major development of over 2000 square metres and as such a Travel Plan would need to be secured through the Section 106 Agreement. A draft Travel Plan has been submitted by Connect Consultants which has been reviewed by the Council's Transport and Highways officers. The S106 would require a Travel Plan to be secured on the basis of the submitted Travel Plan along with a £15,000 monitoring fee.

Conclusion

- 8.19 Having regard to all of the above and subject to the conditions and S106 obligations listed in this report, officers are clear that the application would be acceptable from a transport and highways perspective. The development would not impact on road safety, the scale of the development is appropriate for the surrounding highway network and the development could be accessed through a range of transport modes including walking and cycling. It is therefore considered that the development is in accordance with Policy DM17 of the Barnet Local Plan.

9.0 Sustainability

- 9.1 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

- 9.2 Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new 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.

- 9.3 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 demonstrates compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor’s energy hierarchy.
- 9.4 The application is accompanied by an Energy Statement from Sol Environmental Ltd which seeks to demonstrate how the buildings have been designed to achieve a reduction in Carbon Dioxide (CO2) emissions by 35% as required by the London Plan (2016).
- 9.5 The Energy Statement submitted in support of the application, sets out that passive design measures such as internal heating through solar gain have been incorporated which reduce the need for heating/cooling. Buildings that are aligned in a north-south orientation such as the development in this case are observed to maximise daylight and sunlight (i.e. solar gain), subsequently reducing energy consumption associated with excessive heating and lighting requirements.
- 9.6 The Energy Statement also goes on to assess the feasibility of renewable energy technologies within the development. The following technologies were discounted as not being feasible for implementation within the scheme:
- Combined heat and power system;
 - Solar thermal heating / hot water;
 - Ground source heat pumps;
 - Air source heat pumps;
 - Biomass boilers;
 - Micro wind turbines.
- 9.7 The reasoning and the justification for discounting the aforementioned technologies is considered to be acceptable. Having discounted the technologies outlined, the applicant has indicated that photovoltaic cells and refrigeration heat recovery systems would be incorporated into the scheme.

Conclusion

- 9.8 Based on the energy assessment submitted, the table below shows the residual CO2 emissions after each stage of the energy hierarchy and the CO2 emission reductions at each stage of the energy hierarchy for the non-domestic buildings.

Scenario	Energy Demand (kWh / year)	Energy Saving Achieved (%)	Regulated CO2 Emissions (kgCO2/ year)	Saving Achieved in CO2 Emissions
----------	----------------------------	----------------------------	---------------------------------------	----------------------------------

				(%)
2013 Part L Compliant Benchmark Building	121,212	-	49,056	-
Residual Scenario (improved building fabric and M&E services)	96,702	23	46,450	5
Residual Scenario + Arctic Circle 'Freeheat' + 50wP Solar Array	66,103	56	25,276	26
Total Savings	60,109	48	23,780	48

9.9 An on-site reduction of 23,780 kg of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected for the non-domestic buildings, equivalent to an overall saving of 48%. The carbon dioxide savings therefore exceed the target set within Policy 5.2 of the London Plan and Barnet Local Plan policies DM01 and DM04

10.0 Flood Risk

10.1 Policy CS13 of the Barnet Core Strategy states that “we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does not cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels”.

10.2 Policy 5.13 of the London Plan states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy:

1. store rainwater for later use
2. use infiltration techniques, such as porous surfaces in non-clay areas
3. attenuate rainwater in ponds or open water features for gradual release
4. attenuate rainwater by storing in tanks or sealed water features for gradual release
5. discharge rainwater direct to a watercourse
6. discharge rainwater to a surface water sewer/drain
7. discharge rainwater to the combined sewer.

10.3 The application was accompanied by an indicative drainage layout which shows that an on-site water storage and attenuation scheme connecting to the existing sewers would be incorporated into the scheme. Thames Water were consulted on the application and had no objection to this arrangement or the wider application subject to conditions. A Geo-

Environmental Assessment by Brownfield Solutions Ltd outlines that a SUDS infiltration technique was considered however is not feasible due to the unsuitable underlying substrata as established in the ground investigation results.

- 10.4 It is considered that the approach outlined above is appropriate and would ensure that the application is accordant with Barnet Policy CS13 and London Plan Policy 5.13.

11.0 Air Quality

- 11.1 The application is accompanied by an Air Quality Assessment (AQA) produced by Aether (July 2017) which has been assessed by the Council's Environmental Health officers. It should be noted that an AQA was submitted as part of the Environmental Statement accompanying the previously refused application where no significant impacts were identified.

- 11.2 The AQA has been reviewed by the Council's Environmental Health officers who largely concur with the findings. The results of the assessment indicate that annual and hourly mean NO₂ concentrations are below the objective at all of the receptors modelled both without and with development. Concentrations of PM₁₀ are also predicted to be in compliance with the objectives. On this basis, it is considered that the development would not result in any unacceptable impact with regards to air quality.

12.0 Crime Prevention / Community Safety

- 12.1 Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.
- 12.2 A condition is attached requiring the submission of a certificate demonstrating compliance with Secured by Design standards. Subject to the requirements of the condition, the development would not pose any harm to community safety.

13.0 Planning Obligations

- 13.1 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.
- 13.2 In accordance with development plan policies the following obligations are required to be secured through a legal agreement with the developer. If permission were granted it is considered that the package of planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure that is necessary to support the scheme.

13.3 The planning obligations considered necessary to mitigate the impacts of development are set out in the preface of this report.

17.0 Conclusion

17.1 Permission is sought for the comprehensive redevelopment of the site including the demolition of all of the existing buildings and the erection of a new retail store (Use Class A1) along with car parking, servicing, landscaping and associated works. The store would have a GIA of 1,471 sqm of which 1,059 sqm would constitute retail space.

17.2 Whilst, all of the issues associated with the application have been addressed in the preceding report – it is considered that the two key issues relate to the principle of development related to the out of centre location; and the transport and highways impacts of the development.

17.2 The application site is located outside of any designated town centre and as such the development would represent an out of centre location. In such cases, Paragraph 26 of the NPPF states that local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sqm). This should include assessment of:

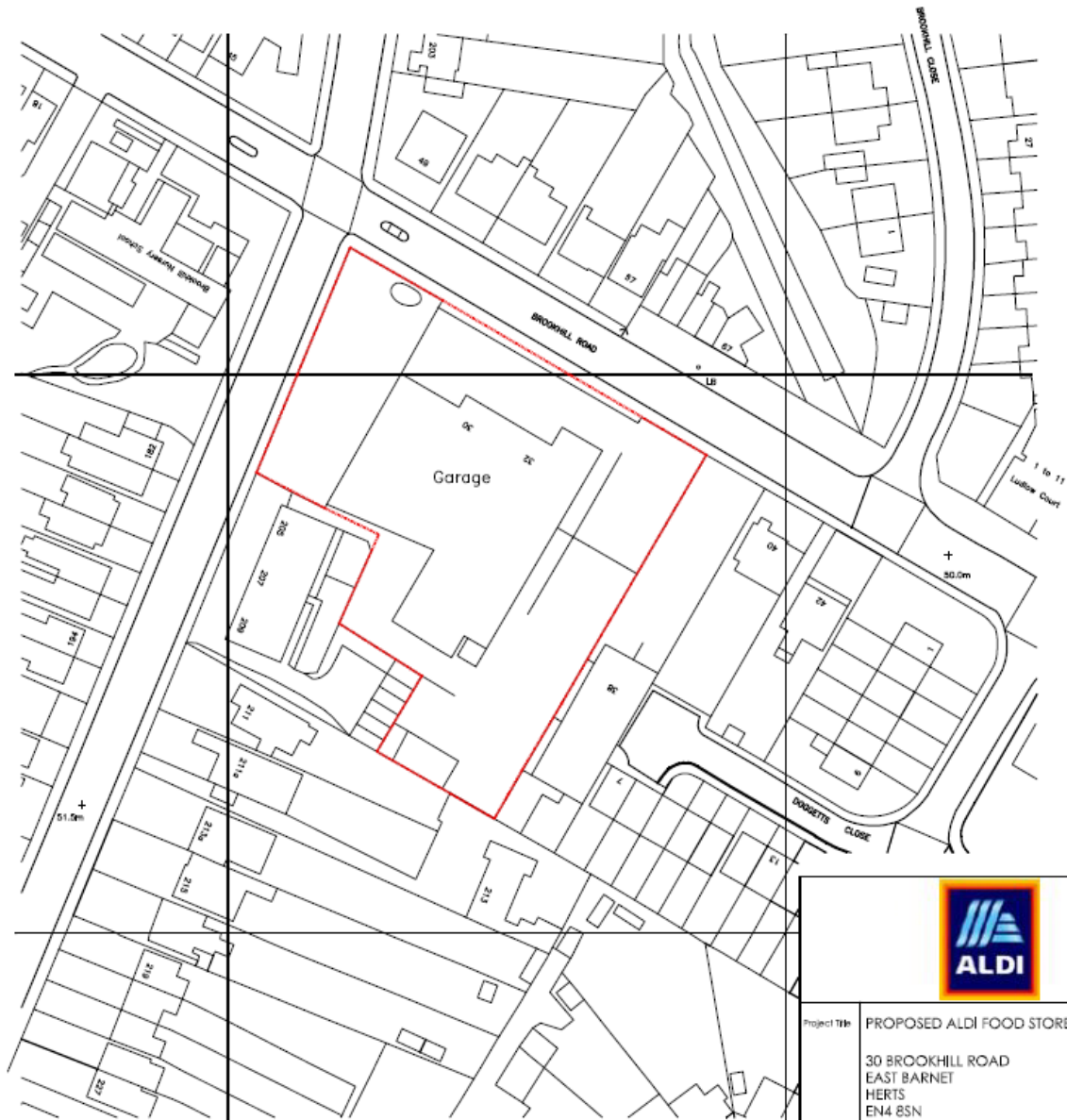
- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to 5 years from the time the application is made. For major schemes where the full impact will not be realised in 5 years, the impact should also be assessed up to 10 years from the time the application is made

17.3 Policy DM11 of the Barnet Local Plan states that significant new retail and other appropriate town centre uses outside the town centres or any expansion of existing out of centre sites will be resisted unless they can meet the sequential approach and tests set out in the NPPF or are identified in an adopted Area Action Plan.

17.4 A Planning and Retail Statement (PARS) inclusive of both an impact assessment and a sequential assessment were duly submitted in support of the application. The PARS was subject to an independent review by Peter Brett Associates on behalf of the Council. The sequential assessment confirms that there are no suitable sites in any of the centres assessed within either LB Barnet or LB Enfield whilst the impact assessment found that the impact on the existing centres would be acceptable. Both the methodology in the assessments carried out and the conclusions reached are considered to be reasonable and acceptable by officers.

- 17.5 In terms of the principle of development, officers therefore consider that the application would be in accordance with the relevant paragraphs 24 and 26 of the NPPF along with Policy DM11 of the Barnet Local Plan.
- 17.6 In terms of transport, the development proposes to provide 60 parking spaces which is in line with London Plan maximum parking standards for food retail stores in a development of this location (PTAL-3). It should be noted that Barnet Policy DM17 defers to London Plan parking standards with regards to parking for non-residential uses.
- 17.7 Based on the Transport Assessment submitted by the applicant and reviewed by the Council's transport and highways officers, the trip generation associated with the proposed development indicates that the levels of traffic would not have a detrimental impact on the surrounding road network. This is based on the attraction and dispersal of traffic evenly around the highway network.
- 17.8 Subject to all of the above, it is considered that the application is acceptable and is therefore recommended for approval subject to the heads of terms set out in the preamble to this report as well as the conditions set out in Appendix 2 of this report.

Appendix 1: Site Location Plan



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Project Title	PROPOSED ALDI FOOD STORE 30 BROOKHILL ROAD EAST BARNET HERTS EN4 8SN		
Client	ALDI STORES LTD - CHELMSFORD		
Status	PLANNING		
Scale	1:1250	Drawing Size	A4
Date	30/03/2016	Drawn by	RS
		Checked by	JPG

Appendix 2: Conditions

- 1) This development must be commenced within three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

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 application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

Design and Appearance

- 3) Notwithstanding the details shown on the plans, hereby approved, no development (other than demolition, site clearance and ground works) shall be undertaken unless and until:
- (a) details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority; and
 - (b) where appropriate, a sample brick panel shall be constructed on site or a location to be agreed, inspected and approved in writing by the Local Planning Authority.

The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

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.

- 4) No development (other than demolition, site clearance and ground works) shall take place until a detailed scheme of hard and soft landscaping and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping and means of enclosure submitted shall include but not be limited to the following:
- the position of any existing trees and hedges to be retained or removed;
 - details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;

- means of planting, staking and tying of trees, including tree guards, planter depths and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;
- existing site contours and any proposed alterations to these such as earth mounding;
- details of all proposed hard landscape, including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings;
- timing of planting;
- details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site.

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.

- 5) All work comprised in the approved scheme of hard and soft landscaping shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building.

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

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

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

- 7) Prior to the first occupation of the development, hereby approved, details and specifications of all external lighting (including cowling) to be installed as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development and thereafter be permanently maintained as such.

Reason: To ensure that appropriate lighting is provided as part of the development in accordance with policy DM01 of the Barnet Local Plan and 5.3 of the London Plan.

Transport and Highways

- 8) Prior to the commencement of the development (other than demolition, site clearance and ground works); a scheme showing details of access points (Pedestrian and Vehicular) and

footways in accordance with the siting, size, dimensions and other details shown on the approved drawings shall be submitted to and approved by the Local Planning Authority.

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

- 9) Prior to the first occupation of the development, the existing access shall be closed, the highway reinstated and the new access constructed in accordance with plans submitted to and approved by the Local Planning Authority. The existing redundant crossover(s) is to be reinstated to footway level in accordance with the approved details by the Highway Authority at the applicant's expense.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 10) No structure including fences or planting exceeding 0.9 metres in height shall be erected to the left or right of the access within the visibility splay at the junction of private access and the public highway.

Reason: To preserve site line and 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.

- 11) Notwithstanding the plans submitted, the disabled parking spaces shall be provided and clearly marked with a British Standard disabled symbol where appropriate and permanently retained for the use of disabled persons and their vehicles and for no other purpose. Such arrangements shall be implemented before the building is first occupied and shall thereafter be kept available/maintained for such use at all times.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with 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.

- 12) Prior to the first occupation of the development, parking spaces and the access to the car parking spaces from public highway shall be fully provided. Thereafter, the parking spaces shall be used only as agreed and not to be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with 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.

- 13) Prior to the first occupation of the development, full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 3 passive electrical charging facilities unless otherwise agreed in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

- 14) Prior to the first occupation of the development hereby approved, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:
- i. location and layout of car parking spaces;
 - ii. The allocation of car parking spaces;
 - iii. Onsite parking controls;
 - iv. The method of enforcement of unauthorised parking;
 - v. Locations of disabled parking spaces;
 - vi. Locations of active and passive Electric Vehicle Charging Points and the monitoring of Electrical Vehicle Charging Points, including when additional spaces are required to be brought into operation. The Car Parking Management Plan shall thereafter be implemented in accordance with the approved details immediately following the first occupation of the development hereby approved.

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

- 15) Prior to the first occupation of the development, provision shall be made for cycle parking and cycle storage facilities in accordance with approved plan 1811-CHE 102. Such spaces shall be permanently retained thereafter.

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.

16) Prior to commencement of development (including demolition, site clearance and ground works) a Demolition and Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

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

17) Prior to the first occupation of the development, a full Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved delivery service plan.

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.

Retail

- 18) Unless otherwise agreed in writing by the Local Planning Authority, the net sales area of the store hereby approved shall not exceed 1,059sqm and the gross floor area shall not exceed 1,472sqm

Reason: To control the extent of the retail development and to minimise the impact on existing town centres in accordance with Policy DM11 of Development Management Policies (Adopted) September 2012.

- 19) Unless otherwise agreed in writing by the Local Planning Authority, no more than 20% of the net sales area hereby approved (212sqm) shall be used for the sale of comparison goods.

Reason: To control the nature of the retail offer and to minimise the impact on existing town centres in accordance with Policy DM11 of Development Management Policies (Adopted) September 2012.

- 20) Unless otherwise agreed in writing with the LPA, the store hereby approved shall not be subdivided to create separate retail units.

Reason: To control the extent of the retail development and to minimise the impact on existing town centres in accordance with Policy DM11 of Development Management Policies (Adopted) September 2012.

Amenity

- 21) Unless otherwise agreed in writing with the LPA, the use hereby permitted shall not be open for trade other than between the hours of 07.00 and 23.00 Mondays to Saturdays (inclusive) and for any 6 hours (inclusive) between 10:00 – 18:00 on Sundays and Bank Holidays.

Reason: To minimise noise disturbance to neighbouring residential occupiers in accordance with Policy DM01 of Development Management Policies (Adopted) September 2012.

- 22) Unless otherwise agreed in writing by the Local Planning Authority, no deliveries shall be taken at or dispatched from the site outside the following hours:

- 06:00 – 23:00 (Monday to Saturday)
- 08:00 – 20:00 (Sunday and Public Holidays)

In addition, no delivery vehicles shall enter or exit the site during the following times:

- 08:00 – 10:00 (Monday to Friday)
- 15:00 – 17:00 (Monday to Saturday)

Reason: To minimise noise disturbance to neighbouring residential occupiers in accordance with Policy DM01 of Development Management Policies (Adopted) September 2012 and to

minimise impacts on the local highway network in accordance with Policy DM17 of Development Management Policies (Adopted) September 2012.

- 23) No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 24) a) No development other than demolition, site clearance and ground works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the 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.

- 25) The level of noise emitted from the plant machinery 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.

- 26) a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.
- b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

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

Environmental Health

- 27) Part 1

Before development commences other than for investigative work:

- a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.
- b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:
- a risk assessment to be undertaken,
 - refinement of the Conceptual Model, and
 - the development of a Method Statement detailing the remediation requirements.

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

- c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information

obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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

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

Miscellaneous

- 28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), (or any Order revoking or re-enacting those orders), no extensions or changes of use to the development hereby permitted shall be carried out without express planning permission first being obtained.

Reason: To enable the local planning authority to retain control over these matters in the interests of controlling the intensity of use.

- 29) Within 3 months of first occupation, certification demonstrating compliance with Secured by Design standards (or any superseding accreditation) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of community safety in accordance with London Plan Policy 7.3, London Borough of Barnet's Local Plan Policy CS12 of Core Strategy (September 2012) and Policy DM02 Development Management Policies (September 2012).

- 30) 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.