

**LOCATION:** Plot 299, 128 Colindale Avenue, London, NW9 4AX

**REFERENCE:** 17/2248/FUL **Registered:** 06/04/2017

**WARD:** Colindale

**APPLICANT:** Planning Potential Ltd

**PROPOSAL:** Change of use of 97sqm of Plot 299 of 128 Colindale Avenue from flexible A1/A2/A3 use to a betting shop (Sui Generis use)

### **Recommendation**

Approve subject to the following conditions:

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 15817-11; 15817-10; Planning Statement: Plot 299, 128 Colindale Avenue, NW9 4AX.

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

- 2) This development must be 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.

- 3) The use hereby permitted shall not be open to members of the public before 08:00am or after 10:00pm on weekdays and Saturdays or before 09:00am or after 09:00pm on Sundays and Bank and Public Holidays.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 4) Before the development hereby permitted is first occupied, the name and contact number of manager shall be displayed on the outside of the building.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 5) None of the windows of the development hereby permitted shall be obscure glazed.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

6) a) No development shall take place until a scheme of hard and soft landscaping to the front of this unit, including details of planting heights, densities and positions of any soft landscaping, has been submitted to and agreed in writing by the Local Planning Authority.

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

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

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

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

Reason: To ensure the amenity of existing and future residents is not compromised in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2016)

## **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. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

A number of other planning documents, including the National Planning Policy Framework and supplementary planning guidance 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); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

### 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)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 (Promoting Barnet's Town Centres)

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 and integrated community facilities and uses)  
CS11 (Improving health and well-being in Barnet)  
CS12 (Making Barnet a safer place)  
CS13 (Ensuring the efficient use of natural resources)  
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)  
DM05 (Tall Buildings)  
DM06 (Barnet's Heritage and Conservation)  
DM08 (Ensuring a variety of sizes of new homes to meet housing need)  
DM10 (Affordable housing contributions)  
DM11 (Development principles for Barnet's town centres)  
DM13 (Community and education uses)  
DM14 (New and existing employment space)  
DM15 (Green belt and open spaces)  
DM16 (Biodiversity)  
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 (October 2016)  
Residential Design Guidance (April 2013)  
Planning Obligations (April 2013)  
Affordable Housing (February 2007 with updates in August 2010)  
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)  
Wheelchair Accessible Housing (September 2007)  
Planning for Equality and Diversity in London (October 2007)  
All London Green Grid (March 2012)  
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)  
Housing (November 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.

#### Colindale Area Action Plan (CAAP)

#### **Relevant Planning History**

Details of site history are listed in Appendix 2 of this report.

#### **Public Consultations and Views Expressed**

As part of the consultation procedure, 379 letters were sent to local residents. A site notice was also displayed on 27/04/2017.

183 responses were received by the council, all of which were objections.

#### **Objections**

- 1) Proposal will lead to crime and anti-social behaviour
- 2) The premises will be open late
- 3) Increase noise and disturbance for local residents and detrimental impact on residential amenity
- 4) Increase in litter
- 5) Information in shop front about application not displayed for long enough
- 6) Proposal fails to comply with planning policies including DM12 (iii) and (iv).
- 7) This use not appropriate in a residential area
- 8) Not appropriate to have a betting shop opposite a college
- 9) Does not promote jobs or help the community
- 10) Proposal does not meet local needs - convenience shops/ cafes / restaurant day care facility would be more appropriate
- 11) There are balconies above the betting shop which will be disturbed
- 12) The application site is close to a playground
- 13) There are already multiple betting shops close to the site
- 14) Will lead to increase in gambling addiction

- 15) Increase in parking
- 16) Proposal would go against local communities diverse religious beliefs
- 17) Will detrimentally impact on local property prices
- 18) There has not been enough consultation with local community
- 19) Betting shop will be in an area with a high number of vulnerable people
- 20) Previous application had been refused

### **Officer Response**

The Metropolitan police have been consulted as part of the appraisal procedure process. They have recommended some conditions be attached. Conditions restricting the use of obscure glazing; requesting details of CCTV to be implemented; restricting the opening hours of the betting shop unit and details of hard and soft landscaping measures have been attached to this permission. Other conditions recommended by the Metropolitan Police do not relate to planning matters and do not meet the conditions tests as stated in the regulations. These therefore cannot be attached.

The Local Planning Authority cannot consider the betting shops influence on student or young people's lifestyle choices as this is not a material planning consideration. Furthermore, it is illegal to permit any person under the age of 18 to enter a licensed gambling premise, and therefore any users of the Betting shop will be responsible adults above the age of 18. This is regulated by the Trading Standards & Licencing Authority.

There are currently no betting shops in this part of the Colindale Area, with the nearest betting shop located on Burnt Oak Broadway. There are currently retail uses in close proximity to other retail units including a Sainsbury's Local and newsagents. The proposed change of use of this flexible A1/A2/A3 unit is not considered to have a detrimental impact on retail provision in this part of Colindale. There are no restrictions in local or national policies regarding the implementation of a betting shop use as part of a mixed use development.

A condition restricting the opening hours of the betting shop means that there should not be any disturbance during anti-social hours. It is not considered that this use should result in a detrimental increase in litter. As part of the appraisal procedure, the Council's Highways Department was consulted. They raised no objection to the change of use on highways grounds. The impact of a proposal on local property prices is not a planning material consideration.

In the event that anti-social behaviour directly results from the premises and/or the proposed betting premise is operated in breach of their licence, enforcement can be carried out by the appropriate authorities, either the licencing authority or the gambling commission.

The council has followed the appropriate consultation procedures which is

compliant with planning regulations. The council published their site notices around the site on 27/04/2017 as per standard consultation procedures.

The applicant has confirmed in the submitted planning statement that 7 new jobs will be created through the implementation of the Betting Shop use including a full time manager, a full time assistant manager, a senior cashier, 3 part time cashiers and a cleaning position. These jobs will be available to local people.

A previous application was submitted to change the use of this unit under a S73 application, but this was withdrawn. Compliance of the proposal with planning policy is addressed in the appraisal section of this report.

### **Statutory Consultation responses**

#### **LB Barnet Highways**

No objection to change of use.

#### **Metropolitan Police**

The Metropolitan Police Service have raised concerns about the location of a betting shop at this venue. They have stated that there is the potential for this site to become a generator for crime/anti-social behaviour.

Historically these operations have extended hours of activity which when located in close proximity to residential entrances may reduce the effectiveness of their access control strategy and this combined with readily available public seating within the vicinity of available alcohol (Sainsbury's Local 90m away) increases the likelihood for it to have a negative impact on the quality of life for the local residents.

The police are unable to support this application at this present time. They have stated in their response that if the Local Authority is minded to grant planning permission for this use, the following conditions are attached:

1. Hours of operation 9am until 6pm. Monday to Saturday - closed Sundays.
2. No seating outside.
3. No obscuring of the windows.
4. Defensive planting under all curtain walling.
5. Full CCTV coverage inside the venue which is to be extended outside to cover the public footway.



6. Entrance doors to the shop to be positioned as far as possible from the corner and any other residential doors. Additionally consideration should be given to a defensive planting strip to clearly define both uses.
7. Toilet facilities to be open at all times - if they close the venue closes.
8. Office to be located within 5m of the main entrance with direct field of vision.
9. Entry into the venue to be controlled via the office- with an electronically operated lock
10. Name and contact number of manager displayed on the outside of the building.

### **Officer Response to Metropolitan Police Objection**

The vast majority of betting shops are located in town centres and parades with residential units above or nearby to these uses. The location of the residential units above this proposed betting shop does not represent a significantly different arrangement. There is no public seating directly outside the premises and any applications for new seating would be resisted. Conditions have been implemented in accordance with the Metropolitan Police's comments requiring restricted hours of opening, that windows are not obscure glazed and that a scheme of CCTV and hard and soft landscaping provision be submitted to the Local Authority for approval. The hours of opening restrictions are longer than those proposed by the Police. It is considered that as there are nearby shops, restaurants, bars and pubs open in the evening, it would be unreasonable to restrict opening hours of the betting shop to 6pm. The other condition recommendations outlined in the Police's response do not relate to planning material considerations and do not meet the condition's test as outlined in the Regulations. Therefore, these cannot be implemented.

### **Site Description**

The application site is situated on the ground floor of a new residential development (Application Reference: H/05856/13) on Colindale Avenue, which comprises of 395 flats across 6 separate blocks of 4-11 storeys. The development is substantially complete.

The application site does not lie in a conservation area, but does however fall within the Colindale Area Action Plan (CAAP) area which seeks the creation of a new neighbourhood centre on Colindale Avenue.

### **Proposal**

This application seeks to change the use of 97 sqm of Plot 299 located at the

ground floor of 128 Colindale Avenue from flexible A1/A2/A3 to sui genesis, specifically a betting shop. The other 145.5sqm of the unit will remain for A1/A2/A3 use.

## **PLANNING CONSIDERATIONS**

### **Policy Context**

#### **National Planning Policy Framework and National Planning Practice Guidance**

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

#### **The Mayor's London Plan 2016**

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

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

#### **Barnet's Local Plan (2012)**

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS6.
- Relevant Development Management Policies: DM01, DM12

## **Supplementary Planning Documents**

Sustainable Design and Construction SPD (adopted October 2016)

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

### **Main issues for consideration**

The main issues for consideration in this case are:

- Whether the principle of a change of use from flexible A1/A2/A3 to a Betting shop (Sui Generis) is acceptable;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality and
- Whether harm would be caused to the living conditions of neighbouring residents.

## **ASSESSMENT OF PROPOSALS**

### **Principle of a change of use**

The existing site premises are currently unoccupied. Therefore, it should be noted that the A1/A2/A3 use is the site's approved rather than existing use.

The Core Strategy identifies that '*Colindale Avenue will provide the vibrant heart and gateway of Colindale as a sustainable mixed-use neighbourhood centre anchored by a new public transport interchange with pedestrian piazza*'

The Local Planning Authority have considered the Development Management policies within the adopted Local Plan (Development Management Policies) Development Plan Document (September 2012) and note that there are no specific policies that restrict the implementation of Sui Generis uses. Although these policies do protect retail uses in primary or secondary retail frontage in an established town centre and in shopping parades, this unit does not lie in either of these land designations.

Policy DM12: Maintaining local centres and parades states that '*the council will protect all retail uses (Class A1) in the existing local centres, parades and isolated shops unless it can be demonstrated that:*

- i. there will be no significant reduction of shopping facilities as a result; and*
- ii. that alternative shopping facilities that are similarly accessible by walking, cycling or public transport exist to meet the needs of the area; and*
- iii. the proposed use is within Class A2, A3, A4, A5 or meets an identified local need; and*
- iv. there is no demand for continued Class A1 use, and that the site has been marketed effectively for such use.*

It is considered that the loss of 97sqm of floorspace proposed under this application does not represent a significant reduction of shopping facilities.

There are a range of retail facilities close to the site. These include a newsagents at Colindale Station (35 metres from the site) and a Sainsbury's Local on Charcot Avenue (90 metres from the site) which are accessible by walking. There is also a Boots (The Hyde, 7 minute walk from the site), a Tesco Express (Heritage Avenue, 10 minute walk) a Morrisons (Edgware Road, 10 minute walk) and Asda Superstore (off Edgware Road, 10 minute walk) nearby. The Brent Cross Shopping Centre is a 20 minute journey from the site by public transport.

There is a lack of betting shops in this area, with the nearest betting shop being located on Burnt Oak Broadway (0.5 miles from the site). It is noted that the unit is not currently occupied by an A1 use and instead has received permission to be flexible A1/A2/A3. The proposal will therefore not definitely result in the loss of an A1 unit. Furthermore, as demonstrated above there is sufficient retail provision in the local area. In these circumstances it is considered that the requirement of marketing evidence is onerous.

At the time that the application was approved, betting shop uses were classified as A2. Subsequent to the approval of planning permission H/05856/13, the classification of this use was changed. It is however considered that this use would add to the vitality of this small parade as this new use would maintain an active frontage. As such, this use is not considered detrimental to the usability of this parade.

In addition to local planning policies, the Local Planning Authority also has regard for the Mayor's London Plan (2016) Policy 4.8, paragraph 4.50A which states that the planning system should be used to help manage clusters of uses - in specific, avoiding over-concentrations of betting shops and hot food takeaways. There is not considered to be an 'over-concentration' of either betting shops or hot food takeaways in the Colindale area. Furthermore, this policy is primarily focused on Town Centre locations, which the proposed site does not lie in. Therefore the proposal does comply with London Plan policy 4.8.

Overall it is considered that a betting shop in this location would not be inappropriate, and that the proposals would not lead to the loss of an A1 unit or an over concentration of sui generis uses or betting shops within this out-of-centre shopping area.

Condition 9 of application H/05856/13 did restrict the uses of the ground floor commercial units to Class A uses. A betting shop is considered to have a positive contribution to the activity of this parade and as such it is considered that this use is appropriate. Furthermore, at the time that this permission was granted betting shops were considered to be a Class A2 use.

### **Impact on character and appearance of the existing building, the street scene and the wider locality**

No changes to the appearance of the building are proposed in this application, thus it is considered that the proposals will not result in unacceptable harm to

the character and appearance of the host building, street scene or wider locality, in accordance with Policy DM01.

Separate application for new shop signage and shopfront were approved earlier this year (see details of these applications under Appendix 2 of this report).

### **Impact on the living conditions of neighbouring residents**

As there are residential units above the proposed betting shop, consideration has to be given to how the proposed use will impact on nearby residential units. The proposed use is not considered to give rise to demonstrable undesirable living conditions for the neighbouring and nearby residential units to an extent that would warrant the applications acceptable reason for refusal. The majority of betting shops units are located in town centres and parades with residential units above and/or nearby.

Opening hours of the new Betting Shop will be controlled by condition to ensure that the use is not in operation past unsocial hours (before 08:00am or after 22:00pm). These opening hours are comparable with other shops, restaurants, bars and pubs in the local area (e.g. Sainsbury's Local on Charcot Avenue is open 7am-11pm daily). In addition a betting shop operating around these hours will increase the level of natural surveillance and may actually deter criminal behaviour along the locality. A condition has been implemented requiring a scheme of CCTV to be submitted which will further increase natural surveillance and security in this area.

### **Licencing of the premises**

On 4<sup>th</sup> July 2017 license was granted for betting premises (other than track).

The Police and the applicant agreed the following 3 conditions:

1. CCTV shall be installed to Home Office Guidance standards and recordings shall be kept for 31 days and shall be made available to the police and licensing officers if requested. The CCTV system will cover the entry and exit point and the main customer area to include the machine areas and staff area of the premises. External cameras to be installed to cover the outside areas including the front door and along the boundary of the premises.
2. A maglock will be fitted to the front door of the premises and shall be controlled by staff.
3. An incident record shall be kept and made available to the Police and Responsible Authorities.

The licensing Sub-Committee imposed the following additional conditions:

1. There is to be at least two members of staff on duty at all times.
2. Posters will be prominently displayed in the premises which advise customers that no anti-social behaviour will be tolerated.

In the event that anti-social behaviour directly results from the premises and/or the proposed betting premise is operated in breach of their licence, enforcement can be carried out by the appropriate authorities, either the licencing authority or the gambling commission.

## **EQUALITY AND DIVERSITY ISSUES**

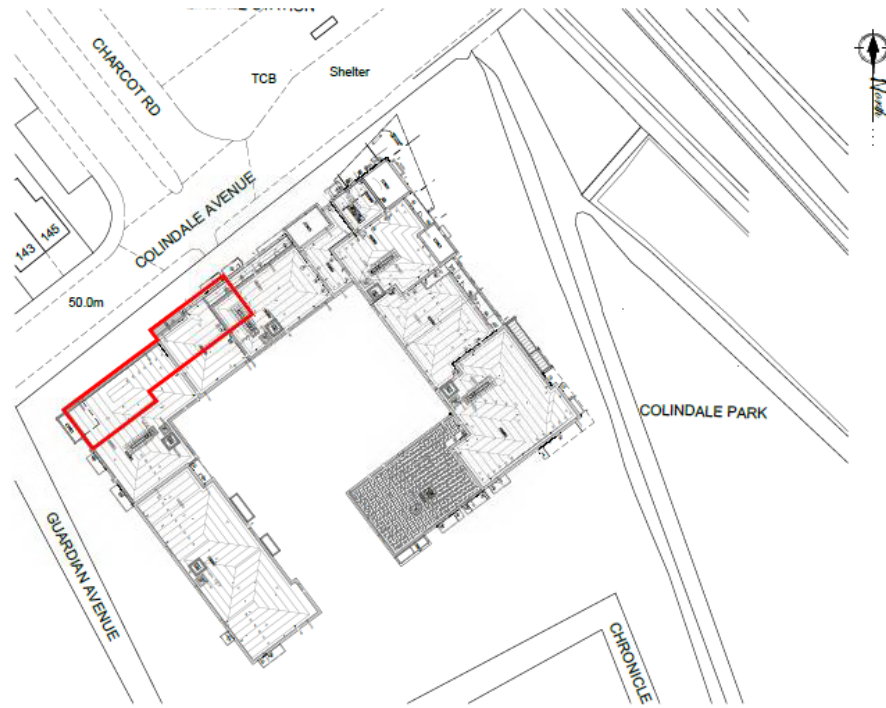
The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## **CONCLUSION**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. Furthermore, the proposal is not considered detrimental to the functionality or activity of this new parade. This application is therefore recommended for approval.

# APPENDICES

## Appendix 1: Site Plan



## **Appendix 2: Planning History**

**Description:** Demolition of all existing buildings; redevelopment to provide 395 flats, 772sqm of retail/financial/professional/restaurant/café uses (Use Classes A1/A2/A3) and 112sqm of floorspace for retail/financial/professional/restaurant/café uses (Use Classes A1/A2/A3) or community use (Use Class D1) in six blocks ranging from 4 to 11 storeys; associated highways and public realm works including formation of piazza adjacent to Colindale Avenue and Colindale Park; associated access from Colindale Avenue, internal street network, car and cycle parking, refuse storage, landscaping and amenity space provision; associated plant and relocation of existing substation

**Planning Reference:** H/05856/13

**Decision:** Approve following legal agreement

**Decision Date:** 23/12/2017

**Description:** Installation of 3no internally illuminated fascia signs and 2no internally illuminated hanging signs

**Planning Reference:** 17/2508/ADV

**Decision:** Approve subject to conditions

**Decision Date:** 08/06/2017

**Description:** New Shop Front

**Planning Reference:** 17/2507/FUL

**Decision:** Approve subject to conditions

**Decision Date:** 05/06/2017