

Location **290 - 294 Golders Green Road London NW11 9PY**

Reference: **17/7568/S73** Received: 29th November 2017
Accepted: 30th November 2017

Ward: Golders Green Expiry 1st March 2018

Applicant: Golders Green Properties Ltd

Proposal: Variation of condition 1 (Plans) pursuant to planning permission 16/3806/FUL dated 05/09/2016 for "Erection of a part two, part four, part five, part six storey building with lower ground floor and basements providing 60 residential flats with ancillary spa facility; associated car and cycle parking, landscaping and associated other works with access from Golders Green Road." Variation includes re-configuring the layout of the building at basement and basement mezzanine level, including the removing an area from the south-east end of the building and removal of basement level two. Removal of spa to enlarge approved 4no flats at lower ground floor level. Reduction in the width of the front foyer area to increase the size of 4no flats (8, 9, 10 & 11) at ground floor level. New lightwells and soft landscaping to south-east end of building.

Recommendation: Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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)

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. A financial contribution of £640,000 towards Affordable Housing and a late stage review mechanism
4. Provision of a Residential Travel Plan
5. Monitoring costs of £5,000 for the Residential Travel Plan and £250 for the legal agreement.

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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

AD-00-00-06-01 PL6 ELEVATION 01,
AD-00-00-06-02 PL6 ELEVATION 02,
AD-00-00-06-03 PL6 ELEVATION 03,
AD-00-00-06-04 PL6 ELEVATION 04,
AD-00-00-06-05 PL6 ELEVATION 05,
AD-00-00-06-06 PL6 ELEVATION 06,
AD-00-00-06-11 PL6 E1 WITH OUTLINE,
AD-00-00-06-12 PL6 E2 WITH OUTLINE,
AD-00-00-06-13 PL6 E3 WITH OUTLINE,
AD-00-00-06-14 PL6 E4 WITH OUTLINE,
AD-00-00-06-15 PL6 E5 WITH OUTLINE,
AD-00-00-06-16 PL6 E6 WITH OUTLINE,
AD-00-00-06-21 PL6 SECTION 01,
AD-00-00-06-22 PL6 SECTION 02,
AD-00-00-06-23 PL6 SECTION 03,
AD-01-00-01-01 PL6 1ST FLOOR PLAN,
AD-02-00-01-01 PL6 2ND FLOOR PLAN,
AD-03-00-01-01 PL6 3RD FLOOR PLAN,
AD-04-00-01-01 PL6 4TH FLOOR PLAN,
AD-05-00-01-01 PL6 5TH FLOOR PLAN,
6135-PL-001 Rev. C GROUND FLOOR AS PROPOSED
6135-PL-002 Rev. C LOWER GROUND FLOOR AS PROPOSED
6135-PL-003 BASEMENT MEZZANINE AS PROPOSED
6135-PL-004 Rev. A BASEMENT 1 AS PROPOSED
6135-PL-025A SECTIONAA AS PROPOSED
AD-RF-00-01-01 PL6 ROOF PLAN,
AD-LC-00-01-01 PL6 LOCATION PLAN,
AD-ST-00-01-01 PL6 SITE PLAN,
AD-ST-00-01-02 PL6 SITE PLAN DIMENSIONED,
Air Quality Assessment,
Arboricultural Assessment,
Archaeology,
Design and Access Statement,
Ecological Assessment,
Energy Statement,
Flood Risk Assessment sm1,
Site Investigation Report,
Transport Statement,
Travel Plan,
Utility Statement,

Ventilation Strategy,
Acoustic Assessment Report,
Urban Landscape Design Strategy & Visual Impact Assessment,
Soil Survey
Hours in Sun report
Planning Statement
SCI

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 2 This development must be begun within three years from the date of the original permission ref: 16/3806/FUL dated 05/09/2016

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

- 3 The development hereby permitted shall not commence until a parking management plan is approved that includes details of parking spaces, details of visitors/servicing, allocation of parking spaces per units, controlling and monitoring of parking areas, including enforcement for non-correct use of parking areas, details of Electric Vehicle Charging points. All parking spaces shall be provided and permanently used only for residential accommodation within the development thereafter.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

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

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

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

- 7 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 8 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 6.00 pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

9 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 October 2016) and 5.21 of the London Plan 2016.

- 10 a) No development other than demolition work shall take place until details of the location within the development and specification of the 6 units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

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

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2016.

- 11 a) Prior to the occupation of the hereby approved development, details of a Landscaping Scheme and Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

- b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

- c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2016.

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

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

- 13 Before the development hereby permitted is occupied a scheme of ecological improvement shall be submitted in writing to the Local Planning Authority with an appropriate timetable. These measures shall be implemented in accordance with the approved details and timetable, and shall be permanently maintained thereafter.

Reason: To ensure that ecological improvements are secured in accordance with policy DM16 of the Development Management Policies DPD (adopted September 2012).

- 14 Before the development hereby permitted is occupied, details of proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with these details.

Reason: To safeguard local amenity in accordance with policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012) and policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012).

- 15 Prior to the commencement of the development hereby approved a 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 approved plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- Details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- Site preparation and construction stages of the development;
- A Site Waste Management Plan and details of provisions to be made for recycling of materials.
- The provision on site of a storage/delivery area for all plant, site huts, site facilities, waste and materials.
- 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;
- The methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- 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;
- Noise mitigation measures for all plant and processors;
- Details of contractors compound and car parking arrangements;
- Details of interim car parking management arrangements for the duration of construction; and
- 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 a sustainable waste management 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.

- 16 Piling or any other penetrative construction method shall not be permitted other than with the express written consent of the Local Planning Authority,. In the event that piling is sought, then a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried

out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure that the piling design is protective of below ground utility infrastructure assets and controlled waters in accordance with policy DM04 of the Adopted Barnet Development Management Policies 2012.

- 17 Before the development is occupied, the proposals identified in the energy statement submitted shall be implemented in accordance with the details within this document and permanently retained thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Barnet Sustainable Design and Construction SPD (2016), Policies 5.2 and 5.3 of the London Plan (2016) and the Mayors Housing SPG.

- 18 Before the development is occupied, details of the designated amenity areas and how access to these will be provided shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these details.

Reason: To ensure that residents have access to adequate amenity space in accordance with policy DM02 of the Adopted Barnet Development Management Policies 2012.

- 19 Before the development hereby permitted is occupied cycle storage and parking shall be implemented and permanently maintained in accordance with the approved details.

Reason: To ensure that the proposals have an acceptable impact on highway and pedestrian safety in accordance with policy DM17 of the Adopted Barnet Development Management Policies 2012.

- 20 Before the development hereby permitted is occupied, details of electric car charging points shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with these details.

Reason: To ensure that the development achieves satisfactory environmental performance in accordance with policy 5.2 of the Mayors London Plan 2016 and policy DM17 of the Barnet Development Management Policies DPD (2012).

- 21 Prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity space shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development.

Reason: To ensure that the development represents high quality design and to accord with policy CS7 of the Adopted Core Strategy (2012) and policy DM02 of the Development Management Policies DPD (2012) and policy 3.6 of the London Plan (2016).

- 22 a) Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.
- b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (2016), and Policy 5.3 of the London Plan (2016).

- 23 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic noise has been submitted to and approved in writing by the Local Planning Authority.
- b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.

Reason: To ensure the amenities of occupiers are not prejudiced by traffic noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (2016), and 7.15 of The London Plan (2016).

- 24 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 25 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 40% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2016) and the 2016 Mayors Housing SPG.

- 26 Before the development hereby permitted commences, a SuDS Construction Plan shall be submitted. The SuDS Construction Plan shall demonstrate that SuDS shall be constructed in accordance with appropriate applicable standards to ensure that there is no consequential damage to the functionality of the sewerage and drainage system. The Plan shall also address the operation and long term maintenance plan for the SuDS. The development shall be constructed in full accordance with these details.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.13 and 5.14 of the London Plan (2016).

- 27 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

RECOMMENDATION III:

- 1 That if the above agreement has not been completed or a unilateral undertaking has not been signed by 07 June 2019, unless otherwise agreed in writing, the Service Director - Planning and Building Control can REFUSE the application under delegated powers for the following reasons:

The applicant has failed to provide a financial contribution towards Affordable Housing. As a result the development would fail to provide any form of Affordable Housing either through a commuted sum or affordable units. This would be contrary to Policy DM10 of Barnets Development Management Policies (2012).

The applicant has failed to provide a Residential Travel Plan. The proposal would therefore not address the impacts of the development on the adjacent public highway network. This would be contrary to Policy DM17 of Barnets Development Management Policies (2012).

The applicant has failed to pay a monitoring fee to ensure the s.106 agreements are fully implemented. This would be contrary to Policy CS15 of the Local Plan Core

Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

2 Waste Comments

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

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

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. Swimming Pools - Where the proposal includes a swimming pool Thames Water requests that the following conditions are adhered to with regard to the emptying of swimming pools into a public sewer to prevent the risk of flooding or surcharging: - 1.The pool to be emptied overnight and in dry periods. 2.The discharge rate is

controlled such that it does not exceed a flow rate of 5 litres/ second into the public sewer network.

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

statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Waters Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 3 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

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

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

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

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

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

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

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

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

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

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

- 4 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 5 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 6 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

Officer's Assessment

1. Site Description

The site is the former Harvester site addressed 290-294 Golders Green Road. The site forms an area of approximately 0.4 hectares.

There is a tree preservation order on the site that covers a number of individual and group trees. It appears that historically some of these trees have been cut down, though this appears to have been done a considerable period of time ago and there is no suggestion that this was done by the current owners.

This application relates to an L-shaped, gap site located on the north-eastern side of Golders Green Road. The plot includes the former site of the Harvester Restaurant and part of the car park which served the Roman House office building immediately adjacent to the site.

The site is situated between Princes Park Avenue to the south-east and Golders Green Road to the south-west. This part of Golders Green Road consists of a mixture of commercial and residential buildings of varying heights, with traditional, suburban housing on the side streets and to the rear of the site. Princes Park Avenue is a residential street comprising of a mix of detached and semi-detached dwellings, which are predominantly two-storeys in height, with pitched roofs.

The site is adjacent to the four-storey commercial office block, Roman House which was built in the 1990's and to the other side, across the junction with Princes Park Avenue, is a three-storey purpose built residential block of flats known as Phildor Court. To the front of the site, Golders Green Road is characterised by commercial premises at ground floor with elements of residential accommodation above.

The topography and site levels vary, sloping down towards the North Circular Road (A406) to the north-west and Decoy Brook to the north; and upwards to Golders Green to the south-east. The ground levels therefore drop from the corner of the site at its junction with Princes Park Avenue to where it meets its western boundary with Roman House and from the front of the site bordering Golders Green Road to the rear boundary with Decoy Brook.

2. Site History

Reference: 16/3806/FUL

Address: 290-294 Golders Green Road, London, NW11 9PY

Description: Erection of a part two, part four, part five, part six storey building with lower ground floor and basements providing 60 residential flats with ancillary spa facility; associated car and cycle parking, landscaping and associated other works with access from Golders Green Road.

Decision: Approved following legal agreement

Decision Date: 5 September 2016

Reference: 15/05062/FUL

Address: Harvester Restaurants, The Prince Albert, 290 - 292 Golders Green Road, London, NW11 9PY

Description: Erection of a part two, part six, part seven storey building with lower ground floor and basements providing 67 residential flats with ancillary resident's spa facility,

associated car and cycle parking, landscaping and associated other works with access from Golders Green Road.

Decision: Refused

Decision Date: 4 February 2016

Appeal Reference: APP/N5090/W/16/3155067

Appeal Decision: Dismissed

Appeal Date: 29 November 2016

Reference: F/05593/13

Address: Harvester Restaurants, The Prince Albert, 290 - 292 Golders Green Road, London, NW11 9PY

Description: Erection of a part two, part six, part seven storey building with lower ground floor and basements providing 75 residential flats with ancillary resident's spa facility; associated car and cycle parking, landscaping and associated other works with access from Golders Green Road.

Decision: Refused

Decision Date: 6 March 2015

Reference: F/02179/10

Address: Harvester Restaurants, The Prince Albert, 290 - 292 Golders Green Road, London, NW11 9PY

Description: Extension of time limit for planning permission reference C00513Z/07 dated 05/06/2007 for construction of three storey building with basements and lower ground floors to create 62 self-contained flats and 1020sqm of health facility (D1 use) with provision for 89 cars and 80 cycle spaces with access from Golders Green Road. Associated landscaping.

Decision: Withdrawn

Decision Date: 24 August 2010

Reference: F/00247/08

Address: Harvester Restaurants, The Prince Albert, 290 - 292 Golders Green Road, London, NW11 9PY

Description: Construction of a five-storey building with basement and lower ground floor to create 41 self-contained flats and 1020sqm of health facility (D1 use) with provision for 83 cars and 80 cycle spaces with access from Golders Green Road. Associated landscaping.

Decision: Approved following legal agreement

Decision Date: 7 July 2008

Reference: C00513AA/08

Address: 290-294 Golders Green Road London NW11 9PY

Description: Construction of five storey building with basements and lower ground floor to create 45 self-contained flats and 1020sqm of health facility (D1 use) with provision for 83 cars and 80 cycle spaces with access from Golders Green Road. Associated landscaping.

Decision: Approved following legal agreement

Decision Date: 23 May 2008

Reference: C00513Z/07

Address: 290-294 Golders Green Road London NW11 9PY

Description: Construction of three storey building with basements and lower ground floors to create 62 self-contained flats and 1020sqm of health facility (D1 use) with provision for 89 cars and 80 cycle spaces with access from Golders Green Road. Associated landscaping.

Decision: Approved following legal agreement
Decision Date: 06 June 2007

Reference: C00513Y/05

Address: 290-294 Golders Green Road London NW11 9PY

Description: New three-storey building to provide 14 self-contained flats with basement parking.

Decision: Refused

Decision Date: 11 August 2006

Reference: C00513X/04

Address: Site Of 290 To 292, Golders Green Road, London, NW11 9PY

Description: Erection of a part two, part three, part four storey building to provide a synagogue and car parking at basement level, Class A2 commercial floorspace at ground floor level, 1 dwellinghouse and 12 self-contained flats. Provision of amenity space and refuse storage. Formation of vehicular access onto Golders Green Road.

Decision: Finally Disposed Of

Decision Date: 24 January 2005

Reference: C00513W/04

Address: Site Of 290 To 292, Golders Green Road, London, NW11 9PY

Description: Erection of three to five-storey building (plus basement) to provide a synagogue and off-street parking at basement level, Class A1/A2 commercial floorspace at ground level and a total of 14no. self-contained flats on the upper floors. Provision of associated amenity space, and vehicular access from Princes Park Avenue.

Decision: Withdrawn

Decision Date: 5 August 2004

Reference: C00513V/04

Address: Site Of 290 To 292, Golders Green Road, London, NW11 9PY

Description: 6no. internally illuminated hoardings.

Decision: Refused

Decision Date: 2 April 2004

Reference: C00513T/01

Address: Harvester Restaurants, The Prince Albert, 290 - 292 Golders Green Road, London, NW11 9PY

Description: Internally illuminated signs.

Decision: Approved subject to conditions

Decision Date: 15 May 2001

3. Proposal

This application seeks a variation of Condition 1 (Approved Plans) pursuant to planning permission 16/3806/FUL dated 05/09/2016 for 'Erection of a part two, part four, part five, part six storey building with lower ground floor and basements providing 60 residential flats with ancillary spa facility; associated car and cycle parking, landscaping and associated other works with access from Golders Green Road.'

Variations as part of this application include:

- Re-configuring of the internal layout of basement one and basement mezzanine level;
- Removal of basement 2 level;

- Removing an area from the south-east end of the building at basement and basement mezzanine level;
- Removal of spa to enlarge 4no. approved flats at lower ground floor level;
- Reduction in the width of the front foyer area to increase the size of 4no. approved flats (8, 9, 10 & 11) at ground floor level;
- Introduction of lightwells along part of the southern boundary and the entirety of the eastern boundary;
- Landscaping along eastern boundary.

4. Public Consultation

This application was deferred by the Finchley and Golders Green Area Planning Committee on 12th March 2019, as members wanted further analysis to be conducted to better understand the schemes viability and proposed affordable housing contribution. Their concern centred around the fact that the scheme was proposing a smaller affordable housing contribution than previously agreed as part of the original permission (ref: 16/3806/FUL), yet the application proposed the removal of a basement level of parking and a lower ground floor spa. As outlined in the affordable housing section below, the applicant has reviewed their affordable housing offer, and proposed to match the commuted financial sum of £640,000 and all other terms and conditions of the previous legal agreement which formed part of the original permission. The revised offer represents an increase of £211,600 from the £428,400 that was considered by members during the highlighted March committee meeting, in addition to the opportunity to share in any uplift following a late stage viability review capped at £500,000. Aside from the highlighted change to the affordable housing contribution, no other changes have been made to this application.

Consultation letters were sent to 434 neighbouring properties. 4 responses were received comprising 4 letters of objection. These can be summarised as follows:

- The development is too big, and density too high.
- Not enough parking allocated.
- Revised scheme increases the detrimental impact of the previously approved scheme on residents of Princes Park Avenue.
- Loss of light and overshadowing.
- Overlooking / loss of privacy.
- Overdevelopment of a small and awkward shaped plot of land.
- Raises highway safety and increased traffic generation concerns.
- Increased noise and disturbance.
- Loss of trees and detrimental effect on the conservation area.

The application was also subject to consultation with the following:

Highways:

The proposed alterations to the layout of the building have not altered the car parking ratio associated with the previously approved application. The alterations keep the same number of flats as the approved scheme therefore there is no increase in trip generation, service/ refuse vehicle movements, or parking ratios.

The proposals will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users, as such a recommendation for approval is supported

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) (2018) 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 Mayor's Draft London Plan

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

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, CS3, CS4, CS5, CS9, CS10, C15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM10, DM16, DM17.

Supplementary Planning Documents

- Residential Design Guidance SPD (adopted 2016)
- Sustainable Design and Construction SPD (adopted 2016)
- Affordable Housing SPD (adopted 2007)
- Delivering Skills, Employment, Enterprise and Training from Development through section 106 (adopted 2014)
- Planning Obligations SPD (adopted 2017)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of development is acceptable;
- Affordable Housing;
- Whether the alterations detract from the character and appearance of the application site, street scene and wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate living standards will be provided for future occupiers;
- Whether the proposed development is acceptable on highways grounds;
- Whether the proposed development provides adequate refuse storage provision;
- Whether the proposed development would have an acceptable impact on site trees
- Section 106 issues.

5.3 Assessment of proposals

Whether the principle of development is acceptable

This application seeks to vary an extant planning permission (ref: 16/3806/FUL) for a part six storey building containing sixty self-contained flats. Therefore, as the previously approved permission is still extant, there is no in-principle objection to a residential development on site.

In terms of the applications materiality, it is the responsibility of each local planning authority to determine the definition of 'minor material' as there is no statutory definition. A judgment on 'materiality' in any particular case is one of fact and degree, along with taking into account the likely impact of the amendment on the local environment. Materiality is considered against the development as a whole not just part of it. The basis for forming a judgement on materiality is always the original planning permission. Section 96A of the Town and Country Planning Act 1990 states that 'in deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change, together with previous changes made under this section, on the planning permission as originally granted. In this instance, it is considered that the proposed alterations do constitute a material change and therefore a section 73 application is deemed the appropriate assessment mechanism.

Affordable Housing

As part of this application the applicants provided a revised viability assessment. This viability assessment was then independently assessed to verify the veracity of the financial assumptions made within the applicant's revised viability assessment. Following a year of lengthy discussion, document revision and analysis, the final recommendations of the independent assessor concluded that the scheme, based upon the developer profit margin applied, had a viability range from a deficit of £237,000 to a surplus of £830,000. Given the range outlined, the independent viability assessment recommended a compromise in the form of a commuted sum payment of £600,000. Based upon the recommendations contained within the independent viability assessment and the highlighted concerns of members, the applicant has agreed to provide a commuted sum payment of £640,000. This matches the commuted sum payment agreed as part of the original planning permission (ref: 16/3806/FUL). In addition to this, the applicant has agreed to all the other terms and conditions of the previous legal agreement, namely a late stage review mechanism and 50% of any uplift capped at £500,000. This will be secured via a S106 obligation.

Whether the alterations detract from the character and appearance of the application site, street scene and wider locality

This application does not propose to alter the scale, form or siting of the previously approved scheme. Indeed, no further scale or additional units are proposed. The proposed alterations primarily centre around a rationalisation of the basement level parking arrangements, including the removal of basement level two, the removal of the spa at lower ground floor level to accommodate larger units (enlargement of existing four units - no additional units) and some minor internal alterations and introduction of light wells along part of the southern and entirety of the eastern site boundary. The proposed development also proposes to enhance the visual appearance of the application site along Princes Park Avenue via a scheme of soft landscaping. Indeed, while public comments received have raised objection to the design, scale and siting of the proposed scheme and its consequential impact on the neighbouring residential amenity, these objections are deemed to relate more to the previously approved scheme than the proposed. The proposed alterations are considered to have a limited visual impact on the character and appearance of the site and the streetscene of both Golders Green Road and Princes Park Avenue.

An assessment of the proposed changes is as follows:

Rationalisation of basement level parking, including removal of basement level two:

These changes are solely subterranean and therefore have no visual impact on the application site or streetscene of both Golders Green Road and Princes Park Avenue. Therefore, from a character and appearance perspective, these alterations are deemed acceptable.

Inclusion of lightwells along eastern site boundary to support lower ground floor units:

The principle of lightwells at the application site was established as part of the previously approved extant scheme, with lightwells serving the lower ground floor units located along Golders Green Road, adjacent to Roman House and to the rear of the site. This application proposes to introduce lightwells along part of the site's southern boundary and the entirety of the eastern. Analysis has been included within this submission to demonstrate that the siting of the lightwells would not result in a harmful level of overlooking, with soft landscaping between the public pavement and lightwells included to soften the visual impact of the lightwells. Lightwells were not previously proposed for this part of the site given a spa was located at lower ground floor level to the south / east of the site. However, with the spa to be removed and the four previously approved flats at the lower ground floor level being expanded to fill the space, there is now a need to introduce new lightwells. As the principle of lightwells has already been established on site and given mitigation measures have been included within the design to soften their visual impact on the appearance of the streetscene of both Golders Green Road and Princes Park Avenue, it is considered that they are acceptable on character grounds.

Internal alterations including increased unit sizes at lower ground floor level:

These changes are solely internal and therefore have no visual impact on the application site or streetscene of both Golders Green and Princes Park Avenue. Therefore, from a character and appearance perspective, they are deemed acceptable.

In summary, the changes proposed would have a limited and ultimately acceptable impact on the character and appearance of the application site and streetscene of both Golders Green Road and Princes Park Avenue. No additional scale, bulk or massing is proposed and no additional units have been introduced. Indeed, the main external changes concern the introduction of lightwells to part of the site along the southern boundary and along the full length of the eastern boundary. These are considered acceptable given the principle of lightwells at the application site has already been established and appropriate visual mitigation has been introduced via a scheme of soft landscaping. All other alterations are internal or subterranean. Therefore, it is considered that the proposed alterations to the previously approved extant planning permission are acceptable on character and appearance grounds and Policy DM01.

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

As outlined above, the only external alteration to the previously approved extant planning permission is the inclusion of lightwells to part of the site's southern boundary and along the entirety of the eastern boundary. It is not considered that the introduction of these lightwells would cause harm to the residential amenity of neighbouring occupiers by way of overlooking, overshadowing or loss of daylight / sunlight. No additional building scale, bulk or massing over and above the previously approved scheme is proposed. Therefore, based on the above, it is not considered that the proposed alterations would have a harmful impact on the residential amenity of neighbouring occupiers.

Whether adequate living standards will be provided for future occupiers

Floor Area:

The London Plan (2016) and Section 2.1 of the Sustainable Design SPD (Oct 2016) set out the minimum internal space requirements for residential units. A bedroom measuring 11.5m² and above is calculated as a double, and a bedroom measuring 7.5m² to 11.4m² is calculated as a single. This application proposes a reduction in the size of the ground floor foyer and therefore, consequently, there are small increases in the size of adjacent units. These increases do not result in the introduction of additional bedrooms or units. All revised unit sizes would comply with the minimum space standards outlined above.

The previously approved extant permission had four residential units at lower ground floor level adjacent to the spa. The proposed internal alterations propose to remove the spa and increase the size of each of the four units to cover the entire lower ground floor area adjacent to Golders Green Road and Princes Park Avenue. Each of the resulting units represent very large four bedroom units which exceed the minimum internal space standards as outlined above.

Floor-to-ceiling:

No changes are proposed to the previously approved floor-to-ceiling heights.

Light/outlook:

It is considered that all proposed units would receive an adequate level of daylight / sunlight and outlook. The proposed lightwells are south-facing and therefore all of the newly created windows serving habitable rooms along part of the site's southern boundary and along the entirety of the eastern boundary, are considered to receive sufficient daylight / sunlight and outlook. Again, the previously approved extant permission

established the principle of lightwells at the application site for the purposes of providing daylight / sunlight and outlook to the ground floor units.

Amenity Space:

Each of the proposed units at lower ground and ground floor levels are provided with private external amenity space. External amenity space within the previously approved scheme was assessed on the cumulative amount of amenity space versus number of habitable rooms provided. Based on this approach, it is considered that the proposed scheme would provide an acceptable level of onsite external amenity space.

In summary, it is considered that the proposed alterations to the previously approved extant permission would not compromise the schemes amenity provision for future occupiers. Furthermore, given the principle of lightwells serving habitable rooms at lower ground floor level was established as part of the previously approved extant permission, it is considered that the new lightwells would provide an acceptable method and provision of daylight / sunlight and outlook for future occupiers living at the lower ground floor level.

Whether the proposed development is acceptable on highways grounds

This application seeks to rationalise the previously approved basement parking arrangement, by removing basement level two, and re-arranging the car parking spaces and cycle storage over basement level one and the mezzanine basement level. No alterations are proposed to the access ramp and the changes do not result in a reduction in the number of car parking spaces and cycle storage units. The Council's Highways Department has reviewed this application and deemed it acceptable on highways grounds. As per the original permission (ref: 16/3806/FUL), a Residential Travel Plan will be secured via a S106 Agreement.

Whether the proposed development provides adequate refuse storage provision

No alterations are proposed to the site's refuse collection provision from the previously approved scheme. A condition requiring details of the proposed refuse storage and collection strategy will be attached to any permission.

Whether the proposed development would have an acceptable impact on site trees

The loss of site trees was assessed as part of the previously approved extant permission and considered acceptable subject to replacement landscaping. The proposed alterations would not compromise the provision of new site landscaping, but would enhance it, particularly along the site's eastern boundary fronting onto Princes Park Avenue. A landscaping condition will be attached to any permission to ensure replacement landscaping is fully implemented to the satisfaction of the Council.

Section 106 Issues

The development would be required to make contributions to Barnet Community Infrastructure Levy and Mayoral Community Infrastructure Levy.

The Council has Adopted a Supplementary Planning Document on Skills, Employment, Enterprise and Training. This would normally require that such a scheme would enter into a Local Employment Agreement as well as providing apprenticeships. In relation to the original application 16/ 3806/FUL, given the limited surplus generated by the development, it was not considered that it would be reasonable to require such measures, taking into

account the proposed affordable housing and CiL contributions. There have been no changes since the date of that permission that would suggest a different approach is needed on this issue.

Response to Public Consultation

All public comments have been received and where appropriate, have been considered in the report above. The following provides clarification:

- The development is too big, and density too high:

The proposed alterations do not change the scale or fundamentally alter the density of the previously approved extant scheme.

- Not enough parking allocated.

The proposed alterations do not change or reduce the number of onsite parking spaces provided as part of the previously approved extant scheme. No additional units are proposed.

- Revised scheme increases the detrimental impact of the previously approved scheme on residents of Princes Park Avenue:

See amenity section above.

- Loss of light and overshadowing:

The proposed alterations do not change the scale or siting of the previously approved extant scheme and therefore do not impact the light received by neighbouring occupiers.

- Overlooking / loss of privacy:

The proposed alterations do not introduce any new windows overlooking neighbouring properties.

- Overdevelopment of a small and awkward shaped plot of land:

The proposed alterations do not change the site's scale or number of units over and above the previously approved extant scheme.

- Raises highway safety and increased traffic generation concerns:

The proposed alterations do not change or reduce the number of onsite parking spaces provided as part of the previously approved extant scheme. The Council's Highways Department are satisfied that the scheme is acceptable on highways grounds.

- Increased noise and disturbance:

The scheme reduces the amount of development on site by omitting the second basement level. This is expected to reduce construction time and the associated noise and disturbance at that stage of development. The scheme does not propose an increase in the number of units over and above the previously approved extant permission.

- Loss of trees and detrimental effect on the conservation area:

The application site is not located within a conservation area. The impact of the scheme on site trees has been addressed in the tree section above.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that the proposed alterations would not cause harm to the character and appearance of the application site, the streetscene of both Golders Green Road and Princes Park Avenue, or the wider locality. Furthermore, it is considered that the impact on neighbouring residential amenity is acceptable, while the proposed development would provide an acceptable level of amenity for future occupiers. The proposed development is also considered acceptable on highways grounds. This application is therefore recommended for approval.

