

LOCATION:	Kingsgate House, Amberden Avenue, London, N3 3DG		
REFERENCE:	F/02182/12	Received:	18 June 2012
		Accepted:	25 June 2012
WARD:	Finchley Church End	Expiry:	24 September 2012

APPLICANT: Berkeley Homes (Three Valleys) Limited

PROPOSAL: Demolition of existing building on the site and the construction of 2, 3 and 4 storey buildings (some with an additional floor of accommodation in the roof space), to provide 40 self contained flats and 24 houses (all Use Class C3), together with new access from Amberden Avenue, associated car parking, cycle spaces, private amenity space, communal amenity space and landscaping.

APPLICATION SUMMARY

Full planning permission is sought by Berkeley Homes (Three Valleys) Limited for the demolition of the existing Police Section House building at Kingsgate House, Amberden Avenue and the redevelopment of the site to provide new residential dwellings and a range of associated infrastructure. The development would comprise the following key elements:

- 24 new houses (Use Class C3) each with their own private rear garden and accommodation provided over three levels.
- 40 new self contained flats (Use Class C3), each with their own private balcony or terrace, provided in a single building with accommodation over five levels (four storeys and an level of additional accommodation in the roof).
- A total of 84 surface level car parking spaces.
- A new area of communal amenity space in the form of a park approximately 450m² in size.
- 14 of the new dwellings provided as affordable housing units.

The existing buildings on the site are no longer required by the Metropolitan Police Service. Their replacement with new residential development of the nature proposed, that provides a high quality design approach, relates acceptably to it's neighbouring properties, is in keeping with the character of the area, does not cause any unacceptable harm to the amenities of the neighbouring properties and would provide its future occupiers with a good standard of accommodation is considered to accord with policies that seek to optimise the use of sites such as this.

The design and layout of the development has been influenced significantly by the need to create a scheme that relates acceptably to the character of the wider area and which mitigates the impact of the adjacent A406 on the site, so that a suitable residential environment can be created. This is particularly the case in respect of noise. Examples of how these constraints have shaped the

design approach include the positioning of the block containing the flats so that it shields the remainder of the site and makes it suitable for houses with private rear gardens and the positioning of the new park on the quietest part of the site. Such a layout also helps the development in fitting in with its context, as it positions houses with private rear gardens (and three levels of accommodation) adjacent to houses with gardens and locates the flats to the more southern part of the site. More generally the proposal includes a number of measures to achieve a good standard in respect of sustainable design and construction, with the new dwellings all meeting Code for Sustainable Homes Level 4.

The scheme provides an appropriate level of car parking on site (84 spaces for 64 dwellings) for the number and type of dwellings proposed, which reflects the location of the site in an area with a Public Transport Accessibility Level of 1. The scheme has been designed to provide appropriate and safe access for all users and would not result in any significant harm to the local road network.

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting), provides an appropriate setting for the buildings proposed and includes the planting of 74 new trees. The development would result in the removal of a total of 64 trees from the site, of which 44 are covered by a Tree Preservation Order. However it is considered that the replacement planting proposed provides adequate mitigation for this. The remaining 29 trees on the site which are covered by the preservation order would be retained.

A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of residential environment, does not cause any unacceptable harm to the amenities of neighbouring occupiers, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal.

The current scheme is considered to have overcome the concerns that the Planning and Environment Committee expressed about the previous application which it considered for this site (in 2009). The application is found to propose a positive development that would comply with the relevant policies in the development plan and Local Plan and provides high quality new residential accommodation. The proposal is considered to be acceptable and is recommended for approval subject to conditions, following the completion of a suitable section 106 agreement.

RECOMMENDATION

Approve subject to:

Recommendation 1

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

- (a) Legal Professional Costs Recovery
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.
- (b) Enforceability
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
- (c) Affordable Housing
The provision within the development of the following affordable housing units -
- 8 Affordable Rented units in total comprising:
2 x one bedroom two person flats
5 x two bedroom four person flats
1 x three bedroom six person flats
- 6 Intermediate (Shared Ownership) units in total comprising:
2 x one bedroom two person flats
4 x two bedroom four person flats
- (d) Healthcare
A contribution of **£69340** towards improvements to health facilities within the borough as identified by the Local Health Authority.
- (e) Education
A contribution of **£387199** index linked towards education provision in the borough.
- (f) Libraries
A contribution of **£11906** index linked towards the provision of library facilities within the borough.
- (g) Travel Plan
The applicant shall enter into a Travel Plan that seeks to reduce reliance on the use of the private car, promotes sustainable means of transport and appoint an appropriately qualified Travel Plan Coordinator.
- (h) Travel Plan Monitoring
A contribution of **£5000** index linked towards the monitoring of the Travel Plan for the development.
- (i) Notting Hill Training Initiative
To enter into a formal agreement with the Notting Hill Housing Trust to include provision for the following:
- An agreed number of trainee places (with a specified duration for each placement) to be provided on the site of the Affordable Housing element of the scheme.
 - A commitment to pay a percentage of the build costs of the Affordable Housing element of the scheme to cover general

running costs (including matters such as trainees' fees, fares and tools).

- A commitment to pay a "provisional sum" expressed as a percentage of the build costs of the Affordable Housing element of the scheme to cover trainees' wages.

(j) Off Site Biodiversity enhancement

A contribution of **£5000** index linked towards the provision of biodiversity enhancements for Great Crested Newts within the borough.

(k) Monitoring of the Section 106 Agreement

A contribution of **£9569** index linked towards the monitoring and management of the S106 planning obligations.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, the Acting Assistant Director of Planning and Development Management approve the planning application reference F/02182/12 under delegated powers subject to the following conditions and any changes to the wording of the conditions considered necessary by the Acting Assistant Director for Planning and Development Management:

COMMENCEMENT

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

Reason:

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

PLANS OF THE DEVELOPEMNT

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

A-02-10 (revision A); A-02-11; A-02-20; A-03-00 (revision B); A-03-01 (revision A); A-03-02 (revision A); A-03-03 (revision A); A-03-04 (revision B); A-03-05 (revision A); A-04-01 (revision A); A-05-100 (revision A); A-05-101 (revision A); A-05-104 (revision A); A-05-105 (revision A); A-05-106; L-90-001 (revision A); L-90-001 (revision A); L-90-002 (revision A); L-90-003 (revision A); L-90-004 (revision A); L-90-005 (revision A); L-90-006 (revision A); L-90-007 (revision A); L-90-008 (revision A); L-90-009 (revision A); L-90-010 (revision A); L-90-011 (revision A); and L-90-013

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 project as assessed in accordance with policies GSD, GBEnv1 and GBEnv2 of the Barnet UDP 2006 and policy 1.1 of the London Plan 2011.

MATERIALS

3. Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not commence unless and until details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority. The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies GBEnv1, GBEnv2, D1, D2, D3, D11 of the Barnet UDP 2006 and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

SITE LEVELS

4. Notwithstanding the details submitted in the drawings otherwise hereby approved the development is not to commence unless and until details of the levels of the proposed buildings, roads, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

Reason:

To 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 GBEnv1, GBEnv2, GBEnv3, GBEnv4, D1, D2, D3, D11 and D13 of the Barnet UDP 2006 and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan 2011.

MEASURES TO ENSURE PRIVACY

5. Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby approved shall be occupied until details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed buildings that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason:

To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings in accordance with policies H16 and H17 of the Barnet UDP 2006.

6. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the insertion of windows, rooflights and external doors in the buildings hereby approved, other than those shown in the approved plans, shall not be undertaken without the prior receipt of express specific planning permission in writing from the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of neighbouring residential properties in accordance with policies H16 and H17 of the Barnet UDP 2006.

REFUSE AND RECYCLING

- 7 Notwithstanding the details submitted with the application, before the development hereby permitted is brought into use or occupied details of the:
- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
 - ii. satisfactory points of collection; and
 - iii. details of the refuse and recycling collection arrangements

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason:

To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies GBEnv1, GBEnv2 and H16 of the Barnet UDP 2006.

ACCESSIBILITY

8. All 64 of the new residential dwellings (use class C3) within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan 2011.

9. Before the development hereby permitted commences details of the location within the development and specification of the 7 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 the 7 units shall demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users. The

development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

Reason:

To ensure that the development is accessible for all members of the community and to comply with policies 3.8 and 7.2 of the London Plan 2011.

SUSTAINABILITY

10. The 64 residential units (use class C3) in the development hereby permitted shall all be constructed to achieve not less than Code Level 4 in accordance with the Code for Sustainable Homes (or the equivalent standard in such measure of sustainability for house design which may replace that scheme). No dwelling shall be occupied until formal certification has been issued confirming that not less than a Code Level 4 has been achieved and this certification has been submitted to the Local Planning Authority.

Reason:

To ensure that the development is sustainable and in accordance with policies GSD and GBEnv2 in the Barnet UDP 2006 and policies 5.2 and 5.3 of the London Plan (2011).

NO TELECOMMUNICATIONS EQUIPMENT

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

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

Reason:

To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policies GBEnv1, GBEnv2, D1 and D2 of the Barnet UDP (2006).

CONTAMINATED LAND

12. Part 1

Before development commences other than for investigative work:

- A contaminated land desktop study 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 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 these details are approved in writing by the Local Planning Authority.

- 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 prior to the commencement of the development.

- 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 to be carried out shall be submitted to and approved in writing by the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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 and to comply with policy ENV14 of the Barnet UDP.

BIODIVERSITY

13. Prior to the commencement of the development details comprising a scheme of measures to enhance and promote biodiversity at the site as redeveloped shall be submitted the Local Planning Authority and approved in writing. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development.

Reason:

To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies GSD, GBEnv2, D1 and D11 of the Barnet UDP 2006 and policies 5.11 and 7.19 of the London Plan 2011.

14. Prior to the commencement of the development or the carrying out of any site clearance works, details comprising a scheme of measures to be put in

place to ensure that the clearance of the site and construction of the development hereby approved does not harm or result in the disturbance of breeding birds shall be submitted to the Local Planning Authority and approved in writing. The site clearance works and construction of the approved development shall be carried out in full accordance with the approved scheme of measures.

Reason:

To ensure that the development meets the objectives of development plan policy as it relates to biodiversity in accordance with policies GSD, GBEnv2 and D1 of the Barnet UDP 2006 and policy 7.19 of the London Plan 2011.

WATER AND DRAINAGE

15. The development hereby permitted shall not commence until a drainage strategy detailing all on and off site drainage works to be carried out in respect of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. No discharge of foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the drainage works referred to in the strategy have been completed in their entirety.

Reason:

To ensure that the development provides appropriate drainage infrastructure and to comply with Policies 5.13 and 5.14 of the London Plan 2011.

16. The dwellings hereby approved shall have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters.

Reason:

To encourage the efficient use of water in accordance with policy 5.15 of the London Plan 2011.

17. The only toilets to be installed in the development hereby approved shall be dual flush (6 to 4 litres) toilets and all taps fitted in the development shall be spray or flow restricted taps.

Reason:

To encourage the efficient use of water in accordance with policy 5.15 of the London Plan 2011.

18. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Ref: HH4110457/HBG/008, Issue 4, 4 September 2012) and the following mitigation measures detailed within:

- Limiting the surface water run-off generated by the 1 in 100 chance in any year storm event, taking the effects of climate change into account so that it will not exceed the maximum discharge to the Thames Water Sewer.
- Provision of storage on site to attenuate all storm events up to and including the 1 in 100 chance in any year storm event, taking the effects of climate change into account.
- Use of Sustainable Drainage Systems including permeable paving.

The mitigation measures identified above shall be fully implemented prior to

occupation of the development.

Reason:

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in line with policy 5.13 of the London Plan and the National Planning Policy Framework.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

19. No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies GBEnv1 and ENV12 of the Barnet UDP 2006.

20. Prior to the commencement of the development hereby permitted a scheme of air pollution mitigation measures to be provided in the development shall have been submitted to the Local Planning Authority and approved in writing. The approved air quality mitigation scheme of measures shall be implemented in their entirety before the first occupation of the development.

Reason:

To ensure that the amenities of future occupiers are protected from the poor air quality in the vicinity and in accordance with policy 5.3 of the London Plan 2011.

21. Prior to the first occupation of the development hereby permitted a scheme detailing the servicing and maintenance regime to be in place for the air pollution mitigation measures installed in the development shall have been submitted to the Local Planning Authority and approved in writing. The air quality mitigation measures in the development shall be serviced and maintained in full accordance with the approved details in perpetuity.

Reason:

To ensure that the amenities of future occupiers are protected from the poor air quality in the vicinity and in accordance with policy 5.3 of the London Plan 2011.

22. Prior to the commencement of the development a scheme of measures to be incorporated in the development to mitigate the impact of noise from road traffic and any other relevant sources of noise on the occupiers of the development shall be submitted to the Local Planning Authority and approved in writing. The scheme submitted in this respect shall ensure that the levels of noise as measured within habitable rooms of the new dwellings hereby approved shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am. The scheme submitted in this respect shall include sufficient details and information to adequately demonstrate how these standards would be met. The development shall be implemented in accordance with the approved scheme of noise mitigation measures in its entirety before the first occupation of the development.

Reason:

To ensure that the amenities of the occupiers of the development are not prejudiced by noise and to accord with Policies ENV12 and ENV13 of the Barnet UDP 2006.

23. Prior to the first occupation of the development hereby permitted details of the acoustic fencing to be erected on the site shall be submitted to the Local Planning Authority and approved in writing. Prior to the first occupation of the development the acoustic fencing shown in the approved details shall be erected and installed in its entirety and be maintained as such in perpetuity thereafter.

Reason:

To ensure that the amenities of the occupiers of the development are not prejudiced by noise and to accord with Policies ENV12 and ENV13 of the Barnet UDP 2006.

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO EXTEND

24. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the buildings hereby permitted shall not be extended in any manner whatsoever without the prior receipt of express specific planning permission in writing from the Local Planning Authority.

Reason:

To ensure that the development does not prejudice the character of the locality and the enjoyment by neighbouring occupiers of their properties in accordance with policies H16 and H17 of the Barnet UDP 2006.

DETAILS OF ARCHITECTURAL FEATURES

25. Notwithstanding the details submitted in the drawings otherwise hereby approved the development is not to commence unless and until details (necessary details specified in brackets) of the following features of the new buildings have been submitted to the Local Planning Authority and approved in writing:

- Timber windows and doors (details at a scale of not less than 1:10 or a sample).
- Timber balustrading to balconies (details at a scale of not less than 1:10 or a sample).
- Brick quoins (details at a scale of not less than 1:10).
- Brick window and door surrounds (details at a scale of not less than 1:10)
- Iron rainwater goods (details at a scale of not less than 1:10 or a sample).
- Cornices at the eaves (details at a scale of not less than 1:10).
- Roof ridge and hip tiles (details at a scale of not less than 1:10).

The buildings shall be implemented in accordance with the approved details prior to the occupation of the dwellings hereby approved.

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 GBEnv1, GBEnv2, D1, D2, D3, D11 of the Barnet UDP 2006 and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

LANDSCAPING

26. Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement of the development or any site works a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed;
- new tree, hedge and shrub planting including species, plant sizes and planting densities as well as planting for green roofs including herbaceous / climbers / grasses / ground cover plants;
- means of planting, staking and tying of trees, including tree guards as well as a detailed landscape maintenance schedule for regular pruning, watering and fertiliser;
- existing contours and any proposed alterations such as earth mounding;
- areas of hard landscape works including paving, proposed materials, samples, and details of special techniques to minimise damage to retained trees and provide conditions appropriate for new plantings;
- timing of planting;
- all proposed boundary treatments, fencing or means of enclosure to be erected at the site.

Reason:

To safeguard the health of existing trees which represent an important amenity feature and ensure a satisfactory appearance to the development in accordance with policies D1, D2, D3, D11, D12 and D13 of the Barnet UDP 2006 and policy 7.21 of the London Plan 2011.

27. All work comprised in the approved scheme of hard and soft landscaping (submitted under condition 26) shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building or completion of the construction of the development, whichever is sooner.

Reason:

To safeguard the health of existing trees which represent an important amenity feature and ensure a satisfactory appearance to the development in accordance with policies D1, D2, D3, D11, D12 and D13 of the Barnet UDP 2006 and policy 7.21 of the London Plan 2011.

28. Any existing tree or hedge shown to be retained or trees, hedges or shrubs to be planted as part of the approved landscaping scheme (submitted under condition 26) which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To safeguard the health of existing trees which represent an important amenity feature and ensure a satisfactory appearance to the development in accordance with policies D1, D2, D3, D11, D12 and D13 of the Barnet UDP 2006 and policy 7.21 of the London Plan 2011.

29. No site works or works on this development shall be commenced before temporary tree protection has been erected around existing trees in accordance with details to have been previously submitted to and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing trees which represent an important amenity feature and ensure a satisfactory appearance to the development in accordance with policies D1, D2, D3, D11, D12 and D13 of the Barnet UDP 2006 and policy 7.21 of the London Plan 2011.

30. No site works or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations* have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason:

To safeguard the health of existing trees which represent an important amenity feature and ensure a satisfactory appearance to the development in accordance with policies D1, D2, D3, D11, D12 and D13 of the Barnet UDP 2006 and policy 7.21 of the London Plan 2011.

31. Before this development or any site works are commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site, including details of how these services will be installed alongside the structural cells to be used, shall be submitted and approved in writing by the Local Planning Authority. The development carried out in accordance with the approved details.

Reason:

To safeguard the health of existing trees which represent an important amenity feature and ensure a satisfactory appearance to the development in accordance with policies D1, D2, D3, D11, D12 and D13 of the Barnet UDP 2006 and policy 7.21 of the London Plan 2011.

32. No development or other operations shall commence on site in connection with the demolition and other development hereby approved until a detailed tree felling and pruning specification has been submitted to and approved in writing by the Local Planning Authority. All tree felling and pruning works on the site shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works*.
- Reason:
To safeguard the health of existing trees which represent an important amenity feature and ensure a satisfactory appearance to the development in accordance with policies D1, D2, D3, D11, D12 and D13 of the Barnet UDP 2006 and policy 7.21 of the London Plan 2011.
33. Details submitted pursuant to Conditions 4 and 26 to 32 (inclusive) imposed by this Planning Permission shall be submitted at the same time.
- Reason:
To enable the proper consideration of matters relating to site levels, services, protective fencing and landscaping in relation to the protection of trees on the site which represent important amenity features in accordance with policies D11, D12 and D13 of the Barnet UDP 2006 and policy 7.21 of the London Plan 2011.
34. The development hereby approved shall not be occupied unless and until a Landscape Management Plan, including details of the long terms design objectives, management responsibilities and maintenance schedules (other than for small privately owned domestic gardens), shall have been submitted to the Local Planning Authority and approved in writing. The management of the landscaping at the site shall be carried out in accordance with the details in the approved Landscape Management Plan.
- Reason:
To safeguard the health of existing trees which represent an important amenity feature and ensure a satisfactory appearance to the development in accordance with policies D1, D2, D3, D11, D12 and D13 of the Barnet UDP 2006 and policy 7.21 of the London Plan 2011.
35. Notwithstanding the details shown on the plans otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity space on the north-western part of the site identified in plan numbers A-03-00 (revision B) and L-90-013 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 policies D1, D2 and H18 of the Barnet UDP 2006 and policy 3.6 of the London Plan 2011.

36. Before the development hereby permitted is brought into use or occupied the communal amenity space on the north-western part of the site identified in plan numbers A-03-00 (revision B) and L-90-013 shall be enclosed except at the permitted points of access in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) the means of enclosing this area of the site shall not be altered in any manner whatsoever without the prior receipt of express specific planning permission in writing from the Local Planning Authority.

Reason:

To ensure that the development represents high quality design and to accord with policies D1, D2 and H18 of the Barnet UDP 2006 and policy 3.6 of the London Plan 2011.

TRANSPORT

37. Before the development hereby permitted is occupied the car parking spaces shown on plan number A-03-00 (revision B) shall be provided in the development and shall not be used for any purpose other than the parking and turning of vehicles in connection with the development hereby approved.

Reason:

To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policies M11, M13 and M14 of the London Borough of Barnet UDP 2006.

38. Before the development hereby permitted is occupied a Car Parking Management Plan detailing the allocation of car parking spaces, all on site parking controls and charges and enforcement measures to be put in place to deal with any unauthorised parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be managed in accordance with the approved Car Parking Management Plan from the first occupation of the building and in perpetuity thereafter.

Reason:

To ensure that parking is provided and managed at the development in the interests of highway and pedestrian safety and the free flow of traffic in the area and in accordance with Policies M11, M13 and M14 of the Barnet UDP 2006.

39. Before the first occupation of the development hereby approved details showing suitable parking and storage facilities for 93 bicycles 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 before the development is occupied and be permanently retained as such thereafter.

Reason:

In the interests of promoting cycling as a mode of transport in accordance

with Policies M4, M5 and M14 of the Barnet UDP 2006 and Policy 6.13 of the London Plan 2011.

40. 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 details approved under this plan. This Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
 - ii. site preparation and construction stages of the development;
 - iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
 - iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
 - v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
 - vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
 - vii. noise mitigation measures for all plant and processors;
 - viii. details of contractors compound and car parking arrangements;
 - ix. Details of interim car parking management arrangements for the duration of construction;
 - x. Details of a community liaison contact for the duration of all works associated with the development.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies GBEnv1, ENV7, ENV12, M2, M8, M10, M11, M12 and M14 of the Barnet UDP (2006) and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2011).

41. Before the development hereby permitted is occupied a Travel Plan prepared in accordance with all relevant technical and good practice guidance shall be submitted to and approved by the Local Planning Authority. The development shall be fully implemented and managed in accordance with the approved plan. The Travel Plan approved shall be implemented and enforceable in accordance with the agreement completed under section 106 of the Town and Country Planning Act (as amended) which accompanies this application.

Reason:

To encourage the use of sustainable forms of transport to the site and minimise transport impacts of the development in accordance with policies GSD and M3 of the Barnet UDP 2006.

42. Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 17 of the approved parking spaces to be provided with electric vehicle charging facilities. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason:

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

43. Before the development hereby permitted is occupied the nine disabled standard parking spaces shown on plan number A-03-00 (revision B) shall be provided in accordance with the approved drawings.

Reason:

To ensure that parking is provided as proposed in the application and in the interests of pedestrian and highway safety in accordance with policies M14 of the Barnet UDP 2006 and policies 6.13 of the London Plan 2011.

44. Prior to the first occupation of the dwellings hereby approved full plans, details and specifications of the street lighting to be installed as part of the scheme shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development.

Reason:

To ensure that appropriate lighting is provided as part of the development in accordance with policies GSD, GBEnv1 and GBEnv2 of the Barnet UDP 2006.

Informatives:

The informatives that it is recommended be included on the decision notice in respect of this application are set out in **Appendix 4** of this report. These include (as the first informative) a summary of the reasons for granting planning permission for this development and the relevant development plan policies taken into account in making this decision.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires

that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan published July 2011 and the saved policies of the London Borough of Barnet Unitary Development Plan (UDP), which was adopted May 2006. 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 documents. The Core Strategy and Development Management Policies were adopted by the Council on September 11 2012. They are now subject to a 6 week period of legal challenge, which ends on October 30 2012. Very significant weight should be given to the policies in the Core Strategy and Development Management Policies documents. The National Planning Policy Framework (NPPF) (paragraph 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications. Until the Local Plan (Core Strategy and Development Management Policies documents) is complete and the period of legal challenge has passed the policies within the adopted Barnet Unitary Development Plan (UDP) remain in place.

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

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan and Local Plan policies of most relevance to the application is set out below and in **Appendix 1**. In subsequent sections of this report dealing with specific policy and topic areas, there is further discussion, where appropriate, of the key policy background. This is not repeated here or in Appendix 1.

The London Plan and Barnet Unitary Development Plan

Appendix 1 examines in some detail the London Plan, Barnet UDP and Local Plan policies of most relevance to this planning application and appraises the proposal against these policies. Clearly these documents contain a very large number of policies which are to a limited degree relevant and the analysis in Appendix 1 focuses on those which are considered to be particularly relevant to the determination of this application.

In order to present the analysis of the policies in a readily readable form it is set out in a table format. The tables list the policies, describe them and then provide a brief commentary to assess how the proposed development conforms to the requirements of the specific policies. Where appropriate, some policies are combined in order to avoid unnecessary repetition or disjointed discussion.

The officers have considered the development proposals very carefully against the relevant policy criteria and, as Appendix 1 shows, have concluded that the development will fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan and the Local Plan.

Supplementary Planning Guidance and Documents

A number of local and strategic supplementary planning guidance and documents are material to the determination of the application. **Appendix 1** sets out the supplementary planning guidance which is relevant to the consideration of this application.

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, such as this proposal, which are considered to accord with the development plan.

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. Officers have concluded that the planning obligations recommended are legitimate and appropriate under these regulations. The applicant has agreed the contributions set out in recommendation two.

1.2 Key Relevant Planning History

A full summary of the key planning history of this site is set out in **Appendix 2** of this report. Of particular significance to the current application is an application submitted for 123 apartments and 22 houses (reference F/00245/08). This application was considered by the Planning and Environment Committee on the 1st July 2009. The committee decided to defer the application to seek amendments to the proposal to address concerns it had in respect of:

- The size, scale, design and height of the development.
- The provision of inadequate facilities and amenity for future residents of the development.
- Traffic and access concerns in the area surrounding the application site.

This application was subsequently withdrawn in November 2010.

1.3 Public Consultations and Views Expressed

Public Consultation

A total of **303** local properties and other bodies were consulted on the application by letter and email in July 2012. The application was also advertised on site and in the local press at that time. Following revisions to the design of the scheme a further round of consultation (including letters, emails and site and press notices) was carried out in September 2012.

Number of Responses from Residents

19 responses objecting to the proposal were received. **None** of the objectors have requested to speak at committee. No responses supporting the proposal were received.

Comments from Residents

The comments made in objection to the application are summarised and responded to below. Where appropriate further detail is provided below, in the relevant section of the report.

Highways, transport and Parking:

- The quantity of parking proposed is inadequate and the development would unacceptably exacerbate the existing parking problems in the area as the new residents would be dependent on their cars.
- Development would add unacceptably to the vehicles and traffic in the area and exacerbate the existing access and congestion problems in this location, as well as causing inconvenience to existing residents.
- Proposal would be detrimental to highway and pedestrian safety.
- Surrounding road network is not suitable for the additional vehicles the development would generate.
- Site and proposals should use access from the A406 (North Circular) rather than local roads

Officer Response:

- *With a total of 84 spaces proposed for the 64 dwellings the development is considered to provide a level of parking that is appropriate, given the location of the site, and in accordance with Barnet UDP and Local Plan policies on parking standards.*
- *The Transport Statement submitted with the application demonstrates that the impact of the proposed development is negligible and is unlikely to result in any significant detrimental impact on the flow of traffic or the local highway network.*
- *Conditions and planning obligations have been recommended to ensure that the development would be provided with adequate parking; would not be detrimental to the parking facilities in the area surrounding the site, the free flow of traffic or the local highway network; and that new residents would be encouraged to use non-car modes of transport. These measures include requirements to provide and manage the proposed parking spaces appropriately and requirements for a Travel Plan and a Construction Management and Logistics Plan.*
- *Subject to the controls imposed by the conditions and planning obligations recommended it is considered that the proposal would not be detrimental to highway and pedestrian safety.*
- *Transport for London has expressed concerns about the use of the A406 (North Circular) as a permanent access for the site (although they have in principle agreed its use for a proportion of the construction traffic) and the formation of such an access is not proposed as part of this application. The existing nearby access onto the A406 does not form part of the application site and the access routes and points for the development are found to be acceptable.*
- *As recommended the proposal is considered to be compliant with*

planning policies as they relates to highway, parking, access and traffic matters. These points are discussed in further detail in the report below and in particular in section 3.9 of the report.

Design and Character:

- Proposal is overly dense and represents an overdevelopment of the site.
- Proposal is not sympathetic with its context, has an unacceptable relationship with neighbouring properties and is out of keeping with the character of the area.
- Style, scale, size and height of the proposed buildings and their gardens are out of keeping with the character of the area.
- Proposal would have a detrimental impact on the character of the area.
- Proposal does not comply with policies on design and character matters.
- The use proposed is inappropriate for the area.

Officer Response:

- *The application is found to provide an attractive and high quality traditional design approach that proposes a development of an appropriate design, height, scale, size and mass for this part of the borough and which complies with development plan policy in these regards. It is not considered that the development would have an unacceptable visual impact.*
- *The design of the proposed development is considered to create an acceptable relationship with the neighbouring buildings, street and spaces. An important part of this is the siting of semi-detached and terraced houses with three floors of accommodation adjacent to the existing houses in Kingsgate Avenue and Amberden Avenue. The proposed flats are positioned on the more southern part of the site.*
- *The density of development proposed is considered to make optimum use of this site, particularly given the proposals compliance with development plan policies as they relate to design, amenity, character, parking and other matters. The application is not found to constitute an overdevelopment of the site.*
- *As proposed the development of this site to provide residential dwellings is considered to be an entirely appropriate use.*
- *These matters are discussed in further detail in the report below and in particular in sections 3.3 and 3.5 of the report.*

Amenities of neighbouring occupiers and users:

- Development would have an unacceptable impact on the amenities and quality of life of the occupiers of neighbouring properties and the area and conflicts with planning policies in this regard.
- Development would have an unacceptable visual impact.
- Development would cause an unacceptable loss of light.
- Development would cause unacceptable overlooking and loss of privacy.
- Development would cause unacceptable noise, disturbance and nuisance.
- Proposal would exacerbate the existing problems with wind flows in the area.
- The building works the development would result in would have an

unacceptable impact on their amenities.

Officer Response:

- *The design, size, mass and siting of the proposed development are such that it is not considered to have an unacceptable impact on the amenities of neighbouring occupiers and users in terms of loss of light or visual impact.*
- *Conditions have been recommended to ensure that the development would not have an unacceptable impact on the amenities of neighbouring occupiers in respect of overlooking, loss of privacy, noise and disturbance.*
- *The proposal is considered to be compliant with development plan policy as it relates to the protection of the amenities of neighbouring occupiers and the area, subject to the conditions and obligations recommended.*
- *Conditions have been recommended to ensure the construction works associated with the development would not be detrimental to the amenities of the occupiers of neighbouring properties. These include requirements for a Construction Management and Logistics Plan.*
- *These matters are discussed in further detail in the report below and in particular in section 3.6 of the report.*

General:

- That consultation on and the information provided with the application was inadequate.
- That the revisions to the scheme have not addressed the concerns they raised previously.
- Proposal is detrimental to their human rights.
- Proposal is divisive and would provide poor quality dwellings.
- The additional residents in the borough arising from the development would impact adversely on local services and amenities, including schools, GP services and hospitals.
- Other smaller developments in the area have been refused and it is therefore not clear why this application is being considered.

Officer Response:

- *An extensive consultation has been carried out on the application involving letters, emails and notices being placed adjacent the site and in the local press. The consultation carried out exceeded the minimum requirements of the law and Barnet's own (more extensive) policies on consulting on planning applications of this nature.*
- *Subject to the conditions and obligations recommended the documents submitted with the application are considered to be sufficient and appropriate for its proper consideration and assessment.*
- *The proposal represents a suitable submission, which has been appropriately consulted upon and been found, by officers, to be acceptable and compliant with the relevant planning policies. It is not considered that either the proposal itself or the way in which the application has been processed has breached legislation on human rights.*
- *The application is found to propose a good quality and standard of accommodation for its future occupiers and as such it is not considered that the scheme would be divisive.*

- *It is considered that the application is making appropriate and policy compliant contributions to the provision of local services as part of the planning obligations recommended. These issues are discussed in greater detail in the report below, in particular section 3.16.*
- *It is noted that other applications for smaller developments have been refused in the surrounding area. However, each application must be considered on the basis of its own planning merits. This is therefore not considered to be a reason to reject this application.*

Consultation Responses from Statutory Consultees and Other Bodies

Environment Agency:

Have responded to the consultation and have not raised any objections to the proposal. They have requested that a condition be imposed requiring the development to be carried out in accordance with the mitigation measures identified in the flood risk assessment submitted. This condition has been included in those recommended.

Metropolitan Police Service:

Have responded to the consultation and have not raised any concerns about the proposal or requested that conditions are placed upon any grant of consent.

London Fire and Emergency Planning Authority:

Have responded to the consultation and have not raised any concerns about the proposal or requested that conditions are placed upon any grant of consent.

Natural England:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent.

Thames Water:

Have responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent. Thames Water has made a number of points in respect of waste water matters and these have been included as informatives.

Transport for London (TfL):

Have responded to the consultation and have made a number of comments on the application. These can be summarised as follows:

- Request that the developer identify measures to block off the access from the site onto the A406 to prevent it being abused by drivers.
- Note that the TRICS database was consulted for trip rate forecast, but ask the forecasts to be reviewed using sites within the TRAVL database to ensure a robust assessment.
- Content with the proposed parking provision of one space per unit for the apartments. Request clarification on how the parking for the houses would be allocated.
- Disabled parking would need to be provided in accordance with the borough's UDP/LDF standards. Electric Vehicle Charging Points would need to be provided in accordance with the London Plan 2011 standards.

- A Parking Management Plan should be implemented to control unauthorised parking within the site.
- The developer should confirm the total number of cycle parking spaces to be provided.
- A Construction Management Plan and Construction Logistics Plan should be submitted for TfL and the Local Authority's approval prior to construction work commencing on site.
- The submission of a Framework Travel Plan is welcomed. The final Travel Plan should be submitted for Local Authority's approval prior to occupation. The Travel Plan should be secured by a Section 106 Obligation and have obtained a 'Passed' score using 'ATTRBUTE'.
- Subject to the above comments, TfL does not consider that the proposed development would have an unacceptable traffic impact on the Transport for London Road Network. Responses to the above points are provided in section 3 of the report, in particular section 3.9.

Highways Agency:

Have responded to the consultation and confirmed that they have no objections to the proposal.

English Heritage (Archaeology):

Have responded to the consultation and confirmed that they do not consider that the proposals would have an affect on any historic assets of archaeological interest.

NHS North Central London:

Have responded to the consultation and confirmed that they have no comment to make on the application:

Internal Consultation responses

Traffic and Development Team:

The Traffic and Development Team response is set out in greater detail in the relevant sections of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions and planning obligations they have no objections to the development and find the proposal to be acceptable in respect of traffic, parking and highways related matters.

Environmental Health Service:

The Environmental Health Service response is set out in greater detail in the relevant sections of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions in respect of air quality, contaminated land and noise they raise no objection to the development.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The application site is broadly rectangular in shape and covers an area of land approximately 1.1 hectares in size situated to the south-west of Amberden Avenue and north-west of the North Circular in the Finchley Church End Ward. The land across the site slopes significantly and there is an approximately a 10 metre level change between the highest point at the northern boundary (adjacent to the rear gardens of Kingsgate Avenue) and the southern boundary.

The site presently contains four linked three storey buildings constructed in the early 1960's providing 3579m² of residential accommodation used as a Police Section House (*sui generis* Use Class). The accommodation provided includes 120 single bedroom apartments and communal washing, refectory, gymnasium and lounge facilities. The property is accessed from two points in Amberden Avenue and areas of hard surfacing across the site provide a total of approximately 70 car parking spaces. The site has a Public Transport Accessibility Level (PTAL) of 1.

The Metropolitan Police Service has confirmed that the use of the site as a Section House ceased in August 2011 and that while the site was in use in this way the apartments in the buildings were used exclusively by members of the Metropolitan Police Authority. They have also confirmed that the communal facilities (including a gym) on the site were never made available to members of the general public while the site was in use as a Section House. The applicant has confirmed that since August 2011 the site has been kept in nominal occupation with one person staying in the property each night.

The area surrounding the site is considered to be suburban in character and generally comprises residential properties ranging between two and three storeys in height. To the north-east the site adjoins the rear gardens of predominantly two storey houses in Kingsgate Avenue. To the south-west the site adjoins the car park of the three storey flatted development Abbey Court. The area to the north-east of the site (across Amberden Avenue) includes a mixture of two and three storey residential properties.

The application site contains a number of trees and sections of hedge. There are also areas of grassland and shrubs. Of the trees on the site 73 are protected by a Tree Preservation Order (Reference Number 411 (2012)). This was served in February this year and subsequently confirmed. The site also contains significant areas of hard surface. These are located mainly to the north-east and north-west of the existing linked buildings.

2.2 Description of the Proposed Development

Detailed planning permission is sought by the applicant (Berkeley Homes (Three Valleys) Limited) for the demolition of the existing section house buildings (*Sui Generis* Use Class) on the site and its redevelopment to provide 40 self contained flats and 24 houses (all Use Class C3). Viewed in plan the new dwellings would be situated around a road with an inverted 'T' shaped layout, with an area of communal amenity space provided at the apex of the inverted 'T' (to the north-west). This park would cover an area of approximately 450m² and include areas of lawn, trees and hedges, seating and play features (such as boulders and stepping logs).

Consent is also sought for the formation of a new vehicular and pedestrian access from Amberden Avenue and the provision of 84 surface car parking spaces. 9 of the car parking spaces created would be provided to a disabled parking space standard. The two existing accesses to Amberden Avenue would be removed as part of the proposal. The existing access from Amberden Avenue onto the A406 (to the east of the site) does not form part of the proposals or the application site and would remain in its present gated form. As such vehicular access to the site would be available only from Amberden Avenue.

The 24 houses proposed would be located on the northern part of the site in the form of semi-detached or terraced properties providing accommodation across three floors. This would be provided either as two floors of accommodation with a third level above in a pitched roof (with dormer windows) or over three floors of accommodation (with a pitched roof above that does not provide habitable rooms). Each of the houses would have its own private rear garden.

The 40 flats proposed would be provided across five floors of accommodation in a single building located on the southern part of the site (adjacent the A406). The top (fifth) floor of accommodation would be situated within the pitched roof of the building. Each flat would have its own area of private amenity space in the form of either a terrace or balcony. Areas are identified within the ground floor of this block for the storage of cycles and refuse and recycling facilities. In total facilities for storing 93 cycles would be provided on the site.

The architecture of the proposed buildings is inspired by the traditional architecture of Hampstead Garden Suburb. It includes features such as predominantly brick elevations (often including quoins and window or door surrounds); substantial pitched roofs with clay tiles and brick chimneys; timber framed doors and sash windows and black painted cast iron rainwater goods. The areas surrounding the proposed buildings would contain a mixture of hard and soft landscaping. The soft landscaping would include both new and retained features (see below).

The mix of dwelling types proposed in the building across the site is as follows:

- 11 x four bedroom seven person houses (approximately 17% of the dwellings)
- 13 x four bedroom eight person houses (approximately 20% of the dwellings)
- 16 x one bedroom two person flats (approximately 25% of the dwellings)
- 19 x two bedroom four person flats (approximately 30% of the dwellings)
- 5 x three bedroom six person flats (approximately 8% of the dwellings)

The five 3 bed dwellings proposed would all be provided as duplex flats (split across two levels), with the second level of accommodation going into the roof of the flatted block and including a terrace partially enclosed by the roof. Five of the 2 bed units would also be provided in this way.

All of the units proposed would meet or exceed the minimum floor space standards for the relevant type of dwelling (specified in Table 3.3 of the London Plan), achieve the relevant Lifetime Homes Standards and meet Code for Sustainable Homes 'Level 4'. 7 of the units would achieve wheelchair accessible standards or be easily adaptable to meet wheelchair accessible standards.

The scheme would provide a total of 14 affordable housing units on site. This equates to 21.8% of the total dwellings proposed. The affordable housing units would be provided as the following mix of dwellings types:

8 Affordable Rented units in total comprising:-

- 2 x one bedroom two person flats
- 5 x two bedroom four person flats
- 1 x three bedroom six person flats

6 Intermediate (Shared Ownership) units in total comprising:-

- 2 x one bedroom two person flats
- 4 x two bedroom four person flats

The development would involve the removal of a total of 64 trees from the site. The landscaping scheme proposed includes the planting of 74 trees and new sections of hedging. 73 of the existing trees on the site are covered by Tree Preservation Orders. Of these 29 would be retained (of which 27 would be Limes) and 44 are proposed for removal (of which 35 are Limes). It is noted that of the 44 trees that are covered by a preservation order and which are proposed for removal 10 could, theoretically, be retained. However, these 10 trees are proposed for removal due to their poor condition. 20 trees not covered by preservation orders are proposed for removal as part of the scheme. 3 sections of hedge are also proposed for removal. None of the sections of hedge proposed for removal are identified as 'important hedgerow' under the Hedgerow Regulations 1997'.

In addition to the application drawings the submission made includes the following documents:

- Design and Access Statement by Broadway Malyan;
- Planning Statement by Broadway Malyan;
- Transport Statement by Glanville Consultants;
- Interim Residential Travel Plan by Glanville Consultants;
- Noise Assessment by AECOM;
- Local Air Quality Assessment by Rambol;
- Letter (on air quality matters) by John Draper Associates;
- Daylight and Sunlight Report by Schroeders and Begg;
- Sustainability Statement by Berkeley Homes;
- Code for Sustainable Homes Pre-Assessment and accompanying letter by Trinity Architecture;
- Statement of Community Involvement by Broadway Malyan;
- Ecological Assessment by Ecoconsult;
- Flood Risk Assessment by Glanville Consultants;
- Utilities Assessment by Berkeley Homes; and
- Arboricultural Report and Tree Condition Survey by Ruskings Group

Pre-application advice was sought from the Council on the redevelopment of the application site.

3. PLANNING CONSIDERATIONS

3.1 Principle of the residential use proposed

Policy H2 of the Barnet UDP states that proposals for residential development on sites not allocated for housing under Policy H1 (such as the application site) will be assessed in terms of:

- Whether the site is appropriate, having regard to a sequential test;

- the impact of the proposal on its surroundings (including the environmental impact of developing back gardens);
- the availability of access by a choice of means of transport;
- access to educational and community facilities; and
- whether land is required for another use, as identified in this Plan and associated planning briefs.

The site has not been identified for any other uses, is previously developed and the area surrounding it is predominantly residential in character. These factors are deemed to strongly support the principle of a residential use for the site. Furthermore, while the existing use does not fall within the residential use class (C3) it is heavily residential in nature. Although the site has a PTAL score of 1, it is within walking distance of a number of bus stops and the site is deemed to be acceptable in terms of the availability of access by a choice of means of transport and its links to facilities for a development of the nature proposed. The proposal is not considered to have an unacceptable impact on its surroundings and this issue is discussed in greater detail in subsequent sections of this report.

The policies of Local Plan do not include a direct replacement for policy H2 of the Barnet UDP. However, for areas such as this site, which comprise high quality suburbs not identified as a location to which growth will be focused, policies CS1 and CS3 of the Core Strategy expect developments to protect and enhance the character and quality of the area and optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure. As is set out in other sections of this report in greater detail the proposal is considered to be compliant with the objectives of these policies.

In light of these considerations the principle of re-developing the site for to provide residential dwellings is deemed to be acceptable, subject to compliance with other planning policies. It is also noted that the principle of redeveloping this site to provide a mixture of houses and flats was not a matter about which the Planning and Environment Committee expressed concerns when it deferred a previous application of this nature (application reference F/00245/12).

3.2 Dwelling mix

Development plan policies require proposals to provide an appropriate range of housing sizes and types, taking account of the housing requirements of different groups. The council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Dwellings with 3 bedrooms and 3 or 4 bedrooms are the highest priority sizes of housing for 'social rented' and 'intermediate' affordable housing respectively.

The mix of dwelling types proposed in the building across the site is as follows:

- 11 x four bedroom seven person houses (approximately 17% of the dwellings)
- 13 x four bedroom eight person houses (approximately 20% of the dwellings)
- 16 x one bedroom two person flats (approximately 25% of the

- dwelling(s)
- 19 x two bedroom four person flats (approximately 30% of the dwellings)
- 5 x three bedroom six person flats (approximately 8% of the dwellings)

Of these dwellings 14 would be provided as affordable housing units on site. The affordable housing units would be provided as the following mix of dwellings types:

8 Affordable Rented units in total comprising:-

- 2 x one bedroom two person flats
- 5 x two bedroom four person flats
- 1 x three bedroom six person flats

6 Intermediate (Shared Ownership) units in total comprising:-

- 2 x one bedroom two person flats
- 4 x two bedroom four person flats

The dwelling mix proposed is considered to include an appropriate range of dwelling sizes and types that would make a useful contribution to meeting the needs of the growing and diverse population of the borough. It is noted that only one of the affordable housing units (affordable rent) proposed has three bedrooms. However, the Housing Development Partnership Team has confirmed that there is likely to be a significant demand for the type of affordable units proposed and an independent review of the viability of the scheme (discussed in greater detail below) has confirmed that this is the maximum contribution that it is viable for the development to make to the provision of affordable housing in the borough.

In light of these factors it is considered that, in this instance, the dwelling mix proposed is acceptable and compliant with planning policy in this instance.

3.3 Density of development

London Plan policy 3.4 seeks to optimise the housing potential of sites and references the density matrix contained in Table 3.2 set out below. This provides a guide to appropriate density ranges for particular locations, depending on accessibility and setting.

Table 3.2 Sustainable residential quality (SRQ) density matrix (habitable rooms and dwellings per hectare)

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

The application site is in a location with a PTAL of 1 and a suburban setting, as defined in the London Plan. Taking these factors into consideration the London Plan density matrix would suggest a range of somewhere between 35 and 75 units per hectare or 150 to 200 habitable rooms per hectare (see table above). Using the approach taken in the London Plan the 64 dwellings proposed include 236 habitable rooms. As the site has an area of 1.1 hectares this equates to a density of 58 units per hectare or 215 habitable rooms per hectare. The proposal therefore exceeds the density range specified in the London Plan in terms of the number of habitable rooms proposed, but falls within the appropriate density range in respect of the number of units proposed.

In evaluating the significance of this it needs to be recognised that the supporting text in the London Plan states that:

“A rigorous appreciation of housing density is crucial to realising the optimum potential of sites, but it is only the start of planning housing development, not the end. It is not appropriate to apply Table 3.2 mechanistically.”

As the other sections in this report outline the proposal is considered to be fully compliant with policies on good design, local context and character, providing acceptable amenities for future occupiers of the new development and protecting the amenities of neighbouring occupiers. Taken in isolation from other matters density is considered to be a blunt tool for evaluating the acceptability of a scheme. In circumstances such as this, where a proposal would comply with the relevant development plan policies and not result in any demonstrable harm, it is not considered that it would be appropriate to refuse an application on the grounds of conflict with planning policy on optimum habitable room density alone, particularly when the density of units proposed falls within the appropriate range. It is considered that under the present policy approach of ‘optimising housing potential’ it remains reasonable to find a proposal (and a density) acceptable where it exceeds the relevant density range, but is found to be acceptable in all design, amenity and other relevant regards.

Taking account of the factors outlined above officers consider that the density of development proposed is acceptable in this instance.

3.4 Standard of accommodation provided and amenities of future occupiers of the proposed dwellings

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings, outdoor amenity space and play space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

Policy GBEnv2 of the Barnet Unitary Development Plan (UDP) requires high quality design in all new development to improve the quality of the built environment, amenity and the quality of environment of future residents, in order to help meet the objective of sustainable development. Policy D1 of the UDP states that new developments should be of high quality design and in keeping with the objectives of sustainable development. Policy D5 identifies that new developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers and users. Policy ENV12 of the UDP states that proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. The Council will also seek to ensure that uses which are sensitive to air pollution (such as residential uses) are located away from sources of air pollution.

Policy H16 of the Barnet UDP identifies that residential developments should be well laid out in terms of access, provide adequate daylight, outlook and residential amenity, ensure a safe and secure environment, prevent overlooking, and provide adequate levels of private amenity space. Barnet's UDP advocates a minimum distance of 21m between properties with facing windows to habitable rooms, in order to address overlooking. This distance should increase by 3m for each additional storey over two storeys. Where less distance is provided innovative design solutions should be included to avoid overlooking. Policy H18 of the Barnet UDP requires that for flats the minimum provision of amenity space should be 5m² per habitable room. Houses with 6 habitable rooms (which is what all those proposed comprise) require 70m² of amenity space as a minimum.

The council's supplementary planning guidance, Sustainable Design and Construction, provides more detailed amenity space standards for new residential development. This includes minimum sizes for private external amenity space (balconies or terraces). This equates to 3m² for 1 person or 2 person dwellings with an extra 1m² needed for each additional bed space proposed.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new dwellings. These include requirements to provide high quality indoor and outdoor spaces, set minimum

internal space standards for different types of unit and seek accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. All of the units proposed would have a gross internal floor area which meets or exceeded the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Table 3.3 Minimum Space standards for new development (from the London Plan)

	Dwelling type (bedroom/persons-bed spaces)	Gross internal Area (m ²)
Flats	1 bedroom 2 person	50
	2 bedroom 4 person	70
	3 bedroom 6 person	95
3 Storey Houses	4 bedroom 7 person	123
	4 bedroom 8 person	133

Dwelling outlook

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties. An example of a way in which this is achieved is the careful siting and orientation of windows in the proposed buildings. It should also be noted that the dwellings proposed are all dual aspect. It is considered that each of the dwellings proposed has an acceptable outlook.

External amenity space provision

All of the houses proposed would have their own private rear garden. In each case this would be of sufficient size (70m² or greater) to meet or exceed the requirements of Barnet UDP policies on the provision of amenity space for houses.

All of the flats proposed would have access to their own private amenity space in the form of a balcony or terrace. In each case this would be of sufficient size to meet or exceed the requirements of the Council's guidance on the provision of private amenity areas (3m² for 2 person dwellings with an extra 1m² for each additional bed space) for the different sizes of flat proposed.

Using the standard of providing 5m² of usable amenity space per habitable room (including kitchens over 13m² and with rooms over 20m² counting as two rooms) for flats, the development would be required to provide approximately an extra 350m² of private or communal amenity space in addition to the balcony or terrace space proposed to comply with Barnet UDP policy. The scheme seeks to meet this requirement through the creation of a communal amenity area in the form of a new (privately maintained and managed) park located on the north-western part of the site. This space would be accessible to all properties, covers an area of approximately 450m² and include areas of lawn, trees and hedges, seating and play features, such as

boulders and stepping logs (the precise details of which are to be agreed under the conditions recommended). The design and size of this area are considered to be such that the proposal would provide sufficient amenity space to exceed the policy requirements for the flats proposed. The proposal is therefore considered to be acceptable in this regard.

London Plan policy 3.6 states that proposals for housing should make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. Using the approach to play space provision requirements in Mayoral guidance the scheme would be expected to provide approximately 367m² of play space. As it is approximately 450m² in size and is of an appropriate design, which includes play features, the proposed park is considered sufficient for the scheme to comply with the requirements of this policy.

Privacy and overlooking

The distance between directly facing windows to habitable rooms in the new dwellings would not be less than 23m. The only exceptions to this are secondary windows to habitable rooms and conditions have been recommended to ensure that these are installed with obscured glass and are fixed shut (or have only a fanlight opening). The distance from a habitable room window to a directly facing private garden area within the development would not be less than 11m. Subject to the conditions recommended it is considered that the design and layout of the windows, doors and amenity areas in the proposal are such that the new residential units would all be provided with an acceptable level of privacy and not suffer unacceptable overlooking. The proposal is therefore found to be acceptable in this regard.

Daylight and sunlight

The submission documents include an assessment of the daylight and sunlight that would be received in the habitable rooms of the dwellings proposed. This was carried out by Schroeders Begg Ltd. Using the methodology found in the latest guidance (published in 2011) from the Building Research Establishment (BRE) on how to assess the daylight received in new dwellings the evaluation found that all of the habitable rooms proposed would meet the relevant standards. Similarly the report finds that the development would meet the BRE recommendations in respect of sunlight. The proposal is therefore found to be acceptable in these regards.

Noise and air quality

The design and layout of the buildings and spaces on the site has been heavily influenced by the need to create an acceptable noise and air quality environment for future occupiers of the proposed dwellings. Examples of this include the positioning of the block containing the flats so that it shields the remainder of the site and makes it suitable for houses with private rear gardens and the positioning of the new park on the quietest part of the site. In addition to this conditions have been recommended which require the development to be constructed and managed in ways that provide future occupiers of the proposed dwellings with an acceptable noise and air quality environment, as far as is practicable, taking account of the environment and uses surrounding the application site. Examples of measures include the installation of appropriate ventilation equipment and inclusion of adequate sound proofing. The Council's Environmental Health Service has not raised

any objection to the scheme, subject to the imposition of the conditions recommended. When account is taken of the mitigation that the conditions recommended would allow, the proposal is found to be acceptable in respect of the noise and air quality environment that it would provide for the occupiers of the dwellings proposed.

Conclusions on the amenities of future occupiers

The scheme is found to be compliant with development plan and Local Plan policy as it relates to the amenities of the future occupiers of the dwellings proposed and the design approach is considered, for the reasons outlined above, to provide future occupiers with acceptable amenities. The development is therefore found to be satisfactory in this regard and to have overcome the concerns the Planning and Environment Committee had with the previous proposal for the site.

3.5 Design and character matters:

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

UDP Policy GBEEnv1 states that the Council will protect and enhance the character and quality of the Borough's built environment. Policy D1 requires new development to be of high quality design and in keeping with the Council's objectives of sustainable development and ensuring community safety while Policy D2 states that the Council will encourage development proposals which are based on an understanding of local characteristics, preserve or enhance local character and respect the appearance, scale, bulk, height and pattern of surrounding buildings, surrounding street patterns and the overall character and quality of the area. A full list of the relevant Barnet UDP policies is set out in Appendix 1.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping (the key policies are set out in Appendix 1). Policy 7.4 of the London Plan states that Buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings;

allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

The buildings and spaces proposed respond positively to their context and are found to have an acceptable relationship with the neighbouring buildings, streets and spaces, including the properties in Kingsgate Avenue, Amberden Avenue and Clandon Gardens. This is achieved in a number of ways.

In broad terms the layout proposed results in the parts of the site adjacent to existing houses being developed with houses containing three floors of accommodation and the flats proposed being situated in a building containing five floors of accommodation located to on the southern part of the site, adjacent to the A406 and the flats in Abbey Court. The buildings within the site include adequate spaces between both themselves and existing surrounding properties, a new area of communal amenity space, private rear gardens for all of the houses and the retention of a number of substantial existing trees (see other sections of this report of further detail). This is found to be an acceptable approach to the design, layout, height and scale of development proposed for the site.

In addition to these broader points, the more detailed design of the buildings proposed takes an approach inspired by the traditional architecture of Hampstead Garden Suburb. This includes features such as predominantly brick elevations (often including quoins and window or door surrounds); substantial pitched roofs with clay tiles and brick chimneys; timber framed doors and sash windows and black painted cast iron rainwater goods. Such features are considered to be a positive aspect of the scheme and conditions have been recommended to ensure that the high quality of detailed design shown at this stage is carried on into the implementation of the scheme.

Subject to the conditions recommended the proposal is found to be acceptable and compliant with development plan policies as they relate to design and character matters. Landscaping matters are addressed in section 3.9 of this report.

Although it did not make a formal determination of the application (which was subsequently withdrawn), in 2009 the Planning and Environment Committee considered and expressed concerns with the size, scale, height and design of a previous proposal at the site (application reference F/00245/09). However, the development proposed under the current application is significantly different from that for which consent was previously sought. Differences include a reduction in the maximum height of built form from 7 floors of accommodation to 5 (with much of the site now having only 3 floors of accommodation), a changed layout, a substantial reduction in the overall number of units proposed, from 145 dwellings to 64, and an increased number of houses proposed (24 houses instead of 22 houses).

The result of these differences is that the design of the development proposed has improved substantially and scheme now under consideration has a reduced size, scale, height and density of development when compared to the proposal previously considered. Officers conclude that the current proposal has overcome the concerns the committee had in respect of the application it was previously asked to consider at this site.

3.6 Impacts on amenities of neighbouring and surrounding occupiers and users:

Policies GBEnv1 and GBEnv2 of the Barnet UDP seek broadly to protect and enhance the quality of the Borough's built, open and natural environments and to improve amenity. Policy D5 identifies that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users. Policy ENV12 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Policy H16 identifies that residential developments should preserve adequate daylight, outlook and residential amenity, maintain privacy and prevent overlooking. Local Plan policies have very similar requirements in respect of the provision of the amenities of neighbouring and surrounding occupiers.

Where new residential developments are proposed Barnet's UDP advocates a minimum distances of 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking. This distance should increase by 3m for each additional storey over two storeys. Where overlooking is a problem, especially in relation to neighbouring development, a higher degree of privacy will be required.

It is noted that objections have been received from a number of parties expressing concerns that the proposed development would be detrimental to the amenities of neighbouring and surrounding occupiers and users in a variety of ways. These include loss of light, visual impact, increased noise and disturbance, overlooking and loss of privacy.

Overlooking and Loss of privacy

The development proposed does not include windows to habitable rooms which directly face existing habitable windows in neighbouring residential buildings that are set apart a distance of less than 24m. Distances from directly facing habitable windows in the development proposed to a neighbouring properties garden are not less than 13.5m.

The only exception to this are the secondary windows proposed in the flank (south-west) elevation of the proposed block of flats. However, conditions have been recommended which would ensure that these windows are installed with obscured glazing and remain fixed shut (with only a fanlight opening) and are retained as such. The proposal would therefore comply with the specific privacy distances set out in the policies of the Barnet UDP. In the absence of this requirement these windows could potentially cause overlooking and loss of privacy at the neighbouring building (Abbey Court) and the space in which it is set, as the new flats would be set approximately 14m from this building and 4m from the land in which surrounds it. However, this issue is considered to be fully addressed by the conditions recommended.

To ensure new windows are not introduced under permitted development which would result in the proposal then causing unacceptable overlooking of neighbouring properties and their gardens a conditions has been recommended which removes permitted development rights to carry out such works.

Subject to the controls in place under the conditions recommended it is concluded that the design and layout of the proposal is such that the development would not result in unacceptable levels of overlooking and loss of privacy at the neighbouring properties and would comply with development plan policy in these regards.

Daylight, Sunlight and Overshadowing

The application is accompanied by an assessment (prepared by Schroeders Begg Ltd.) of the proposals impact on the neighbouring residential properties by reference to the methodologies found in the Building Research Establishment (BRE) publication '*Site Layout Planning for Daylight and Sunlight, a Guide to Good Practice*'. This report concludes that the criteria relating to daylight, sunlight and overshadowing would be met and that there would be no significant adverse affects in terms of daylight, sunlight or overshadowing at neighbouring residential properties. Officers accept the findings of this assessment and conclude that the application is acceptable in terms of its impact on daylight sunlight and overshadowing at neighbouring properties.

Outlook and Visual Impact

The documents submitted with the application include plans showing the impact of the proposed development from key locations within the area surrounding the site and also show the relationship of the proposed buildings with neighbouring properties and spaces. It is considered that the design and siting of the proposed buildings is such that they would not have an unacceptable visual impact or result in any significant loss of outlook at neighbouring properties including dwellings in Kingsgate Avenue, Amberden Avenue and Clandon Gardens (Abbey Court). The application is therefore considered to be acceptable and compliant with development plan policy in these regards.

The proposed buildings situated closest to the curtilages of existing neighbouring dwellings would be a proposed semi-detached house (plot 16) located to the south-east of the gardens of 24 and 26 Kingsgate Avenue (with the distance from the flank wall of the new building to the neighbouring garden being approximately 1.5m) and the a proposed terraced house (plot 24) situated to the east of an area of car parking for Abbey Court (with the distance from the flank wall to the site boundary being approximately 1m). The siting of the proposed semi-detached house (plot 16), the length of the gardens of 24 and 26 Kingsgate Avenue and the change in levels between the application site (lower) and the gardens of the existing dwellings (higher) is considered to be sufficient to ensure that the development would not result in any unacceptable visual impacts or significant loss of outlook at the properties in Kingsgate Avenue, including their gardens. The siting of the proposed buildings and the layout of the neighbouring site is considered to be such that the proposal would not have an unacceptable visual impact or cause a significant loss of outlook at Abbey Court, including its curtilage.

Noise

The residential dwellings proposed in the development are of a nature that they would be expected not to generate unacceptably high levels of noise and disturbance to the extent that they would harm the amenities of the occupiers

of neighbouring properties (which include residential uses) in the normal course of their occupation. Conditions have also been recommended to ensure that the construction of the development does not result in unacceptable levels of noise and disturbance. These including the carrying out of the works within certain hours and in accordance with a Construction Management and Logistics Plan that has been previously agreed with the Local Planning Authority.

Conclusions

The proposed development is considered to be acceptable and compliant with the relevant development plan policies as they relate to the protection of the amenities of neighbouring and surrounding occupiers and users.

3.7 Affordable Housing

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual residential schemes, having regard to:

- Current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11.
- Affordable housing targets adopted in line with Policy 3.11.
- The need to encourage rather than restrain residential development (Policy 3.3).
- The need to promote mixed and balanced communities (Policy 3.9).
- The size and type of affordable housing needed in particular locations.
- The specific circumstances of individual sites.

It suggests that negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy and other scheme requirements.

This approach is reflected in Local Plan policy DM10 which requires the maximum reasonable amount of affordable housing to be provided on site, subject to viability, having regard to a borough wide target that 40% of housing provision should be affordable.

The proposal would provide a total of 14 affordable housing units on site with the following mix of dwellings types:

8 Affordable Rented units in total comprising:-

2 x one bedroom two person flats

5 x two bedroom four person flats

1 x three bedroom six person flats

6 Intermediate (Shared Ownership) units in total comprising:-

2 x one bedroom two person flats

4 x two bedroom four person flats

This provision equates to 21.8% of the total dwellings proposed and 16.5% of the total habitable rooms proposed.

To explain and justify this level of contribution Berkeley Homes have submitted a confidential report which evaluates the economic viability of the

proposed development making a contribution to affordable housing provision. The Council then commissioned BNP Paribas to independently review the viability report provided and examine its findings.

Taking account of the costs associated with bringing the development forward, including the associated planning obligations, and the value that the applicant would be likely to generate from the scheme, BNP Paribas conclude that proposed contribution represents the maximum reasonable amount of affordable housing that it is viable for the development to provide. Therefore in this instance the proposed contribution to affordable housing is considered to be acceptable and compliant with the objectives of planning policies. As set out in section 3.2 of this report the mix of affordable dwellings proposed is considered to be acceptable.

3.8 Trees and Landscaping:

Policy DM01 identifies that proposals will be required to include hard and soft landscaping that:

- Is well laid out in terms of access, car parking and landscaping.
- Considers the impact of hardstandings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife habitat and trees.
- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

The policy also states that trees should be safeguarded and when protected trees are to be felled the council will, where appropriate, require replanting with trees of an appropriate size and species.

The development proposed would result in the removal of a total of 64 trees from the site. 44 of these are covered by a Tree Preservation Order (of which 35 would be Lime trees). The scheme includes the planting of 74 new trees to mitigate the trees which would be lost through the works (including the trees with a preservation order protecting them) and also as part of providing suitable landscaping for the development more widely. The remaining 29 trees on the site which are covered by the preservation order would be retained (of these 27 are Limes).

It is accepted that the removal of 64 trees, including the 44 covered by a preservation order, is unfortunate. However, on balance, officers consider that the new trees proposed as part of the landscaping works provide adequate mitigation for the trees which would be lost in this instance. Conditions have been recommended to ensure that the trees and wider landscaping implemented would be of a sufficient quality, including new trees of a suitable size and species. Officers take the view that appropriate consideration has been given to trees and the desire to retain many of the best quality trees. It is also noted that 10 of the trees proposed for removal which are covered by a preservation order could theoretically be retained. However, they have been proposed for removal and replacement with new trees due to their poor condition. A further 6 of the trees proposed for removal (not protected by a

preservation order) could also be retained in theory, but are proposed for removal due to their poor state. Conditions have been recommended to ensure that all appropriate measures are taken to protect the trees proposed for retention.

The proposed works would involve the removal of 3 sections of existing hedgerow on the site. None of these are identified as 'important hedgerow' under the Hedgerow Regulations 1997 and it is considered that the new planting proposed under the landscaping works, which includes extensive use of hedges, would (as controlled by the conditions recommended) provide adequate mitigation for the hedgerow that would be lost.

More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting) and provides an appropriate setting for the buildings proposed. Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate quality and makes a positive contribution to the area.

Matters relating to access, parking biodiversity and habitat provision are addressed in other sections of this report in full. However, in each of these regards the landscaping proposed is found to be acceptable.

It is concluded that the scheme provides adequate mitigation for the trees and other landscaping features which would be lost as part of the works proposed and that the proposal is acceptable and compliant with policy in respect of tree, hedge and landscaping matters.

3.9 Transport, parking and highways matters:

Policy M14 in the Movement chapter of the Barnet UDP sets out the parking standards that the Council will apply when assessing new developments. Other policies in this chapter seek to ensure the safety of road users, reduce accidents, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, encourage non-car modes of transport, require acceptable facilities for pedestrians and cyclists and reduce the need to travel. Local Plan policies make very similar requirements and also set out parking standards for new residential developments.

Parking provision

The car parking standards for residential development, as set out in the Barnet UDP, recommend a range of parking provision for new residential dwellings based on the on a sites Public Transport Accessibility Level (PTAL). These standards are carried over into the Local Plan. For the different types of unit the range of provision is as follows:

Four or more bedroom units - 2.0 to 1.5 parking spaces per unit
Two and three bedroom units - 1.5 to 1.0 parking spaces per unit
One bedroom units - 1.0 to less than 1 parking space per unit

For higher PTAL scores the parking requirement would be expected to be at the lower end of the range and for a lower PTAL scores parking provision at the higher end of the range would be required. The PTAL Score for the site is 1b.

Using the standards set out in the Barnet UDP the development proposed generates a car parking provision of between 60 to 100 car parking spaces (depending on the PTAL Score for the site). The proposed parking provision of 84 spaces is therefore within the range that planning policies would expect to be provided. As would be expected of a development with a PTAL score of 1b, the number of parking spaces proposed falls towards the higher end of the appropriate range. Conditions have been recommended to ensure that the parking spaces proposed are provided prior to the occupation of the development and also that these are allocated and managed in an appropriate way. A condition and planning obligation requiring the provision of a Travel Management Plan have been recommended. These will assist in encouraging travel by non-car modes of transport. Subject to the controls in place under the conditions recommended the provision of 84 car parking spaces for the development is considered to be acceptable and compliant with the objectives of development plan policy.

Policies require that developments provide 10% of the proposed car parking spaces to a disabled parking space standard. The application intends to provide in excess of this and 9 of the 84 spaces are proposed to be provided to a disabled parking space standard. The number of disabled parking spaces proposed is considered to be acceptable.

The applicant has confirmed that not less than 1 in 5 of the proposed car parking spaces will be provided with electric vehicle charging power points and a condition has been recommended to ensure that this aspect of the scheme is delivered. Subject to this condition the scheme is found to comply with planning policy in this regard. The applicant has also confirmed that facilities for the parking of 93 bicycles will be provided. This level of provision is considered to be acceptable and policy compliant and a condition has been recommended to ensure it is carried through into the implementation of the scheme.

It is noted that a number of objections have been received that the development has inadequate parking and would result in an unacceptable impact on the road network surrounding the site. However, for the reasons outlined, it is considered that the proposed development, as could be controlled through the conditions and planning obligations recommended, is acceptable in respect of transport, parking and highways matters.

Trip generation

As part of the assessment for the previous application at this site (in 2009) a survey of the trips taking place at that time was undertaken. This indicated a low vehicular trip generation due to the substantial decline in the use of the site by the Police. Therefore to allow for a more realistic comparison of the site as it would be when in its full lawful use the Transport Statement submitted carries out a trip assessment using the national database TRICS.

The following table shows the total AM and PM peak vehicular trips for the existing development using this method.

Total existing vehicular trips:

	Arrivals	Departures	2-way
Weekday AM (8.00 to 9.00)	20	19	39
Weekday PM (17.00 to 18.00)	4	7	11
Weekday Daily (00.00 to 00.00)	143	130	273

The consultants have also used the TRICS database (which is an accepted tool) to establish predicted peak hour vehicular trip rates for the proposed development. The tables below show the predicted vehicular peak hour trip rates for the element of the scheme which is houses, the proportion of the scheme that is flats (assuming private ownership) and the two elements combined.

Vehicular trip generation for 40 flats:

	Arrivals	Departures	2-way
Weekday AM (8.00 to 9.00)	2	5	7
Weekday PM (17.00 to 18.00)	3	2	5
Weekday Daily (00.00 to 00.00)	31	35	66

Vehicular trip generation for 24 houses:

	Arrivals	Departures	2-way
Weekday AM (8.00 to 9.00)	3	9	12
Weekday PM (17.00 to 18.00)	7	4	11
Weekday Daily (00.00 to 00.00)	52	57	109

Total development vehicular trip generation:

	Arrivals	Departures	2-way
Weekday AM (8.00 to 9.00)	5	14	19
Weekday PM (17.00 to 18.00)	10	6	16
Weekday Daily (00.00 to 00.00)	83	92	175

The following table shows the predicted net change in vehicular trips arising from the proposed development compared to the existing use (when in full occupation).

Net change in vehicular trip generation (based on TRICS database):

	Arrivals	Departures	2-way
Weekday AM (8.00 to 9.00)	-15	-5	-20
Weekday PM (17.00 to 18.00)	+6	-1	+5
Weekday Daily (00.00 to 00.00)	-60	-38	-98

The above analysis indicates that the proposed development is likely to result in less vehicular movements than the existing use (when fully occupied) both in terms of total movements and also in the AM peak movements. While there

would be a slight increase in vehicle movements in the PM two way weekday peak (+5) it is not considered that this would result in any significant detrimental impact.

Transport for London has queried whether using the TRAVL data base would affect the outcome of this assessment. Using the TRAVL database (which does not allow any distinction between the flats and houses proposed) the total number of vehicle trips generated would increase by 3 in the AM peak and 2 in the PM peak. However, this is not considered to alter the conclusion that the development would not result in any significant detrimental impact on the highways network.

It is concluded that the impact of the proposed development is acceptable and the scheme is found to be unlikely to result in any significant detrimental impact on the local highway network. As such the proposal is considered to be compliant with the objectives of policies in this respect.

Access and site layout

There are two existing access points into the site from Amberden Avenue. These accesses are to be closed of under the proposed redevelopment of the site and a single new access from Amberden Avenue created. As proposed this approach is found to be acceptable. The existing redundant accesses will need to be made good (and informatives to this affect have been recommended). The application proposes the widening of the existing footway which fronts on to Amberden Avenue. This aspect of the development is acceptable in principle. However, a detailed scheme will need to be submitted to the Council (Traffic and Development Team) to agree the extent of works and to ensure that the final proposal accords with the council's design standards. These works would be carried out either under rechargeable works Agreement or under Section 278 Agreement of the Highways Act.

It is noted that a number of responses to the consultation have specifically requested that vehicular access to the site be provided from the A406, rather than other parts of the local road network. Conversely, Transport for London has specifically requested that the applicant identify measures to block off the existing access from the site directly onto the A406. The existing access to the A406 does not form part of the application site and is not part of the land under consideration. The applicant has confirmed that this access will not form part of the permanent vehicular access arrangements to the site and has pointed out that there are existing lockable gates to prevent the use of this access. However, the applicant has pointed out that they intend to use the access road to the A406 for construction vehicles leaving the site (the access is one way) and Transport for London have provided their in principle agreement to such an approach. The use of this route would approximately halve the number of construction vehicle movements on the local road network and is welcomed. The final approach to management of construction traffic would be controlled through a Construction Management and Logistics Plan (see below).

The application seeks the provision of all 84 of the parking spaces proposed at a surface level in communal parts of the site (including fronting onto Amberden Avenue). Conditions are recommended to ensure that the parking layout implemented would be acceptable in all regards. Similarly a condition

has been recommended requiring full details of the refuse and recycling facilities to be provided within the development, to ensure that these are appropriate. The applicant has confirmed that the collection of refuse and recycling from the site will be carried out using a private management company and also that the strategy for dealing with waste will be consistent with Barnet Council's guidelines.

Travel and construction management plans

An initial framework travel plan is included in the documentation submitted with the application. Conditions and obligations are recommended to ensure that an acceptable and policy compliant travel plan is provided for the development and that a travel plan coordinator is appointed. In order to ensure that the objectives of the travel plan are met a monitoring contribution of £5,000 is included in part of the planning obligations recommended.

To mitigate any adverse impacts from construction traffic on the road network surrounding the site a Construction Management and Logistics Plan would need to be prepared and implemented in respect of the proposal. A condition to this effect has therefore been recommended.

Parking, highways and transport conclusions

The Council Traffic and Development Team have assessed the proposal and found it to be adequate. For the reasons outlined above the proposal is considered to have overcome the concerns expressed in respect of the previous proposal considered by the Planning and Environment Committee for this site and the development is found to be acceptable and compliant with the objectives of policy in relation to parking, highways and transport matters subject to the imposition of the conditions and planning obligations recommended.

3.10 Creating inclusive environments for all members of the community:

Planning policies make it clear that new developments should be accessible, usable and permeable for all users. Statements should be submitted with proposals explaining how the principles of inclusive design have been integrated into the development for which consent is sought.

The documents submitted with the application identify a number of ways in which the design of the proposed buildings has been influenced by the desire to make it accessible for all members of the community. The Design and Access Statement provided sets out that all the proposed dwellings would meet the relevant Lifetime Homes standards and also that more than 10% of the dwellings proposed (7 in total) would be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements. As outlined above 9 of the parking spaces proposed would be provided to a disabled parking space standard.

Conditions have been recommended to ensure that all the proposed dwellings would meet the relevant Lifetime Homes standards, not less than 10% of the dwellings proposed would meet (or be easily adapted to meet) wheelchair accessible standards, the site would be developed at appropriate levels and 9 of the parking spaces proposed are provided to a disabled parking space standard. Subject to these controls and the requirements in place under other legislation officers conclude that the design and layout of the proposal is such

that it is acceptable in terms of creating a development that is accessible, useable, permeable and inclusive for all members of the community.

3.11 Contaminated land and water quality issues:

The Environment Agency has not raised any objection to the proposal or requested that any conditions be imposed on a grant of consent in terms of contaminated land or water quality matters. The Council's Environmental Health Service has confirmed that any concerns they may have regarding contaminated land issues are adequately addressed through the conditions recommended in this respect. Having evaluated the information submitted, it is considered that the proposal is acceptable and compliant with development plan policy in respect of contaminated land and water quality matters, subject to the conditions recommended.

3.12 Safety and security matters:

Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.

The London Fire and Emergency Planning Authority and Metropolitan Police have not raised any objection to the proposal or requested that conditions are placed upon any grant of consent. The design and layout of the development proposed is considered to be such that, as controlled through the use of the conditions recommended it would provide a safe and secure environment. The proposal is therefore deemed to be acceptable in respect of providing a safe and secure development with an environment which reduces opportunities for crime and the fear of crime.

3.13 Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding. However, as the area land that the site covers exceeds 1 hectare a Flood Risk Assessment has been submitted as part of the application. The Environment Agency has responded to the consultation and has not raised any objection to the proposal. However, they have confirmed that the requirements of planning policies and guidance in respect of flooding and flood risk will only be met if the measures detailed in the Flood Risk Assessment submitted are implemented. As such a condition has been recommended to ensure that the necessary mitigation is achieved.

Thames Water has responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent. Thames Water has made a number of points in respect of waste water matters and these have been included as informatives.

Conditions have been recommended to ensure that water use by the development is minimised. Subject to these conditions the development is found to be acceptable in this respect. Both businesses potentially supplying water to the development (Veolia and Thames Water) have been consulted on the application and neither has raised any objections to the development in relation to water supply matters or on any other grounds.

The proposal is considered to be acceptable and compliant with planning policies on flooding and water infrastructure matters, subject to the conditions recommended.

3.14 Energy, climate change, biodiversity and sustainable construction matters:

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

- a. Be lean: use less energy
- b. Be clean: supply energy efficiently
- c. Be green: use renewable energy

Residential developments are currently required to achieve a 25% reduction in carbon dioxide emissions when compared to the 2010 Building Regulations. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes. The council's adopted Sustainable Design and Construction SPD provides that where applicants commit to a Code Level 4 or above against the Code for Sustainable Homes there will be no further specific requirements for the provision of a set minimum level of on-site renewable energy generation for residential developments.

Carbon dioxide emissions

The application is accompanied by a Sustainability Strategy and a Code for Sustainable Homes Pre-Assessment. These documents set out the applicant's commitment to achieving level 4 under the Code for Sustainable Homes and demonstrate how this could be achieved. As part of reaching this level under the Code for Sustainable Homes the dwellings proposed will need to achieve an improvement of 25% over the Target Emission Rate under the 2010 Building Regulations. Such an improvement is adequate for the scheme to comply with the requirements of policy on the reduction of carbon dioxide emission. A condition has been recommended to ensure that the development achieves this level of carbon dioxide reductions as a minimum. Subject to this condition the proposal is found to be acceptable and policy compliant in respect of reducing carbon dioxide emissions.

The submission demonstrates that appropriate consideration has been given to the use of Combined Heat and Power systems and on site renewable energy generation, for the sustainability benefits that such systems can offer. It is accepted that the use of such technology is not particularly well suited to this scheme and also that policy compliant reductions in carbon dioxide emissions can be achieved without its use. As such the scheme is found to be acceptable in this regard.

Other aspects of sustainable design and construction

A Sustainability Statement, prepared by the applicant, has been submitted with the application. This identifies a number of sustainable design features that the proposal would incorporate to develop in a sustainable way, mitigate and adapt to climate change, conserve resources and minimise pollution. These include elements such as measures to reduce water consumption, the provision of appropriate recycling facilities, the inclusion of energy efficiency measures and the installation of facilities for cyclists.

The submission also includes a preliminary Code for Sustainable Homes assessment for the scheme. This makes it clear that the proposal could meet Code for Sustainable Homes Level 4. It is considered that the details provided in the submission are acceptable in this regard and that the application would result in a development which reaches an appropriate standard in respect of sustainable design and construction matters. To ensure that the commitment to reaching Code Level 4 and certain other key elements of developing sustainably are carried through to implementation conditions on these aspects of the proposal have been recommended. Such an approach allows a degree of flexibility as to the precise sustainable design and construction measures to be incorporated in the development, while ensuring that, taken in the round, the scheme achieves an appropriate level of sustainability.

To address policies on urban greening specifically the development includes areas of planting and soft landscaping at a ground level, including a new area of communal amenity space and private rear gardens for each of the houses proposed. Conditions have been recommended to ensure that the site is appropriately landscaped at the implementation stage of the development (landscaping is addressed in greater detail in section 3.8 of this report).

Biodiversity matters

Natural England has responded to the consultation on the application and confirmed that it does not have any objection to the proposal. However, it has advised that the council should consider requesting biodiversity enhancements in relation to both Bats and Great Crested Newts.

The applicant has committed to providing on site biodiversity enhancements in respect of bats. These include the installation of bat boxes and appropriate landscaping. Although not requested by Natural England the applicant has also committed to the installation of bird boxes on the site. Conditions have been recommended to ensure that these features of the scheme are taken forward should the development be implemented.

The proposal does not include biodiversity enhancements for Great Crested Newts on the site. It is acknowledged that in this instance the provision of suitable features, such as ponds, would not be a particularly efficient use of land and that they could also raise safety and maintenance issues. To address this point the applicant has agreed to a planning obligation to make a contribution of £5000 towards the provision of off site biodiversity enhancements for Great Crested Newts. Initial discussions with the council Greenspaces Service indicate that Dollis Valley Green Walk is an example of an area where such enhancements could be appropriately and usefully implemented.

Although it was not raised as an issue by Natural England the Ecological Assessment submitted with the application notes that the existing site contains suitable habitats for nesting birds. A condition has therefore been recommended to ensure that suitable measures are taken to prevent unacceptable impacts on nesting birds during the construction phase of the development.

The tree, hedge and wider landscaping conditions recommended (both in respect of the protection of existing features and the requirement for acceptable new planting) are considered sufficient to ensure that this aspect of the scheme makes appropriate contributions to biodiversity and provides suitable levels of habitat.

Subject to the controls in place under the conditions and obligations recommended and the requirements in place under other legislation the proposal is found to be acceptable and compliant with policy on biodiversity and nature conservation matters.

3.15 Environmental Impact Assessment Regulations:

The development for which consent is sought is not considered to be of a description identified in Schedule 1 of the Regulations (Town and Country Planning (Environmental Impact Assessment) Regulations 2011). However, the development is considered to be of a description identified in column 1 of Schedule 2 of the Regulations. The development described in the submission is deemed to fall within the description of 'urban development projects'. The site identified in the plans accompanying the application is not considered to be in or partly in a sensitive area as defined in Regulation 2. As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is that the area of development exceeds 0.5 hectares. The area of development identified in the information submitted exceeds this threshold. The proposal is therefore Schedule 2 development.

The characteristics, location and the impacts of the development proposed are described in significant detail in other sections of this report and so are not repeated here. Having considered the characteristics of the development, the location of the development and the characteristics of the potential impacts of the proposal (the criteria set out in Schedule 3 of the Regulations) it is concluded that in each of these respects and taken in totality the proposal would not be likely to give rise to significant effects on the environment in the sense intended by the Regulations. It is considered that the proposal is not a major development which is of more than local importance, is not a proposal situated in (or partially within) a particularly environmentally sensitive or vulnerable location and is not a development with unusually complex or potentially hazardous environmental effects. This is considered to support further the conclusion that the proposal would not be likely to give rise to significant effects on the environment in the sense intended by the Regulations.

Taking account of the criteria set out in Schedule 3 of the Regulations and all other relevant factors it is considered that the development described in the information accompanying the application would not be likely to have

significant effects on the environment, in the sense intended by the Regulations. Therefore an Environmental Impact Assessment is not necessary and an Environmental Statement, in line with the Regulations, is not required to be submitted with the application.

3.16 Planning obligation matters:

UDP Policy IMP1 states that the council's key priorities for planning obligations will be for the provision of the following:

Residential Development:

1. Improvements to public transport infrastructure, systems and services.
2. Educational provision in areas with existing shortages of school places or where the development will create such a shortage.
3. Affordable or special needs housing to meet identified local needs.
 - Where appropriate; highway improvements (including benefits for pedestrians and cyclists), environmental improvements; the provision of open space; and other community facilities.

Non-residential Development:

- Improvements to public transport infrastructure, systems and services.
- Small business accommodation and training to promote local employment and economic development.
- Town centre regeneration schemes, including their promotion, management and physical improvements.
- Where appropriate, highway improvements (including benefits for pedestrians and cyclists); environmental improvements; the provision of open space; and other community facilities.

Policy IMP2 identifies that in order to secure the best use of land, the council will seek to ensure through the use of conditions or planning obligations attached to planning permissions, that new development provides for the infrastructure, facilities, amenities and other planning benefits which are necessary to support and serve it, and which are necessary to offset any consequential planning loss which may result from the development.

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

In accordance with the above policies and the Council's supplementary planning documents the following obligations are required to be secured through a legal agreement with the developer:

Education

Under saved policy CS8 of the Barnet UDP 2006 and policy CS10 of the Local Plan the council will seek to secure contributions through a Section 106 Agreement for future education needs generated by developments in the borough. In accordance with the council's Contributions to Education SPD, and based on the total number of residential units proposed, a contribution of £387199 is required.

Healthcare

Under saved policy CS13 of the Barnet UDP 2006 and policy CS15 of the Local Plan the council will seek contributions to secure the provision of healthcare facilities through a Section 106 Agreement where a development creates a need for such facilities in the borough. Using the Healthy Urban Development Unit (HUDU) model, a contribution of £69340 is required towards improvements to health facilities within the borough as a result of the development.

Libraries

In accordance with saved policy CS2 of the Barnet UDP 2006, policy CS10 of the Local Plan and the Council's Contributions to Libraries SPD a contribution of £11906 is required towards the provision of library facilities within the borough as a result of the development.

Travel Plan

In accordance with saved policy M3 of the Barnet UDP 2006 and policy DM17 of the Local Plan the applicant is required to enter into a Travel Plan for the development that seeks to reduce reliance on the use of the private car and promotes sustainable means of transport.

Travel Plan Monitoring

A contribution of £5,000 is required towards the monitoring of the Travel Plan for the development to enable the Council to continue to examine the scheme to ensure the development is making reasonable endeavours to meet travel related sustainability objectives in accordance with saved policy M3 of the Barnet UDP 2006 and policy DM17 of the Local Plan.

Biodiversity Enhancements

Natural England has stated that it would be appropriate for the council to seek biodiversity enhancements for Great Crested Newts in respect of the scheme. As the scheme is unable to provide these within the site the applicant has agreed a contribution of £5000 towards the provision of such biodiversity enhancements within the borough. This issue is discussed in greater detail in section 3.14 of this report.

Monitoring of the Section 106 Agreement

The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements are required. The Council therefore requires the payment of £9569 towards the costs of undertaking the work relating to securing the planning obligations in line with the adopted Supplementary Planning Document for Planning Obligations.

Affordable Housing

In accordance with policy 3.12 of the London Plan and policies CS15 and DM10 of the Local Plan, the Council requires the applicant to enter into a Section 106 Agreement to provide the following number and mix of unit types and sizes:

8 Affordable Rented units in total comprising:

2 x one bedroom two person flats
5 x two bedroom four person flats
1 x three bedroom six person flats

6 Intermediate (Shared Ownership) units in total comprising:
2 x one bedroom two person flats
4 x two bedroom four person flats

Affordable housing is discussed in greater detail in section 3.7 of this report.

In accordance with the council's Supplementary Planning Document Affordable Housing, the affordable element of the proposal will employ trainees through the Notting Hill Housing Trust Construction Scheme. As such the heads of terms (set out at the start of this report) identify this as a requirement of the development.

3.17 Mayoral Community Infrastructure Levy

The proposed development is liable for charge under the Mayoral Community Infrastructure Levy (CIL). The applicant has confirmed that the existing floorspace on the site has been occupied continuously and as such it would appear likely that only the additional floorspace generated by the development would be liable for charge under CIL. The additional gross internal area generated by the development is 3342m². At the relevant rate, of £35 per square metre, this equates to a charge of £116998.

4. EQUALITIES AND DIVERSITY ISSUES

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

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

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

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

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

The new buildings proposed as part of the application would be required to comply with current legislative requirements in respect of equality and diversity related matters, for example access for the disabled under Part M of the Building Regulations. In addition to this the development, as controlled by the conditions recommended, would ensure that in several regards the building constructed would exceed the minimum requirements of such legislation. Examples of this would include all the proposed residential units being constructed to meet the relevant Lifetime Homes standards, the provision of level or appropriately sloping access within the site, not less than 10% of the residential units proposed being constructed to be wheelchair accessible or easily adaptable for residents who are wheel chair users and the inclusion of disabled standard parking spaces (as set out in greater detail in earlier sections of this report).

With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The design of the proposed buildings is such that they would be a significant improvement over the existing building and go further in terms of achieving equality and diversity objectives. The development would therefore have a positive effect in terms of equalities and diversity matters.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. COMMENTS ON GROUNDS OF OBJECTIONS

The objections raised are all considered in the above appraisal and analysis.

6. CONCLUSION

The existing buildings on the site are no longer required by the Metropolitan Police Service. Their replacement with new residential development of the nature proposed, that provides a high quality design approach, relates acceptably to its neighbouring properties, is in keeping with the character of the area, does not cause any unacceptable harm to the amenities of the neighbouring properties and would provide its future occupiers with a good standard of accommodation is considered to accord with policies that seek to optimise the use of sites such as this.

The design and layout of the development has been influenced significantly by the need to create a scheme that relates acceptably to the character of the wider area and which mitigates the impact of the adjacent A406 on the site, so that a suitable residential environment can be created. This is particularly the case in respect of noise. Examples of how these constraints have shaped the design approach include the positioning of the block containing the flats so

that it shields the remainder of the site and makes it suitable for houses with private rear gardens and the positioning of the new park on the quietest part of the site. Such a layout also helps the development in fitting in with its context, as it positions the houses with private rear gardens (and three levels of accommodation) adjacent to houses with gardens and locates the flats to the more southern part of the site. More generally the proposal includes a number of measures to achieve a good standard in respect of sustainable design and construction, with the new dwellings all meeting Code for Sustainable Homes Level 4.

The scheme provides an appropriate level of car parking on site for the number and type of dwellings proposed, which reflects the location of the site in an area with a Public Transport Accessibility Level of 1. The scheme has been designed to provide appropriate and safe access for all users and would not result in any significant harm to the local road network.

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting), provides an appropriate setting for the buildings proposed and includes the planting of 74 new trees. The development would result in the removal of a total of 64 trees from the site, of which 44 are covered by a Tree Preservation Order. However it is considered that the replacement planting proposed provides adequate mitigation for this. The remaining 29 trees on the site which are covered by the preservation order would be retained.

A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of residential environment, does not cause any unacceptable harm to the amenities of neighbouring occupiers, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal.

The current scheme is considered to have overcome the concerns that the Planning and Environment Committee expressed about the previous application which it considered for this site (in 2009). The application is found to propose a positive development that would comply with the relevant policies in the development plan and Local Plan and provides high quality new residential accommodation.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the Adopted Barnet UDP, The Mayor's London Plan and the Barnet Local Plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** subject to conditions is recommended, as set out in the recommendations section at the beginning of this report.

APPENDIX 1: KEY POLICY CONTEXT AND ANALYSIS

Table 1: Analysis of the proposals compliance with London Plan (July 2011) Policies

Policy	Content Summary	Extent of compliance and comment
1.1 (Delivering the strategic vision and objectives for London)	Strategic vision and objectives for London including managing growth and change in order to realise sustainable development and ensuring all Londoners to enjoy a good and improving quality of life.	Compliant: The proposal is considered to constitute sustainable development and section 3 of the main report sets out in more detail how the proposal would comply with the relevant development plan policies.
2.6 (Outer London: Vision and Strategy); and 2.8 (Outer London: Transport)	Work to realise the full potential of outer London. Recognise and address the orbital, radial and qualitative transport needs of outer London.	Compliant: The proposal is considered to demonstrate the influence of these policies and would comply with their key relevant objectives. These include the provision of new homes which meet development plan policy and the inclusion of measures encouraging travel by non car modes of transport.
Policy 2.18 (Green infrastructure: the network of open and green spaces)	Development proposals should enhance London's green infrastructure.	Compliant: Subject to the conditions recommended the proposal would provide appropriately designed soft landscaped areas and areas of open green amenity space.
Policy 3.2 (Improving health and addressing health inequalities)	New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles.	As controlled by the conditions and obligations recommended the proposal would be designed, constructed and managed in ways that promote healthy lifestyles. Examples of this include measures to ensure the provision of a suitable air quality and noise conditions within the development and facilities to encourage cycling.
3.3 (Increasing housing supply)	Boroughs should seek to achieve and exceed the relevant minimum borough annual average housing target. For Barnet the target is 22,550 over the next 10 years with an annual monitoring target of 2,255.	Compliant: The proposal would provide 64 new dwellings contributing towards strategic housing targets for Barnet and London.
3.4 (Optimising housing potential)	Development should optimise housing output for different types of location taking into account local context and character, the London Plan design principles and public transport capacity. Proposals which compromise this policy should be resisted.	Compliant: While the proposed development exceeds the relevant density range identified in the London Plan for a location such as this (in respect of the number of habitable rooms only), the scheme is considered to comply with the objective of this policy, by providing an optimum density of development. The proposal puts forward an acceptable design response which complies with the relevant development plan policies, responds acceptably to the local context and character and takes account of the sites location. Further detail on this matter is set out in section 3.3 of the main report.
Policy 3.5 (Quality and design of housing developments)	Housing developments should be of the highest quality internally, externally and in relation to their context and wider environment, taking account of the policies in the London Plan. The design of all new housing should incorporate the London Plan minimum space standards and enhance the quality of local places, taking account of	Compliant: The application is considered to demonstrate the influence of these policies and compliance with their key objectives. The design approach proposed takes suitable account of its context, the character of the area, the developments relationships with neighbouring buildings and spaces and provides a scheme of the appropriate design quality.

	physical context, local character, density, tenure and land use mix and relationships with and provision of spaces.	<p>The new dwellings proposed would all achieve the relevant London Plan minimum space standards and, as controlled by the conditions recommended the scheme would be of a sufficiently high quality internally, externally and in relation to their context and the wider environment.</p> <p>These issues are discussed in greater detail in section 3 of the report.</p>
Policy 3.6 (Children and young people's play and informal recreation facilities)	New housing should make provision for play and informal recreation based on the child population generated by the scheme and an assessment of future needs.	Compliant: The proposal provides sufficient quantities of space for play and informal recreation (approximately 367m ² required to comply) and conditions have been recommended to ensure that the space provided is implemented in a manner which meets the objectives of this policy. The provision of amenity space at the site is discussed in greater detail in section 3 of the report.
3.8 (Housing choice)	<p>Londoners should have a genuine choice of homes that they can afford and which meet their requirements, including:</p> <ul style="list-style-type: none"> • New developments should offer a range of housing sizes and types. • All new housing should be built to Lifetime Homes standard. • 10% of new housing is designed to be wheelchair accessible, or easily adaptable for wheelchair users. 	<p>Compliant: The proposed development is considered to provide an appropriate mix of dwelling types for this ton centre location.</p> <p>All of the units would be built to achieve the Lifetime Homes Standard and not less than 10% of the units would be designed to be wheelchair accessible, or easily adaptable for wheelchair users. Conditions have been recommended to ensure that these elements of the proposal are carried through to implementation of the development.</p>
Policy 3.9 (Mixed and balanced communities); Policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes); Policy 3.13 (Affordable housing thresholds)	<p>Communities mixed and balanced by tenure and household income should be promoted across London.</p> <p>The maximum reasonable amount of affordable housing should be sought for individual schemes. Negotiations should take account of a specific sites individual circumstances, including viability, the availability of subsidy, requirements and targets for affordable housing, the need to promote mixed and balanced communities and the need to encourage residential development.</p> <p>Boroughs should normally require affordable housing provision a site which has capacity to provide 10 or more homes.</p>	Compliant: The application is accompanied by an assessment which adequately demonstrates that the proposed contribution of 14 affordable dwellings (including both affordable rent and shared ownership) is the maximum contribution that it is viable for the development to make. This assessment and its conclusions have been independently verified and the issue is addressed in greater detail in section 3 of the main report, in particular section 3.7. The scheme is considered to be compliant with policies on the creation of mixed and balanced communities.
Policy 3.16 (Protection and enhancement of social infrastructure)	London requires additional and enhanced social infrastructure provision to meet the needs of its population.	Compliant: The conditions and obligations proposed are considered to ensure that the development would provide the social infrastructure necessary for it to be acceptable.

<p>Policy 5.1 (Climate Change Mitigation); Policy 5.2 (Minimising carbon dioxide emissions);</p>	<p>Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy.</p> <p>The Mayor will seek to ensure that developments meet the following target for CO₂ emissions, which is expressed as year improvements on the 2010 Building Regulations:</p> <p>2010 to 2013: 25% (Code for Sustainable Homes level 4);</p> <p>Major development proposals should include a comprehensive and appropriately detailed energy assessment to demonstrate how these targets are to be met within the framework of the energy hierarchy (Be lean, be clean, be green).</p>	<p>Compliant: The proposal is accompanied by adequate assessments and includes a range of measures to mitigate climate change and reduce carbon dioxide emissions in accordance with the requirements of this policy. Conditions have been recommended to ensure that these are carried through into implementation. The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives.</p>
<p>Policy 5.3 (Sustainable design and construction)</p>	<p>Development proposals should demonstrate that sustainable design standards are integral to the proposal, considered from the start of the process and meet the requirements of the relevant guidance.</p>	<p>Compliant: The proposal includes a range of elements and measures to achieve an appropriate level in respect of sustainable design and construction, provide an acceptable standard of environmental performance and adapt to the effects of climate change. This includes the new dwellings achieving Code for Sustainable Homes level 4. These matters are outlined in detail in section 3 of the main report.</p> <p>The development is considered to demonstrate the influence of this policy and compliance with its key objectives. Conditions have been recommended to ensure that this is carried through to implementation.</p>
<p>Policy 5.6 (Decentralised energy in development proposals)</p>	<p>Development should evaluate the feasibility of combined heat and power (CHP) systems and where they are appropriate also examine the opportunities to extend the system beyond the site boundary.</p> <p>Energy systems should be selected in the following hierarchy, connection to existing heating or cooling networks; site wide CHP network; communal heating and cooling.</p>	<p>Compliant: The submission demonstrates how the development proposed would achieve acceptable reductions in carbon dioxide emissions and have good sustainability credentials more widely, without the inclusion of CHP (which is not proposed for use in the development). Conditions have been recommended to ensure that the suggested measures are adopted at implementation and as controlled the proposal is considered to be acceptable in this instance.</p>
<p>Policy 5.7 (Renewable energy); Policy 5.9 (Overheating and cooling)</p>	<p>Within the framework of the energy hierarchy proposals should provide a reduction in expected carbon dioxide emissions through the use of on site renewable energy generation where feasible.</p> <p>Proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this has been achieved.</p>	<p>Compliant: The submission demonstrates how the development proposed would achieve acceptable reductions in carbon dioxide emissions and have good sustainability credentials more widely, without the inclusion of on site renewable energy generation.</p> <p>The submission identifies measures that are included in the scheme to reduce the potential for overheating and reliance on air conditioning.</p> <p>The proposal is considered to demonstrate the influence of these policies and compliance with their key objectives.</p>

Policy 5.10 (Urban greening); Policy 5.11 (Green roofs and development site environs)	<p>Development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening.</p> <p>Proposals should be designed to include roof, wall and site planting to deliver as wide a range of the objectives associated with such planting as possible.</p>	Compliant: The proposed development incorporates several areas of new soft landscaping on the site. Details of these would be controlled through the conditions recommended to ensure that they achieve as many of the objectives of this policy as are possible.
Policy 5.12 (Flood risk management); Policy 5.13 (Sustainable drainage)	<p>Proposals must comply with the flood risk assessment and management requirements of set out in PPS25.</p> <p>Proposals should utilise sustainable urban drainage systems unless there are practical reasons for not doing so and should aim to achieve Greenfield runoff rates and ensure that surface water runoff is managed as close to its source as possible. Drainage should be designed and implemented in ways that deliver other objectives of the London Plan.</p>	<p>Compliant: As conditioned the proposal is considered to demonstrate the influence of these policies and compliance with their key objectives.</p> <p>The proposal is accompanied by a Flood Risk Assessment. This has been submitted to the Environment Agency who have responded and not raised any objections to the proposal, subject to the conditions recommended.</p> <p>Conditions have been recommended to ensure that the drainage provided as part of the development meets the requirements of this policy.</p>
Policy 5.14 (Water quality and wastewater infrastructure); Policy 5.15 (Water use and supplies)	<p>Proposals must ensure that adequate waste water infrastructure capacity is available in tandem with development.</p> <p>Development should minimise the use of mains water and conserve water resources.</p>	<p>Compliant: Thames Water has confirmed that there is adequate waste water infrastructure to accommodated the development.</p> <p>Conditions have been recommended to ensure that the proposal would minimise the use of mains water and conserve water.</p>
Policy 5.17 (Waste capacity)	Suitable waste and recycling facilities are required in all new development.	Compliant: Conditions have been recommended which require the provision of suitable waste and recycling facilities.
Policy 5.21 (Contaminated land)	Appropriate measures should be taken to ensure that contaminate land does not activate or spread contamination.	Compliant: Conditions are proposed to require the appropriate investigation and mitigation of any contamination.
6.1 (Strategic Approach); 6.3 (Assessing Effects of Development On Transport Capacity)	<p>The Mayor will work with all relevant partners to encourage the closer integration of transport and development.</p> <p>Streetspace managed to take account of the different roles of roads for neighbourhoods and road users in ways that support promoting sustainable means of transport.</p> <p>Development should ensure that impacts on transport capacity and the transport network are fully assessed. Proposals should not adversely affect safety on the transport network.</p> <p>Transport assessments, travel plans, construction and logistics plans and service and delivery plans should be prepared in accordance with the relevant guidance.</p>	<p>Compliant: The application includes measures to encourage access to the site by a range of modes of transport, including non-car modes. These measures include a travel plan seeking to encourage appropriate proportions of journeys by non-car modes of transport under the planning obligations and conditions recommended.</p> <p>The Transport Statement submitted has assessed the impact of the scheme over an appropriate area of influence. No significant impacts on the adjacent local highway network have been identified.</p> <p>The conditions and obligations recommended would ensure that the necessary transport related plans would be required and completed in accordance with the relevant guidance.</p>

6.5 (Funding Crossrail and other strategically important transport infrastructure)	Contributions will be sought from developments to Crossrail and other transport infrastructure of regional strategic importance to London's regeneration and development.	Compliant: The development would be required to make a contribution under the Mayoral Community Infrastructure levy.
6.9 (Cycling); 6.10 (Walking)	<p>Proposals should provide secure, integrated and accessible cycle parking facilities in line with minimum standards and provide on-site changing facilities for cyclists.</p> <p>Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.</p>	Compliant: Officers consider that the scheme proposes a suitable quality of pedestrian environment and the proposal would provide appropriate levels of facilities for cycles and cyclists. Conditions have been recommended to ensure that the objectives of these policies would be carried through to implementation.
6.11 (Smoothing Traffic Flow and Tackling Congestion)	Take a coordinated approach to smoothing traffic flow and tackling congestion.	<p>Compliant: The proposal includes measures to minimise impact on traffic flow and tackle congestion. These include a travel plan setting sustainable modal split targets and encouraging shifts to non-car modes of transport, which would be enforceable under the planning obligations recommended.</p> <p>The Transport Statement has assessed the impact of the scheme over an appropriate area of influence. No significant impacts on the adjacent local highway network have been identified.</p>
6.13: (Parking)	The maximum standards in the London Plan should be applied to planning applications and developments should also provide electrical charging points, parking for disabled people and cycle parking in accordance with the London Plan standards. Delivery and servicing needs should also be provided for.	Compliant: The proposal is considered to demonstrate the influence of this policy and provide appropriate levels of parking in the relevant regards. Conditions have been recommended to ensure appropriate parking facilities, including electrical charging points and parking for disabled people are implemented.
7.1 (Building London's Neighbourhoods and Communities)	In their neighbourhoods people should have a good quality environment in an active and supportive local community with the best possible access to services, infrastructure and public transport to wider London. Neighbourhoods should also provide a character that is easy to understand and relate to.	Compliant: The application is considered to demonstrate the influence of this policy and design of this proposal accords with the objectives of this policy. This is discussed in greater detail in the relevant parts of section 3 of the main report.
7.2: (Inclusive environment)	Design and Access Statements should explain how, the principles of inclusive design, including the specific needs of older and disabled people, have been integrated into the proposed development, whether relevant best practice standards will be complied with and how inclusion will be maintained and managed.	Compliant: The proposal includes a range of measures to ensure that the development would provide an inclusive environment for all members of the community. Through the conditions recommended it would be ensured that the development would be implemented and operated to accord with the objectives of this policy.
7.3 (Designing out crime)	Development proposals should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating.	Compliant: The proposal includes a number of elements to meet the requirements of this policy and the Metropolitan Police Service has confirmed that they are satisfied with the proposals.
7.4 (Local character); 7.5 (Public	Buildings, streets and spaces should provide a high quality design response.	Compliant: Officers consider that, subject to the requirements of the conditions recommended, the proposed development provides an appropriate and

realm); 7.6 (Architecture)	<p>Public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.</p> <p>Architecture should make a positive contribution to a coherent public realm, incorporate the highest quality materials and design appropriate to its context.</p>	<p>quality design approach to the buildings and spaces which form part of the application. The proposal is considered to demonstrate the influence of these policies and compliance with their key objectives where they are relevant. These matters are addressed in greater detail in section 3 of the main report and in particular section 3.5.</p>
7.8 (Heritage assets and archaeology)	<p>Development should identify, value, conserve, restore, reuse and incorporate heritage assets where appropriate.</p> <p>Development affecting heritage assets and their settings should be conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.</p> <p>New development should make provision for the protection of archaeological resources, landscapes and significant memorials.</p>	<p>Compliant: The proposal would not have significant negative impacts on any heritage assets. The application is considered to demonstrate the influence of this policy and compliance with its key objectives.</p> <p>English Heritage have responded to the consultation and confirmed that they would not raise any objection or request that conditions are placed on any grant of consent.</p>
7.13 (Safety, security and resilience to emergency)	<p>Proposals should contribute to the minimisation of potential physical risks and include measures to assist in designing out crime and terrorism.</p>	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives.</p> <p>The Metropolitan Police Service and London Fire and Emergency Protection Authority have not raised any objections to the application.</p>
7.14 (Improving air quality)	<p>Proposals should:</p> <ul style="list-style-type: none"> - Minimise increased exposure to existing poor air quality and make provision to address existing air quality problems. - Promote sustainable design and construction to reduce emissions from the demolition and construction of buildings. - Be at least air quality neutral and not lead to further deterioration of poor air quality. - Ensure that where provision needs to be made to reduce development emissions this is usually on site. 	<p>Compliant: The proposal would not have a significant adverse impact on air quality and that the impact of local air quality on the future occupiers of the development can be adequately mitigated.</p> <p>The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives. Conditions have been recommended to ensure that the objectives of this policy would be carried through to implementation.</p>
7.15 (Reducing noise)	<p>Proposals should seek to reduce noise by:</p> <ul style="list-style-type: none"> - Minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of proposals. - Separate noise sensitive development from major noise sources wherever practical. - Promote new technologies and practices to reduce noise at source. 	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives. The development would not have a significant adverse impact on neighbouring occupiers and users and the amenities of future occupiers would be adequately protected as far as is practicable in this instance. These issues are addressed in greater detail in section 3 of the main report.</p>

7.19 (Biodiversity and access to nature)	<p>Proposals should:</p> <ul style="list-style-type: none"> – Wherever possible make a positive contribution to the protection, enhancement, creation and management of biodiversity. – Prioritise assisting in meeting targets in biodiversity action plans and/or improve access to nature in areas deficient in accessible wildlife sites. – Be resisted where they have significant adverse impacts on the population or conservation status of a protected species, or a priority species or habitat identified in a biodiversity action plan. 	<p>Compliant: Natural England have not raised any objections to the proposal and the application is considered to demonstrate the influence of this policy and includes measures to make a positive contribution to biodiversity.</p> <p>Conditions and obligations have been recommended to ensure that the key objectives of this policy would be carried through at implementation.</p>
7.21 (Trees and woodlands)	<p>Existing trees of value should be retained and any loss as a result of development should be replaced. Wherever appropriate the planting of additional trees should be included in developments.</p>	<p>Compliant: The application is considered to demonstrate the influence of this policy and compliance with its key objectives. The proposal would result in the removal of trees, but adequate replacement planting has been proposed. Conditions have been recommended to ensure that the key objectives of this policy would be carried through at implementation. This issue is discussed in greater detail in section 3 of the report.</p>
8.2 (Planning obligations; 8.3 (Community Infrastructure Levy)	<p>Development proposals should address strategic as well as local priorities in planning obligations.</p> <p>The supporting of Crossrail (where appropriate) and other public transport improvements should be given the highest importance, with Crossrail (where appropriate) having higher priority than other transport improvements.</p> <p>Importance should also be given to talking climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.</p> <p>Guidance will be prepared setting out a framework for the application of the Community Infrastructure Levy to ensure the costs incurred in providing infrastructure which supports the policies in the London Plan can be funded wholly or partly by those with an interest in land benefiting from the grant of planning permission.</p>	<p>Compliant: A comprehensive set of planning obligations will be required before planning permission can be granted. Heads of Terms are attached to this committee report. It is considered that the package of planning obligations and conditions recommended would mitigate the potential adverse impacts of the development and also ensure that the infrastructure necessary to support and planning benefits of the scheme are delivered. The application will also necessitate a contribution under the Mayoral Community Infrastructure Levy.</p>

Table 2: Analysis of the proposals compliance with Barnet UDP (May 2006) Saved Policies

Policy	Content Summary	Extent of Compliance and Comment
GSD (Sustainable development)	Ensure development and growth is sustainable.	Compliant: It is considered that this development demonstrates the influence of this policy and achieves the overall requirements of this policy.
GWaste (Waste disposal)	Encourage principles of: <ul style="list-style-type: none"> Waste management hierarchy Best practical environmental option Proximity principle. 	Compliant: It is considered that this development demonstrates the influence of this policy and subject to the conditions recommended would achieve the requirements of this policy.
GBEnv1 (Character); GBEnv2 (Design); GBEnv3 (Safe environment)	<ul style="list-style-type: none"> Enhance the quality and character of the built and natural environment. Require high quality design. Provide a safe and secure environment. 	Compliant: The application demonstrates the influence of this policy and will produce a development with an appropriate design response. Officers consider that the design principles that underpin the application fulfil the key criteria of these policies.
GRoadNet (Road network); GParking (Parking);	<p>Seek to ensure that roads within borough are used appropriately.</p> <p>Apply standards to restrain growth of car use and regulate parking.</p>	<p>Compliant: Subject to the controls imposed by the conditions and planning obligations recommended, it is not considered that the development would result in the inappropriate use of roads in the borough.</p> <p>The amount of proposed off street parking is policy compliant and the application includes measures to encourage restrained car use.</p>
GCS1 (Community facilities)	Adequate supply of land and buildings for community, religious, educational and health facilities.	Compliant: The planning obligations recommended ensure that suitable community facilities could be provided to support the development.
ENV7 (Air pollution)	Air pollution: <ul style="list-style-type: none"> Any possible impacts from development must be mitigated. Minimise impact on development through siting. Reduce traffic and need to travel. 	Compliant: The application includes a number of controls which reduce the impact of the development on air pollution and minimize the impacts of air pollution on the development. The proposal contains suitable measures to reduce the need to travel.
ENV12 (Noise generating development); ENV13 (Minimising noise disturbance)	Location of noise generating development and noise sensitive receptors should be carefully considered. Minimise impact of noise disturbance through mitigation.	Compliant: Conditions have been recommended which would ensure that the development did not have an adverse impact on neighbouring occupiers and users and that the amenities of future occupiers would be adequately protected as far as is practicable in this instance. These issues are addressed in greater detail in the main report.
ENV14 (Contaminated land)	Development on contaminated land will be encouraged subject to site investigations and conditions to require survey and mitigation.	Compliant: Conditions are proposed to require the appropriate investigation and mitigation of any contamination.
D1 (High quality design)	Development should: <ul style="list-style-type: none"> Be of high quality design Be sustainable Ensure community safety 	Compliant: The application demonstrates the influence of this policy and would produce a development with high quality design. It is considered that, subject to the requirements of the conditions recommended, the design approach selected would fulfil the key criteria of this policy.
D2 (Character)	Protect or enhance local character and respect the overall character and quality of the area.	Compliant: The application demonstrates the influence of this policy and the design of the development would protect and respect the character and quality of the site and wider area. The design approach as controlled by the conditions recommended would fulfil the key criteria of this policy.

D3 (Spaces)	Spaces should enhance the development and be in keeping with the overall area.	Compliant: The design of the spaces in and around the development would enhance the application site and be in keeping with the character of the overall area.
D4 (Over-development)	Proposals not to result in over development of a site.	Compliant: Officers consider that this policy has been met and the development proposed is not found to be an overdevelopment of the site.
D5 (Outlook)	New developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.	Compliant: The design and siting of the development is such that it would fulfil the requirements of this policy in respect of both adjoining and potential occupiers and users.
D6 (Street interest)	New development should provide visual interest at street level.	Compliant: The design approach proposed is considered to provide a good level of visual interest at street level.
D9 (Designing out crime); D10 (Improving community safety)	Development to be designed to reduce crime and fear of crime. Safety and Security to be secured through planning obligations where proposal would affect community safety.	Compliant: The submission is considered to demonstrate the influence of this policy and be compliant with the key elements of this policy. The Metropolitan Police Service and London Fire and Emergency Protection Authority have not expressed any concerns about the proposals.
HC1 (Conservation Areas – Preserving or Enhancing); HC5 (Areas of Special Character)	Development which fails to preserve or enhance the character and appearance of Conservation Areas will be refused. Development which fails to safeguard and enhance the landscape and townscape features which contribute to identity of Areas of Special Character will be refused.	The design of the proposal is such that it is considered to demonstrate the influence of these policies and be compliant with their key elements.
D11 (Landscaping); D12 (Tree preservation orders); D13 (Tree protection and enhancement)	Proposals should: <ul style="list-style-type: none"> • Achieve a suitable visual setting for buildings • Provide attractive and accessible spaces • Contribute to community safety, environmental and ecological quality • Retain and protect as many trees as practicable (with Tree Preservation Orders made if appropriate) • Ensure appropriate new planting 	Compliant: The application is considered to demonstrate the influence of this policy and compliance with its key objectives. The proposal would result in the removal of trees, but adequate replacement planting has been proposed. Conditions have been recommended to ensure that the key objectives of this policy would be carried through at implementation. This issue is discussed in greater detail in section 3 of the report.
L12 (Public open space – areas of deficiency); L14 (Public open space – improved provision)	The council will encourage: <ul style="list-style-type: none"> • Improvements to public open provision and quality space in areas, particularly in areas of deficiency. • The full use of public open spaces by all sections of the community. 	Compliant: The application includes a new park of sufficient size and this has been designed to encourage its use by all sections of the community.
M1 (Transport Accessibility)	The council will expect major developments with the potential for significant trip generation to be in locations which are, or will be made, accessible by a range of modes of transport.	Compliant: The development is considered to have an appropriate degree of accessibility for the level of trip generation that the proposal would result in and controls have been recommended to ensure that the use of a range of modes of transport is encouraged.
M2 (Transport impact assessments)	The council will require developers to submit a full transport impact assessment.	Compliant: A suitable Transport Statement has been submitted with the application. This assesses the transport impacts of the development and demonstrates that the development can be satisfactorily accommodated on the site.

M3 (Travel plans)	For significant trip-generating developments the council will require the occupier to develop and maintain a Travel Plan.	Compliant: A planning obligation and condition have been recommended which would require the development and maintenance of a suitable travel plan.
M4 (Pedestrians and cyclists – widening opportunities); M5 (Pedestrians and cyclists – improved facilities)	Developers will be expected to provide convenient safe and secure facilities for pedestrians and cyclists both (both on and off-site) and encourage access to developments by pedestrians and cyclists, maximising opportunities to travel on foot and by cycle.	Compliant: Subject to the controls in place under conditions recommended the development is considered to provide appropriate facilities and access for the development
M6 (Public transport – use)	Developments should be located and designed to make use of public transport more attractive.	Compliant: Controls have been recommended to ensure that the use of public transport is encouraged.
M8 (Road hierarchy); M10 (Reducing traffic impacts)	<p>The council will take into account the function of adjacent roads, and may refuse development that would result in inappropriate road use or adversely affect the operation of roads.</p> <p>Where it is considered necessary as a consequence of a development, the council may introduce measures to reduce the traffic impacts on the environment and the community and the council will seek to secure a planning obligation from the developer.</p>	<p>Compliant: The Transport Statement has appropriately assessed the impact of the scheme and no significant impacts on the adjacent local highway network have been identified.</p> <p>The planning obligations and conditions recommended include the appropriate and necessary measures to reduce the traffic impacts of the development. These include a travel plan and controls on the provision and management of the parking facilities at the site.</p>
M11 (Safety of road users); M12 (Safety of road network); M13 (Safe access to new development)	<p>The council will ensure that the safety of road users, particularly those at greater risk, is taken fully into account when considering development proposals.</p> <p>The council will seek to reduce accidents by refusing development proposals that unacceptably increase conflicting movements on the road network or increase the risk, or perceived risk, to vulnerable road users.</p> <p>The council will expect developers to provide safe and suitable access for all road users (including pedestrians) to new developments.</p>	<p>Compliant: The design of the development is considered to take full account of the safety of all road users and would not unacceptably increase conflicting movements on the road network or increase the risk, or perceived risk, to vulnerable road users.</p> <p>The proposal is considered to demonstrate that acceptable and safe access for all road users, including pedestrians would be provided to the site.</p> <p>It is considered that, subject to the conditions and obligations recommended, the submission demonstrates the influence of these policies and meets their requirements.</p>
M14 (Parking standards)	<p>The council will expect development to provide parking in accordance with the London Plan parking standards, except in the case of residential development, where the standards will be:</p> <ul style="list-style-type: none"> • 2 to 1.5 spaces per unit for detached and semi-detached houses; • 1.5 to 1 spaces per unit for terraced houses and flats; and • 1 to less than 1 space per unit for development consisting mainly of flats. 	<p>Compliant: The scheme will provide 84 parking spaces (9 disabled standard spaces) for the 64 dwellings proposed.</p> <p>The scheme complies with the UDP residential parking standards.</p>
H2 (Housing – other sites)	Assess residential proposals on site not allocated for housing based on appropriateness, access to facilities, impact, accessibility and whether land is required for another use.	Compliant: The proposal will provide new housing in an appropriate location and make a contribution towards meeting strategic housing targets. The proposal is considered to be appropriate, would not have any unacceptable impacts and the site is not required for another use.
H5 (Affordable housing); H8	Council will negotiate the maximum reasonable amount of affordable	Compliant: The application is accompanied by an assessment which adequately demonstrates that

(Affordable housing – commuted payments)	<p>housing.</p> <p>Council may exceptionally accept the provision of off site housing or a commuted payment instead of on-site provision.</p>	<p>the proposed contribution of 14 affordable dwellings (including both affordable rent and shared ownership) is the maximum contribution that it is viable for the development to make. This assessment and its conclusions have been independently verified and the issue is addressed in greater detail in section 3 of the main report, in particular section 3.7. The scheme is considered to be compliant with policies on the creation of mixed and balanced communities.</p>
H16 (Residential development – character)	<p>Residential development should:</p> <ul style="list-style-type: none"> • Harmonise with and respect the character of the area. • Be well laid out. • Provide adequate daylight, outlook and residential amenity, • Provide a safe and secure environment • Maintain privacy and prevent overlooking. • Provide adequate amenity space. 	<p>Compliant: The proposal is considered to provide a design approach which demonstrates the influence of this policy and adequately meets its objectives. This is discussed in greater detail in section 3 of the report.</p>
H17 (Residential development – privacy standards)	<p>Development to provide appropriate distances between facing habitable rooms to allow privacy and prevent overlooking.</p>	<p>Compliant: Subject to the conditions recommended the proposal includes design measures which would provide adequate privacy and prevent overlooking for future and neighbouring occupiers.</p>
H18 (Residential development – amenity space standards)	<p>The minimum provision of amenity space for new residential schemes is 5m² per habitable room for flats and 70m² for houses with 6 habitable rooms</p>	<p>Compliant: The houses proposed each have rear gardens of sufficient size to comply with the requirements of this policy. The flats proposed have been provided with a mixture of communal and private amenity space of sufficient size to meet the requirements of this policy.</p>
H20 (Residential development – public recreational space)	<p>Permission will only be granted for housing developments if they provide proportionate amounts of public recreational space, consummate improvements or contribute towards providing children's play space, sports grounds and general use areas where a deficiency in open space exists.</p>	<p>Compliant: The application site falls within a part of the borough where a deficiency in public open space exists. Therefore the proposal includes a new area (of approximately 450m²) of communal amenity space, which includes children's play features. The application is considered to achieve the objectives of this policy.</p>
CS2 (Community and religious facilities – planning obligations); CS8 (Educational needs generated by new housing development); CS13 (Health and social care facilities – planning obligations)	<p>Where appropriate the council will seek to enter into planning obligations to secure the provision of community facilities, school places and health and social care facilities.</p>	<p>Compliant: The recommendations made include planning obligations to secure the achievement of appropriate contributions to the provision of community facilities (libraries), school places and health facilities in the borough.</p>

**Table 3: Analysis of the proposals compliance with Barnet's Local Plan Policies
(September 2012)**

Policy	Content Summary	Extent of Compliance and Comment
Core Strategy		
CS NPPF (National Planning Policy Framework – presumption in favour of sustainable development)	Take a positive approach to proposals which reflects the presumption in favour of sustainable development and approve applications that accord with the Local Plan, unless material considerations indicate otherwise. Where there are no policies relevant to the proposal or the relevant policies are out of date permission should be granted, unless material considerations indicate otherwise.	Compliant: the proposal is considered to constitute a sustainable form of development which complies with the relevant policies in the Local Plan. It has therefore been recommended for approval.
CS1 (Barnet's place shaping strategy – the three strands approach)	<p>As part of its 'Three Strands Approach' the council will:</p> <ul style="list-style-type: none"> - Concentrate and consolidate growth in well located areas that provide opportunities for development, creating a high quality environment that will have positive impacts. - Focus major growth in the most suitable locations and ensure that this delivers sustainable development, while continuing to conserve and enhance the distinctiveness of Barnet as a place to live, work and visit. - Ensure that development funds infrastructure through Section 106 Agreements and other funding mechanisms. - Protect and enhance Barnet's high quality suburbs. 	<p>Compliant: the proposal is considered to show the influence of this policy and demonstrates compliance with its key objectives.</p> <p>The location is considered to be appropriate for a development of the form and nature proposed. The design of the scheme is of a quality that achieves the objective of protecting the high quality suburbs surrounding the site.</p> <p>The recommendations made include planning obligations to secure the achievement of appropriate contributions to the provision of infrastructure, including community facilities (libraries), school places and health facilities in the borough.</p>
CS3 (Distribution of growth in meeting housing aspirations)	Outside of the areas identified specifically for growth the approach to development opportunity sites will be set within the context of the density matrix in the London Plan. This will seek to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.	Compliant: While the proposed development exceeds the relevant density range identified in the London Plan for a location such as this (in respect of the number of habitable rooms only), the scheme is considered to comply with the objective of this policy, by providing an optimum density of development. The proposal puts forward an acceptable design response which complies with the relevant development plan policies, responds acceptably to the local context and character and takes account of the sites location. Further detail on this matter is set out in section 3.3 of the main report.
CS4 (Providing quality homes and housing choice in Barnet)	<p>Aim to create successful communities by:</p> <ul style="list-style-type: none"> - Seeking to ensure a mix of housing products that provide choice for all are available. - Ensuring that all new homes are built to the Lifetime Homes Standard and that the wider elements of schemes include the relevant inclusive design principles. 	<p>Compliant: The submission is considered to demonstrate the influence of this policy and show compliance with its key objectives.</p> <p>The proposal provides an appropriate mix of dwelling types and sizes and includes a range of measures to ensure that the development would provide an inclusive environment for all members of the community. This includes all the dwellings</p>

	<ul style="list-style-type: none"> - Seeking a variety of housing related support options. - Delivering 5500 new affordable homes by 2025/26 and seeking a borough wide target of 40% affordable homes on sites capable of accommodating 10 or more dwellings. - Seek an appropriate mix of affordable housing comprising 60% social rented housing and 40% intermediate housing. 	<p>proposed being constructed to achieve the relevant Lifetime Homes standards.</p> <p>The application is accompanied by an assessment which adequately demonstrates that the proposed contribution of 14 affordable dwellings (including 8 affordable rent units and 6 shared ownership units) is the maximum contribution that it is viable for the development to make. This assessment and its conclusions have been independently verified.</p> <p>These issues are addressed in greater detail in section 3 of the main report.</p>
CS5 (Protecting and enhancing Barnet's character to create high quality places)	<p>The council will ensure that development in Barnet respects local context and distinctive local character, creating places and buildings with high quality design.</p> <p>Developments should:</p> <ul style="list-style-type: none"> - Address the principles, aims and objectives set out in the relevant national guidance. - Be safe attractive and fully accessible. - Provide vibrant, attractive and accessible public spaces. - Respect and enhance the distinctive natural landscapes of Barnet. - Protect and enhance the gardens of residential properties. - Protect important local views. - Protect and enhance the boroughs high quality suburbs and historic areas and heritage. - Maximise the opportunity for community diversity, inclusion and cohesion. - Contribute to people's sense of place, safety and security. 	<p>Compliant: The application is considered to demonstrate the influence of this policy and compliance with its key objectives.</p> <p>The design approach proposed takes suitable account of its context, the character of the area, the developments relationship with neighbouring buildings and spaces and provide a scheme of an appropriate design quality. The new dwellings proposed would all be of a sufficiently high quality internally, externally and in relation to their immediate context and the wider environment.</p> <p>These issues are discussed in greater detail in section 3 of the report.</p>
CS7 (Enhancing and protecting Barnet's open spaces)	<p>Create a greener Barnet by:</p> <ul style="list-style-type: none"> - Meeting increased demand for access to open space and opportunities for physical activity. - Improving access to open space in areas of public open space deficiency. - Securing improvements to open spaces including provision for children's play sports facilities and better access arrangements, where opportunities arise. - Maintaining and improving greening by protecting incidental spaces, trees, hedgerows and watercourses. - Protecting existing site ecology and ensuring development makes the fullest contributions enhancing biodiversity. - Enhancing local food production. 	<p>Compliant: The proposal provides sufficient quantities of green open space, including private rear gardens for each of the houses proposed, a new communal area of amenity space and other soft landscaped areas. As far as is reasonable conditions have been recommended to ensure that the green spaces provided are implemented in a manner which meets the objectives of this policy.</p> <p>The submission is considered to demonstrate the influence of this policy and show compliance with its key objectives. The different aspects of this policy are discussed in the relevant parts of section 3 of this report in greater detail.</p>
CS8 (Promoting a strong and prosperous Barnet)	<p>Expect major developments to provide financial contributions and to deliver employment and training initiatives.</p>	<p>Compliant: The heads of terms recommended include a requirement for the applicant to enter into the Notting Hill Training Initiative as part of the construction of the affordable housing proposed.</p>

<p>CS9 (Providing safe, efficient and effective travel)</p>	<p>Developments should provide and allow for safe effective and efficient travel and include measures to make more efficient use of the local road network.</p> <p>Major proposals should incorporate Transport Assessments, Travel Plans, Delivery and Servicing Plans and mitigation measures and ensure that adequate capacity and high quality safe transport facilities are delivered in line with demand.</p> <p>The council will support more environmentally friendly transport networks, including the use of low emission vehicles (including electric cars), encouraging mixed use development and seeking to make cycling and walking more attractive for leisure, health and short trips.</p>	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives. Where appropriate conditions and obligations have been recommended to ensure that the objectives of this policy would be carried through to implementation.</p> <p>The Transport Statement submitted is considered to have assessed the impact of the scheme over an appropriate area of influence. No significant impacts on the adjacent local highway network have been identified. The design of the development is considered to take full account of the safety of all road users, includes appropriate access arrangements and would not unacceptably increase conflicting movements on the road network or increase the risk to vulnerable road users.</p> <p>Controls have been recommended to ensure that the use of a range of modes of transport is encouraged. These include a Travel Plan seeking to encourage appropriate proportions of journeys by non-car modes of transport (under the planning obligations and conditions recommended). A Construction Management Plan has been recommended to ensure the impact of the construction phase of the development is mitigated.</p> <p>Officers consider that the scheme proposes suitable access arrangements and an appropriate quality of pedestrian environment. The proposal would deliver acceptable facilities for electric vehicles, pedestrians, cycles and cyclists.</p> <p>These issues are discussed in greater detail in section 3 of the report.</p>
<p>CS10 (Enabling inclusive and integrated community facilities and uses)</p>	<p>The council will ensure that community facilities are provided for Barnet's communities and expect development that increases the demand for community facilities and services to make appropriate contributions towards new and accessible facilities.</p>	<p>Compliant: The recommendations made include planning obligations to secure the achievement of appropriate contributions to the provision of infrastructure, including community facilities (libraries), school places and health facilities in the borough.</p>
<p>CS11 (Improving health and wellbeing in Barnet)</p>	<p>Will improve health and wellbeing in Barnet through a range of measures including supporting healthier neighbourhoods, ensuring increased access to green spaces and improving opportunities for higher levels of physical activity.</p>	<p>Compliant: The design of the development has been influenced by the desire to create a healthy residential environment. This includes providing a layout and other measures to mitigate the noise and air quality impacts arising from the sites proximity to the A406 and the provision of a new park. The proposal is found to be compliant with the objectives of this policy.</p>
<p>CS12 (Making Barnet a safer place)</p>	<p>The Council will:</p> <ul style="list-style-type: none"> - Encourage appropriate security and community safety measures in developments and the transport network. - Require developers to demonstrate that they have incorporated community safety and security design principles in new development. - Promote safer streets and public areas, including open spaces. 	<p>Compliant: The design of the proposal is considered to demonstrate the influence of this policy and be compliant with the key elements of this policy.</p> <p>The Metropolitan Police Service and London Fire and Emergency Protection Authority have not expressed any concerns about the proposals.</p>

CS13 (Ensuring the efficient use of natural resources)	<p>The council will:</p> <ul style="list-style-type: none"> - Seek to minimise Barnet's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life. - Promote the highest environmental standards for development to mitigate and adapt to the effects of climate change. - Expect development to be energy efficient and seek to minimise any wasted heat or power. - Expect developments to comply with London Plan policy 5.2. - Maximise opportunities for implementing new district wide networks supplied by decentralised energy. - Make Barnet a water efficient borough, minimise the potential for fluvial and surface flooding and ensure developments do not harm the water environment, water quality and drainage systems. - Seek to improve air and noise quality. 	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives.</p> <p>The proposal is accompanied by adequate assessments and includes a range of measures to mitigate climate change and reduce carbon dioxide emissions in accordance with the requirements of this policy. The submission demonstrates how the development proposed would achieve acceptable reductions in carbon dioxide emissions and have good sustainability credentials more widely, without the inclusion of CHP (which is not proposed for use in the development).</p> <p>The proposal would not have a significant adverse impact on the local noise environment. The submission assesses the impact of the local noise environment on the development. The amenities of future occupiers would be adequately protected as far as is practicable in this regard.</p> <p>The proposal would not have a significant adverse impact on air quality and the impact of local air quality on the future occupiers of the development can be adequately mitigated.</p> <p>The proposal is accompanied by a Flood Risk Assessment. This has been submitted to the Environment Agency who have responded and not raised any objections to the proposal, subject to the conditions recommended. Conditions have been recommended to ensure that the drainage provided as part of the development meets the requirements of this policy. Thames Water has confirmed that there is adequate waste water infrastructure to accommodate the development. The scheme would minimise the use of mains water and conserve water.</p> <p>Appropriate conditions have been recommended to ensure that the proposal is implemented in a way which achieves the objectives of this policy.</p> <p>These issues are addressed in greater detail in the relevant parts of section 3 of the main report.</p>
CS14 (Dealing with our waste)	<p>The council will encourage sustainable waste management by promoting waste prevention, re-use, recycling, composting and resource efficiency over landfill and requiring developments to provide appropriate waste and recycling facilities.</p>	<p>Compliant: It is considered that this development demonstrates the influence of this policy and subject to the conditions recommended would achieve the requirements of this policy.</p>
CS15 (Delivering the Core Strategy)	<p>The council will work with partners to deliver the vision, objectives and policies of the Core Strategy, including working with developers and using planning obligations (and other funding mechanism where appropriate) to support the delivery of infrastructure, facilities and services to meet needs generated by development and mitigate the impact of development.</p>	<p>Compliant: The recommendations made include planning obligations to secure the achievement of appropriate contributions to the provision of infrastructure, including community facilities (libraries), school places and health facilities in the borough.</p>

Development Management Policies

<p>DM01 (Protecting Barnet's character and amenity)</p>	<p>Development should represent high quality design that contributes to climate change mitigation and adaptation.</p> <p>Proposals should be based on an understanding of local characteristics, preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.</p> <p>Development should ensure attractive, safe and vibrant streets which provide visual interest. Proposal should create safe and secure environments, reduce opportunities for crime and minimise fear of crime.</p> <p>Development should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users. Lighting schemes should not have a demonstrably harmful impact on amenity or biodiversity. Proposals should retain outdoor amenity space.</p> <p>Trees should be safeguarded and when protected trees are to be felled the Council will require suitable tree replanting. Proposals will be required to include landscaping that is well laid out; considers the impact of hardstandings on character; achieves a suitable visual setting; provides an appropriate level of new habitat; makes a positive contribution to the to the surrounding area; contributes to biodiversity (including the retention of existing wildlife habitat and trees); and adequately protects existing tress and their root systems.</p>	<p>Compliant: The application is considered to demonstrate the influence of this policy and compliance with its key objectives. Where appropriate conditions have been recommended to ensure that the development implemented will achieve the objectives of the policy.</p> <p>The design approach proposed takes suitable account of its context, the character of the area, the developments relationships with neighbouring buildings and spaces. The scheme is found to be of a sufficiently high quality design internally, externally and in relation to its context and wider environment.</p> <p>The Metropolitan Police Service and London Fire and Emergency Protection Authority have not expressed any concerns about the proposals and the development is found to create a safe and secure environment. Conditions have been recommended to ensure that appropriate street lighting implemented as part of the scheme.</p> <p>The design of the development is such that it would fulfil the requirements of this policy in respect of the amenities of both adjoining and potential occupiers and users. The scheme would provide an acceptable level of new outdoor amenity space.</p> <p>Natural England has not raised any objections to the proposal and the application includes measures to make a positive contribution to biodiversity. The proposal would result in the removal of trees, but adequate landscaping, including replacement tress planting has been proposed.</p> <p>These issues are discussed in greater detail in section 3 of the report.</p>
<p>DM02 (Development standards)</p>	<p>Development will be expected to demonstrate compliance with relevant standards, supported by the guidance provided in the Council's Supplementary Planning Documents.</p>	<p>Compliant: The submission is considered to demonstrate the influence of this policy and meets relevant standards. All the dwellings would achieve Code for Sustainable Homes Level 4, meet the Lifetime Homes Standards and achieve the London Plan minimum floor space standards. Policy compliant levels of outdoor amenity and play space would be provided on site and 10% of the dwellings would be constructed to be easily adaptable to wheelchair accessible standards.</p>
<p>DM03 (Accessibility and inclusive design)</p>	<p>Developments should meet the highest standards of accessible and inclusive design.</p>	<p>Compliant: The proposal includes a range of measures to ensure that the development would provide an accessible and inclusive environment for all members of the community. Through the conditions recommended it would be ensured that the development would be implemented and operated to accord with the objectives of this policy.</p>
<p>DM04 (Environmental considerations)</p>	<p>Developments are required to demonstrate their compliance with the Mayor's targets for reductions in carbon</p>	<p>Compliant: The proposal is considered to demonstrate the influence of this police and compliance with its key objectives.</p>

	<p>dioxide emissions within the framework of the energy hierarchy.</p> <p>Where decentralised energy is feasible or planned development will provide either suitable connection; the ability for future connection; a feasibility study or a contribution to a feasibility study.</p> <p>Proposals should be should be designed and sited to reduce exposure to air pollutants and ensure that development is not contributing to poor air quality. Locating development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise not normally be permitted. Mitigation of noise impacts through design, layout and insulation will be expected where appropriate.</p> <p>Development on land which may be contaminated should be accompanied by an investigation to establish the level of contamination. Proposals which could adversely affect ground water quality will not be permitted.</p> <p>Development should demonstrate compliance with the London Plan water hierarchy for run off, especially in areas prone to flooding.</p>	<p>The proposal is accompanied by adequate assessments and includes a range of measures to mitigate climate change and reduce carbon dioxide emissions in accordance with the requirements of this policy. The submission demonstrates how the development proposed would achieve acceptable reductions in carbon dioxide emissions and have good sustainability credentials more widely, without the inclusion of CHP (which is not proposed for use in the development).</p> <p>The proposal would not have a significant adverse impact on the local noise environment. The submission assesses the impact of the local noise environment on the development. The amenities of future occupiers would be adequately protected as far as is practicable in this regard.</p> <p>The proposal would not have a significant adverse impact on air quality and the impact of local air quality on the future occupiers of the development can be adequately mitigated. The controls recommended require the appropriate investigation and mitigation of any contamination.</p> <p>The proposal is accompanied by a Flood Risk Assessment. This has been submitted to the Environment Agency who have responded and not raised any objections to the proposal, subject to the conditions recommended. Conditions have been recommended to ensure that the drainage provided as part of the development meets the requirements of this policy. Thames Water has confirmed that there is adequate waste water infrastructure to accommodate the development. The proposal would minimise the use of mains water and conserve water.</p> <p>Appropriate conditions have been recommended to ensure that the proposal is implemented in a way which achieves the objectives of this policy.</p> <p>These issues are addressed in greater detail in the relevant parts of section 3 of the main report.</p>
DM05 (Tall buildings)	Tall buildings outside the strategic locations identified in the Core Strategy will not be considered acceptable.	Compliant: the proposal does not constitute a tall building under this policy.
DM06 (Barnet's heritage and conservation)	<p>All development to have regard to the local historic context and protect heritage assets in line with their significance.</p> <p>Development proposals to preserve or enhance the character and appearance of conservation areas and protect archaeological remains.</p>	<p>Compliant: The proposal would not have significant negative impacts on any heritage assets. The application is considered to demonstrate the influence of this policy and compliance with its key objectives.</p> <p>English Heritage have responded to the consultation and confirmed that they would not raise any objection or request that conditions are placed on any grant of consent.</p>
DM07 (Protecting housing in Barnet); and DM09 (Specialist	The loss of residential accommodation will not be permitted unless the proposed use is for a community facility (for which there is a demonstrated need and where demand cannot be adequately met elsewhere); or the location is no longer	Compliant: The existing section house accommodation is no longer required by the Metropolitan Police Service and the development proposed would result in a net gain in the quantity of residential accommodation provided on the site.

housing – houses in multiple occupation, student accommodation and housing choice for older people)	<p>suitable or viable for residential use; or it involves identified regeneration areas.</p> <p>The council will seek to retain specialist housing provided that it meets an identified need.</p>	
DM08 (Ensuring a variety of sizes of new homes to meet housing need)	<p>Development should provide, where appropriate a mix of dwelling types and sizes in order to provide choice.</p> <p>Barnet's dwelling size priorities are 3 bedroom properties the highest priority for social rented dwellings, 3 and 4 bedroom properties the highest priority for intermediate affordable dwellings and 4 bedroom properties the highest priority for market housing, with three bedroom properties a medium priority.</p>	Compliant: The submission is considered to demonstrate the influence of this policy and provides an appropriate mix of dwelling types and sizes. This matter is discussed in greater detail in section 3 of the report.
DM10 (Affordable housing contributions)	The maximum reasonable amount of affordable housing will be required on site, subject to viability, from new sites, having regard to the target that 40% of housing provision borough wide should be affordable.	Compliant: The application is accompanied by an assessment which adequately demonstrates that the proposed contribution of 14 affordable dwellings (including both affordable rent and shared ownership) is the maximum contribution that it is viable for the development to make. This assessment and its conclusions have been independently verified and the issue is addressed in greater detail in section 3 of the main report, in particular section 3.7. The scheme is considered to be compliant with policies on the creation of mixed and balanced communities.
DM15 (Green belt and open spaces)	In areas which are identified as deficient in public open space, where the development site is appropriate or the opportunity arises the council will expect the on site provision of public open space.	Compliant: The application is considered to demonstrate the influence of this policy and includes a new park of sufficient size.
DM16 (Biodiversity)	The Council will seek the retention and enhancement, or the creation of biodiversity.	Compliant: Natural England have not raised any objections to the proposal and the application is considered to demonstrate the influence of this policy and includes measures to make a positive contribution to biodiversity. Conditions and obligations have been recommended to ensure that the key objectives of this policy would be carried through at implementation.
DM17 (Travel impact and parking standards)	<p>The Council will :</p> <ul style="list-style-type: none"> - Ensure that the safety of all road users is taken into account when considering development proposals. - Ensure that roads within the borough are used appropriately according to their status. - Expect major development proposals with the potential for significant trip generation to be in locations which are (or will be) highly accessible by a range of transport modes. Developments should be located and designed to make the use of public transport more attractive. - Require a full Transport Assessment where the proposed development is 	<p>Compliant: The proposal is considered to demonstrate the influence of this policy and compliance with its key objectives. Conditions and obligations have been recommended to ensure that the objectives of this policy would be carried through to implementation.</p> <p>The development has an appropriate degree of accessibility for the level of trip generation that the proposal would result in and controls have been recommended to ensure that the use of a range of modes of transport is encouraged. These measures include a Travel Plan seeking to encourage appropriate proportions of journeys by non-car modes of transport (under the planning obligations and conditions recommended). A Construction Management Plan has been recommended to</p>

	<p>anticipated to have significant transport implications.</p> <ul style="list-style-type: none"> - Require the occupier to develop, implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets. - Expect development to provide safe and suitable access arrangements for all road users. - Require appropriate measures to control vehicle movements, servicing and delivery arrangements. - Require, where appropriate, improvements to cycle and pedestrian facilities. - Parking will be expected to be provided in accordance with the following per unit maximum standards: <ul style="list-style-type: none"> i. 2 to 1.5 spaces for detached and semi-detached houses and flats (4 or more bedrooms). ii. 1.5 to 1 spaces for terraced houses and flats (2 to 3 bedrooms). iii. 1 to less than 1 space for developments consisting mainly of flats (1 bedroom). - Residential development may be acceptable with limited or no parking outside a Controlled Parking Zone only where it can be demonstrated that there is sufficient on street parking capacity. 	<p>ensure the impact of the construction phase of the development is mitigated.</p> <p>The Transport Statement submitted is considered to have assessed the impact of the scheme over an appropriate area of influence. No significant impacts on the adjacent local highway network have been identified.</p> <p>The design of the development is considered to take full account of the safety of all road users, includes appropriate access arrangements and would not unacceptably increase conflicting movements on the road network or increase the risk to vulnerable road users.</p> <p>The scheme will provide 84 parking spaces (including 9 disabled standard spaces) for the 64 dwellings proposed, which is sufficient to comply with the Local Plan parking standards.</p> <p>Officers consider that the scheme proposes suitable access arrangements and an appropriate quality of pedestrian environment. The proposal would deliver acceptable facilities for pedestrians, cycles and cyclists.</p> <p>These issues are discussed in greater detail in section 3 of the report.</p>
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Key relevant local and strategic supplementary planning documents

Local Supplementary Planning Documents and Guidance:

Contributions to Health Facilities from Development (July 2009)
Contributions to Education from Development (February 2008)
Contributions to Library Services from Development (February 2008)
Sustainable Design and Construction (June 2007)
Affordable Housing (February 2007)
Planning Obligations (Section 106) (September 2006)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)
Housing (November 2005)
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)

Draft SPG Note Affordable Housing (November 2011)
Housing – Draft Supplementary Planning Guidance (December 2011)

APPENDIX 2: KEY PLANNING HISTORY FOR THE SITE

C17486/08 'Environmental Impact Assessment - Screening Opinion.'
ENVIRONMENTAL STATEMENT NOT REQUIRED.

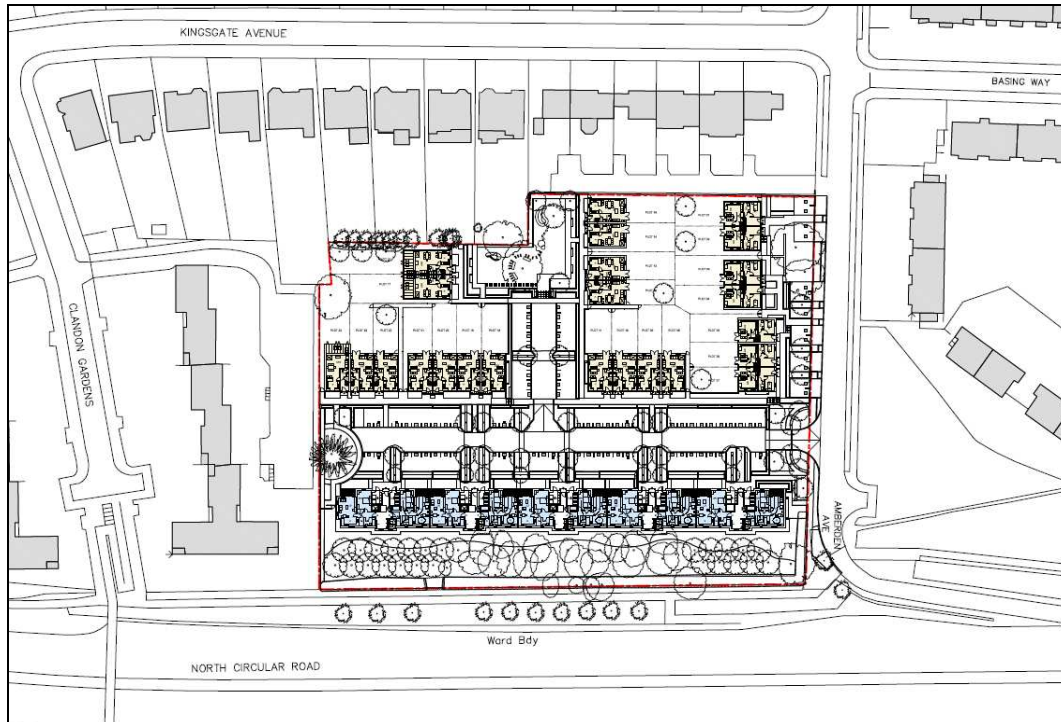
F/00214/08 'The redevelopment of Kingsgate House to allow the construction, for residential purposes (Use Class C3), of a 4 to 8 storey building, comprising 142 apartments and 23 mews houses, as well as ancillary facilities including service provision and amenity space, new vehicular access from Amberden Avenue, refuse stores and car/ Motorcycle/ cycle parking.'
WITHDRAWN.

F/00245/08 'Redevelopment of Kingsgate House to allow the construction, for residential purposes (Use Class C3), of 4 to 7 storey buildings, comprising 123 apartments and 22 mews houses, ancillary facilities including amenity space, new access from Amberden Avenue, refuse stores and car/ motorcycle/ cycle parking and servicing.' WITHDRAWN.

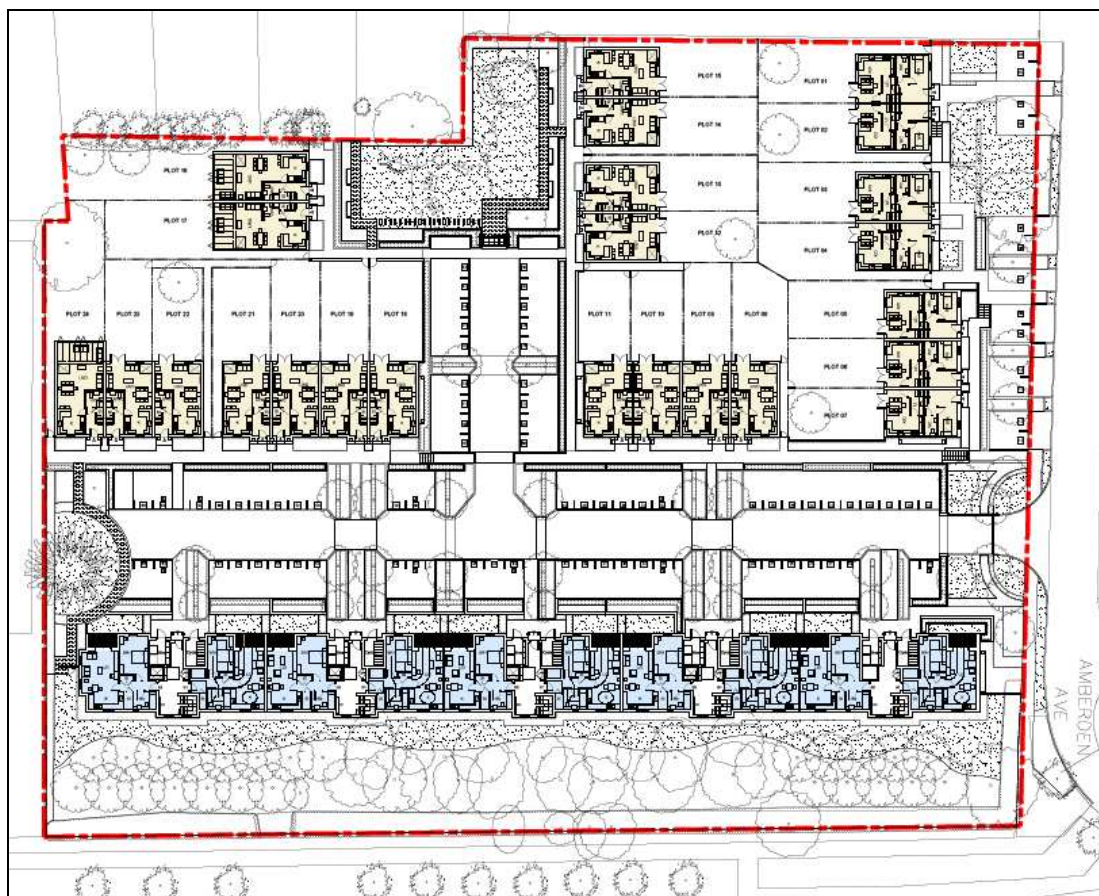
F/04551/09 'The redevelopment of Kingsgate House, to allow the construction for residential purposes (use class C3) of 3 to 7 storey buildings comprising 120 apartments and 22 mews houses, as well as ancillary facilities including amenity space, children's play space (0-11 years), new access from Amberden Avenue, refuse stores, car/motorcycle/cycle parking and servicing.'
WITHDRAWN.

APPENDIX 3: PLANS OF THE PROPOSED DEVELOPMENT

Proposed site layout and context:



Proposed site ground floor layout:



APPENDIX 4: INFORMATIVES

1. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) Order 2010, this informative summarises the local planning authority's reasons for granting planning permission for this development and the relevant development plan policies taken into account in this decision.

In summary, the Local Planning Authority considers that the proposed development should be permitted for the following reasons:

The existing buildings on the site are no longer required by the Metropolitan Police Service. Their replacement with new residential development of the nature proposed, that provides a high quality design approach, relates acceptably to its neighbouring properties, is in keeping with the character of the area, does not cause any unacceptable harm to the amenities of the neighbouring properties and would provide its future occupiers with a good standard of accommodation is considered to accord with policies that seek to optimise the use of sites such as this.

The design and layout of the scheme has been influenced significantly by the need to create a scheme that relates acceptably to the character of the wider area and which mitigates the impact of the adjacent A406 on the site, so that a suitable residential environment can be created. This is particularly the case in respect of noise. More generally the proposal includes a number of measures to achieve a good standard in respect of sustainable design and construction, with the new dwellings all meeting Code for Sustainable Homes Level 4.

The scheme provides an appropriate level of car parking on site for the number and type of dwellings proposed, which reflects the location of the site in an area with a Public Transport Accessibility Level of 1. The scheme has been designed to provide appropriate and safe access for all users and would not result in any significant harm to the local road network.

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting), provides an appropriate setting for the buildings proposed and includes the planting of 74 new trees. The development would result in the removal of a total of 64 trees from the site, of which 44 are covered by a Tree Preservation Order. However it is considered that the replacement planting proposed provides adequate mitigation for this. The remaining 29 trees on the site which are covered by the preservation order would be retained.

A number of conditions and planning obligations have been recommended to ensure that the development achieves a suitable quality of residential environment, does not cause any unacceptable harm to the amenities of neighbouring occupiers, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal.

The current scheme is considered to have overcome the concerns that the Planning and Environment Committee expressed about the previous application which it considered for this site (in 2009). The application is found to propose a positive development that would comply with the relevant policies in the development plan and Local Plan and provides high quality new residential accommodation. As such it is considered that there are material planning considerations which justify the grant of planning permission.

A summary of the development plan policies relevant to this decision is set out in Tables 1 and 2 below:

Table 1: Summary of the London Plan (2011) policies relevant to this decision

Policy	Content Summary
1.1 (Delivering the strategic vision and objectives for London)	Strategic vision and objectives for London including managing growth and change in order to realise sustainable development and ensuring all Londoners to enjoy a good and improving quality of life.
2.6 (Outer London: Vision and Strategy); and 2.8 (Outer London: Transport)	Work to realise the full potential of outer London. Recognise and address the orbital, radial and qualitative transport needs of outer London.
Policy 2.18 (Green infrastructure: the network of open and green spaces)	Development proposals should enhance London's green infrastructure.
Policy 3.2 (Improving health and addressing health inequalities)	New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles.
3.3 (Increasing housing supply)	Boroughs should seek to achieve and exceed the relevant minimum borough annual average housing target. For Barnet the target is 22,550 over the next 10 years with an annual monitoring target of 2,255.
3.4 (Optimising housing potential)	Development should optimise housing output for different types of location taking into account local context and character, the London Plan design principles and public transport capacity. Proposals which compromise this policy should be resisted.
Policy 3.5 (Quality and design of housing developments)	Housing developments should be of the highest quality internally, externally and in relation to their context and wider environment, taking account of the policies in the London Plan. The design of all new housing should incorporate the London Plan minimum space standards and enhance the quality of local places, taking account of physical context, local character, density, tenure and land use mix and relationships with and provision of spaces.
Policy 3.6 (Children and young people's play and informal recreation facilities)	New housing should make provision for play and informal recreation based on the child population generated by the scheme and an assessment of future needs.
3.8 (Housing choice)	Londoners should have a genuine choice of homes that they can afford and which meet their requirements, including: <ul style="list-style-type: none"> • New developments should offer a range of housing sizes and types. • All new housing should be built to Lifetime Homes standard. • 10% of new housing is designed to be wheelchair accessible, or easily adaptable for wheelchair users.

Policy 3.9 (Mixed and balanced communities); Policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes); Policy 3.13 (Affordable housing thresholds)	Communities mixed and balanced by tenure and household income should be promoted across London. The maximum reasonable amount of affordable housing should be sought for individual schemes. Negotiations should take account of a specific sites individual circumstances, including viability, the availability of subsidy, requirements and targets for affordable housing, the need to promote mixed and balanced communities and the need to encourage residential development. Boroughs should normally require affordable housing provision a site which has capacity to provide 10 or more homes.
Policy 3.16 (Protection and enhancement of social infrastructure)	London requires additional and enhanced social infrastructure provision to meet the needs of its population.
Policy 5.1 (Climate Change Mitigation); Policy 5.2 (Minimising carbon dioxide emissions);	Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy. The Mayor will seek to ensure that developments meet the following target for CO ₂ emissions, which is expressed as year improvements on the 2010 Building Regulations: 2010 to 2013: 25% (Code for Sustainable Homes level 4); Major development proposals should include a comprehensive and appropriately detailed energy assessment to demonstrate how these targets are to be met within the framework of the energy hierarchy (Be lean, be clean, be green).
Policy 5.3 (Sustainable design and construction)	Development proposals should demonstrate that sustainable design standards are integral to the proposal, considered from the start of the process and meet the requirements of the relevant guidance.
Policy 5.6 (Decentralised energy in development proposals)	Development should evaluate the feasibility of combined heat and power (CHP) systems and where they are appropriate also examine the opportunities to extend the system beyond the site boundary. Energy systems should be selected in the following hierarchy, connection to existing heating or cooling networks; site wide CHP network; communal heating and cooling.
Policy 5.7 (Renewable energy); Policy 5.9 (Overheating and cooling)	Within the framework of the energy hierarchy proposals should provide a reduction in expected carbon dioxide emissions through the use of on site renewable energy generation where feasible. Proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this has been achieved.
Policy 5.10 (Urban greening); Policy 5.11 (Green roofs and development site environs)	Development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening. Proposals should be designed to include roof, wall and site planting to deliver as wide a range of the objectives associated with such planting as possible.
Policy 5.12 (Flood risk management); Policy 5.13 (Sustainable drainage)	Proposals must comply with the flood risk assessment and management requirements of set out in PPS25. Proposals should utilise sustainable urban drainage systems unless there are practical reasons for not doing so and should aim to achieve Greenfield runoff rates and ensure that surface water runoff is managed as close to its source as possible. Drainage should be designed and implemented in ways that deliver other objectives of the London Plan.
Policy 5.14 (Water quality and wastewater infrastructure); Policy 5.15 (Water use and	Proposals must ensure that adequate waste water infrastructure capacity is available in tandem with development. Development should minimise the use of mains water and conserve water resources.

supplies)	
Policy 5.17 (Waste capacity)	Suitable waste and recycling facilities are required in all new development.
Policy 5.21 (Contaminated land)	Appropriate measures should be taken to ensure that contaminate land does not activate or spread contamination.
6.1 (Strategic Approach); 6.3 (Assessing Effects of Development On Transport Capacity)	<p>The Mayor will work with all relevant partners to encourage the closer integration of transport and development.</p> <p>Streetspace managed to take account of the different roles of roads for neighbourhoods and road users in ways that support promoting sustainable means of transport.</p> <p>Development should ensure that impacts on transport capacity and the transport network are fully assessed. Proposals should not adversely affect safety on the transport network.</p> <p>Transport assessments, travel plans, construction and logistics plans and service and delivery plans should be prepared in accordance with the relevant guidance.</p>
6.5 (Funding Crossrail and other strategically important transport infrastructure)	Contributions will be sought from developments to Crossrail and other transport infrastructure of regional strategic importance to London's regeneration and development.
6.9 (Cycling); 6.10 (Walking)	<p>Proposals should provide secure, integrated and accessible cycle parking facilities in line with minimum standards and provide on-site changing facilities for cyclists.</p> <p>Development proposals should ensure high quality pedestrian environments and emphasise the quality of the pedestrian and street space.</p>
6.11 (Smoothing Traffic Flow and Tackling Congestion)	Take a coordinated approach to smoothing traffic flow and tackling congestion.
6.13: (Parking)	The maximum standards in the London Plan should be applied to planning applications and developments should also provide electrical charging points, parking for disabled people and cycle parking in accordance with the London Plan standards. Delivery and servicing needs should also be provided for.
7.1 (Building London's Neighbourhoods and Communities)	In their neighbourhoods people should have a good quality environment in an active and supportive local community with the best possible access to services, infrastructure and public transport to wider London. Neighbourhoods should also provide a character that is easy to understand and relate to.
7.2: (Inclusive environment)	Design and Access Statements should explain how, the principles of inclusive design, including the specific needs of older and disabled people, have been integrated into the proposed development, whether relevant best practice standards will be complied with and how inclusion will be maintained and managed.
7.3 (Designing out crime)	Development proposals should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating.
7.4 (Local character); 7.5 (Public realm); 7.6 (Architecture)	<p>Buildings, streets and spaces should provide a high quality design response.</p> <p>Public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.</p> <p>Architecture should make a positive contribution to a coherent public realm, incorporate the highest quality materials and design appropriate to its context.</p>

7.8 (Heritage assets and archaeology)	<p>Development should identify, value, conserve, restore, reuse and incorporate heritage assets where appropriate.</p> <p>Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.</p> <p>New development should make provision for the protection of archaeological resources, landscapes and significant memorials.</p>
7.13 (Safety, security and resilience to emergency)	Proposals should contribute to the minimisation of potential physical risks and include measures to assist in designing out crime and terrorism.
7.14 (Improving air quality)	<p>Proposals should:</p> <ul style="list-style-type: none"> - Minimise increased exposure to existing poor air quality and make provision to address existing air quality problems. - Promote sustainable design and construction to reduce emissions from the demolition and construction of buildings. - Be at least air quality neutral and not lead to further deterioration of poor air quality. - Ensure that where provision needs to be made to reduce development emissions this is usually on site.
7.15 (Reducing noise)	<p>Proposals should seek to reduce noise by:</p> <ul style="list-style-type: none"> - Minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of proposals. - Separate noise sensitive development from major noise sources wherever practical. - Promote new technologies and practices to reduce noise at source.
7.19 (Biodiversity and access to nature)	<p>Proposals should:</p> <ul style="list-style-type: none"> - Wherever possible make a positive contribution to the protection, enhancement, creation and management of biodiversity. - Prioritise assisting in meeting targets in biodiversity action plans and/or improve access to nature in areas deficient in accessible wildlife sites. - Be resisted where they have significant adverse impacts on the population or conservation status of a protected species, or a priority species or habitat identified in a biodiversity action plan.
7.21 (Trees and woodlands)	Existing trees of value should be retained and any loss as a result of development should be replaced. Wherever appropriate the planting of additional trees should be included in developments.
8.2 (Planning obligations; 8.3 (Community Infrastructure Levy)	Development proposals should address strategic as well as local priorities in planning obligations. The supporting of Crossrail (where appropriate) and other public transport improvements should be given the highest importance, with Crossrail (where appropriate) having higher priority than other transport improvements. Importance should also be given to tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops. Guidance will be prepared setting out a framework for the application of the Community Infrastructure Levy to ensure the costs incurred in providing infrastructure which supports the policies in the London Plan can be funded wholly or partly by those with an interest in land benefiting from the grant of planning permission.

Table 2: Summary of the Saved Barnet UDP (2006) policies relevant to this decision

Policy	Content Summary
GSD (Sustainable development)	Ensure development and growth is sustainable.
GWaste (Waste disposal)	Encourage principles of: <ul style="list-style-type: none"> • Waste management hierarchy • Best practical environmental option • Proximity principle.
GBEnv1 (Character); GBEnv2 (Design); GBEnv3 (Safe environment)	<ul style="list-style-type: none"> • Enhance the quality and character of the built and natural environment. • Require high quality design. • Provide a safe and secure environment.
GRoadNet (Road network); GParking (Parking);	Seek to ensure that roads within borough are used appropriately. Apply standards to restrain growth of car use and regulate parking.
GCS1 (Community facilities)	Adequate supply of land and buildings for community, religious, educational and health facilities.
ENV7 (Air pollution)	Air pollution: <ul style="list-style-type: none"> • Any possible impacts from development must be mitigated. • Minimise impact on development through siting. • Reduce traffic and need to travel.
ENV12 (Noise generating development); ENV13 (Minimising noise disturbance)	Location of noise generating development and noise sensitive receptors should be carefully considered. Minimise impact of noise disturbance through mitigation.
ENV14 (Contaminated land)	Development on contaminated land will be encouraged subject to site investigations and conditions to require survey and mitigation.
D1 (High quality design)	Development should: <ul style="list-style-type: none"> • Be of high quality design • Be sustainable • Ensure community safety
D2 (Character)	Protect or enhance local character and respect the overall character and quality of the area.
D3 (Spaces)	Spaces should enhance the development and be in keeping with the overall area.
D4 (Over-development)	Proposals not to result in over development of a site.
D5 (Outlook)	New developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.
D6 (Street interest)	New development should provide visual interest at street level.
D9 (Designing out crime); D10 (Improving community safety)	Development to be designed to reduce crime and fear of crime. Safety and Security to be secured through planning obligations where proposal would affect community safety.
HC1 (Conservation Areas – Preserving or Enhancing); HC5 (Areas of Special Character)	Development which fails to preserve or enhance the character and appearance of Conservation Areas will be refused. Development which fails to safeguard and enhance the landscape and townscape features which contribute to identity of Areas of Special Character will be refused.

D11 (Landscaping); D12 (Tree preservation orders); D13 (Tree protection and enhancement)	Proposals should: <ul style="list-style-type: none"> • Achieve a suitable visual setting for buildings • Provide attractive and accessible spaces • Contribute to community safety, environmental and ecological quality • Retain and protect as many trees as practicable (with Tree Preservation Orders made if appropriate) • Ensure appropriate new planting
L12 (Public open space – areas of deficiency); L14 (Public open space – improved provision)	The council will encourage: <ul style="list-style-type: none"> • Improvements to public open provision and quality space in areas, particularly in areas of deficiency. • The full use of public open spaces by all sections of the community.
M1 (Transport Accessibility)	The council will expect major developments with the potential for significant trip generation to be in locations which are, or will be made, accessible by a range of modes of transport.
M2 (Transport impact assessments)	The council will require developers to submit a full transport impact assessment.
M3 (Travel plans)	For significant trip-generating developments the council will require the occupier to develop and maintain a Travel Plan.
M4 (Pedestrians and cyclists – widening opportunities); M5 (Pedestrians and cyclists – improved facilities)	Developers will be expected to provide convenient safe and secure facilities for pedestrians and cyclists both (both on and off-site) and encourage access to developments by pedestrians and cyclists, maximising opportunities to travel on foot and by cycle.
M6 (Public transport – use)	Developments should be located and designed to make use of public transport more attractive.
M8 (Road hierarchy); M10 (Reducing traffic impacts)	<p>The council will take into account the function of adjacent roads, and may refuse development that would result in inappropriate road use or adversely affect the operation of roads.</p> <p>Where it is considered necessary as a consequence of a development, the council may introduce measures to reduce the traffic impacts on the environment and the community and the council will seek to secure a planning obligation from the developer.</p>
M11 (Safety of road users); M12 (Safety of road network); M13 (Safe access to new development)	<p>The council will ensure that the safety of road users, particularly those at greater risk, is taken fully into account when considering development proposals.</p> <p>The council will seek to reduce accidents by refusing development proposals that unacceptably increase conflicting movements on the road network or increase the risk, or perceived risk, to vulnerable road users.</p> <p>The council will expect developers to provide safe and suitable access for all road users (including pedestrians) to new developments.</p>
M14 (Parking standards)	<p>The council will expect development to provide parking in accordance with the London Plan parking standards, except in the case of residential development, where the standards will be:</p> <ul style="list-style-type: none"> • 2 to 1.5 spaces per unit for detached and semi-detached houses; • 1.5 to 1 spaces per unit for terraced houses and flats; and • 1 to less than 1 space per unit for development consisting mainly of flats.
H2 (Housing – other sites)	Assess residential proposals on site not allocated for housing based on appropriateness, access to facilities, impact, accessibility and whether land is required for another use.

H5 (Affordable housing); H8 (Affordable housing – commuted payments)	Council will negotiate the maximum reasonable amount of affordable housing. Council may exceptionally accept the provision of off site housing or a commuted payment instead of on-site provision.
H16 (Residential development – character)	Residential development should: <ul style="list-style-type: none"> • Harmonise with and respect the character of the area. • Be well laid out. • Provide adequate daylight, outlook and residential amenity, • Provide a safe and secure environment • Maintain privacy and prevent overlooking. • Provide adequate amenity space.
H17 (Residential development – privacy standards)	Development to provide appropriate distances between facing habitable rooms to allow privacy and prevent overlooking.
H18 (Residential development – amenity space standards)	The minimum provision of amenity space for new residential schemes is 5m ² per habitable room for flats and 70m ² for houses with 6 habitable rooms
H20 (Residential development – public recreational space)	Permission will only be granted for housing developments if they provide proportionate amounts of public recreational space, consummate improvements or contribute towards providing children's play space, sports grounds and general use areas where a deficiency in open space exists.
CS2 (Community and religious facilities – planning obligations); CS8 (Educational needs generated by new housing development); CS13 (Health and social care facilities – planning obligations)	Where appropriate the council will seek to enter into planning obligations to secure the provision of community facilities, school places and health and social care facilities.

2. In complying with the contaminated land condition parts 1 and 2:
 - a) Reference should be made at all stages to appropriate current guidance and codes of practice at August 2012 this would include:
 - 1) The Environment Agency CLR model procedures;
 - 2) BS10175:2011 Investigation of potentially contaminated sites – Code of Practice;
 - 3) The Environment Agency “Guiding principles for land contamination (GPLC)”; and
 - 4) Guidance for the safe development of housing on land affected by contamination, Environment Agency R&D Publication 66:2008.
 - b) Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.
 - c) All raw data should be provided in a form that can be easily audited and assessed by the council. (e.g. trial pit logs and complete laboratory analysis reports).

d) Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made should be included. (e.g. the reasons for the choice of sampling locations and depths).

3. If the development is carried out it will be necessary for any existing redundant vehicular crossovers to be reinstated to footway level by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Chief Highways Officer, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
4. The applicant must submit a separate application under Section 184 of the Highways Act (1980) for the proposed vehicular access which will need to be constructed as a heavy duty access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.
5. To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section – Environment, Planning and Regeneration Directorate, London Borough of Barnet, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP.
6. The applicant needs to be aware when preparing Construction Management Plan that there are various gated road closures at the following junctions.
 - Junction of Stanhope Avenue and Mountfield Road
 - Junction of Windermere Avenue and Spring place
 - Junction of Kingsgate Avenue and Basing Way
 - Junction of Cavendish Avenue and Holly Park Gardens.
7. The applicant is advised that the site is located within a residential area therefore deliveries during the construction period should not take place between 0800 hrs - 0930 hrs and 1630 hrs - 1830 hrs.
8. It is recommended that construction deliveries are routed through A406 North Circular Road (NCR) which is part of a Transport for London Road Network (TLRN) and a Strategic Road Network (SRN). There are two roads which connect to A406 NCR, Edge Hill Avenue and Beachwood Avenue. However, prior to finalising the route for construction traffic, the Environment, Planning and Regeneration Directorate should be consulted in this respect to agree the route.
9. Regents Park Road is part of Traffic Sensitive Route from 8.00am-9.30am and 4.30pm-6.30pm Monday-Friday.
10. The costs of any associated works to the public highway, including temporary traffic order making and related implementation works and reinstatement works will be borne by the applicants and carried out either under rechargeable works Agreement or may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by Traffic & Development Section – Environment,

Planning and Regeneration Directorate.

11. The London Plan promotes electric vehicle charging points with 20% active and 10% passive provision and should be provided. The parking layout should include provision of electric charging points for all elements of the development.
12. Where a developer proposes to discharge water to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

APPENDIX 5: SITE LOCATION PLAN

Kingsgate House, Amberden Avenue, London, N3 3DG

