

**LOCATION:** Former Oriental City, 399 Edgware Road, Kingsbury, London, NW9

**REFERENCE:** H/00036/12/CNA **Received:** 2<sup>nd</sup> October 2012  
**Accepted:** 2<sup>nd</sup> October 2012

**WARD:** London Borough of Brent **Expiry:** 23<sup>rd</sup> October 2012

**APPLICANT:** Development Securities (Projects) Ltd.

**PROPOSAL:** ADJOINING BOROUGH APPLICATION PROPOSING:

A hybrid planning application, as amended by plans received 1 November 2012, for the demolition of all existing buildings and structures and: full planning permission (Phase 1) for comprehensive mixed-use development comprising full planning permission the erection of a 7,817sqm gross external area (GEA) Class A1 retail foodstore with associated service and delivery yard; 5,207sqm GEA of new Oriental and Far Eastern Floorspace to include shops, financial and professional services, restaurants and cafes, drinking establishments, hot food takeaways and non-residential institutions (Class A1, A2, A3, A4, A5, B1 and D1); podium slab along Airco Close; a site-wide energy centre; associated car parking spaces, motorcycle parking spaces and cycle parking spaces; associated landscaping and public realm works; new vehicular access from Grove Park and vehicular access from Plaza Walk and associated highway works; and outline planning permission (Phases 2 and 3) comprising residential floorspace (Class C3, accompanied by illustrative residential accommodation schedule indicating 183 residential units), associated car parking spaces and cycle parking spaces, associated landscaping and new vehicular access from Airco Close (Phase 2, all matters reserved) and two form of entry primary school and nursery (Class D1, Phase 3, all matters reserved). The application is accompanied by an Environmental Statement (revised October 2012).

**SUMMARY:**

A previous application (Barnet Planning Reference WA0126D/06) for the development of the Oriental City site was presented to the Planning & Environment Committee on the 27<sup>th</sup> September 2006. This significant scheme was eventually approved by Brent Council in 2007. A subsequent application (Barnet Planning Reference H/00015/10/CAN) to extend the time limit of the consent by another 3 years has also been approved. However, the financial viability of that scheme has proved to be problematic and the approved development is unlikely to be built out in this form.

The current application (which has been amended to include outline consent for a school and nursery since its original submission) for development of the Oriental City site is different from the previous consent in a number of important ways and as such it raises different issues. Two particularly key differences are the inclusion of a retail

foodstore (Use Class A1) and a reduction in the maximum height of building approved. In respect of consequences for Barnet the following are the main material planning considerations for this application:

- Assessment of the development in the context of the adopted Colindale Area Action Plan
- Impact of the retail element of the scheme on town centres and planned retail development within Barnet
- Impact on traffic, parking and transport infrastructure
- Impact on the streetscape of the Edgware Road
- Impact on primary school places.

The Council welcomes the re-provision of the previous use for the retailing of goods of an Oriental and Far Eastern origin. However, the London Borough of Barnet objects to the application for the following reasons.

The scale and type of retail development proposed does not accord with the requirements of the LB Brent Site Allocations DPD. There are sequentially preferable sites available as an alternative and the proposal is likely to have a significant adverse impact on town centres in Barnet (Burnt Oak and Edgware) and prejudice the planned investment in Colindale.

It is considered that the application fails to properly recognise, assess and mitigate the impacts of the development on traffic and parking, the public realm and public transport for locations within the London Borough of Barnet.

There are serious concerns over whether Brent Council are able to fund construction of the proposed school or have any other means of delivering new school places in this location. The submission makes no commitment to the building of the school and does not provide any indication of when this would be completed. There is currently significant unmet need for school places in the NW9 postcode area of Brent and children from the proposed development would add to this further. It is unclear whether the funding is available to provide educational provision for children generated from the scheme through either the new school or alternative means. Due to the proximity of the site to Brent's border with the London Borough of Barnet this is likely to have a significant impact on Barnet, where we are already experiencing significant demand for primary school places and are having to rely upon temporary solutions to meet need.

#### **RECOMMENDATION:**

That the Director of Planning of the London Borough of Brent be informed that the London Borough of Barnet objects to the proposed development on the basis that:

1. The application proposes an out of centre retail development that is found to conflict with its allocation in the LB Brent Site Allocations DPD. The London Borough of Barnet has significant concerns that the sequential assessment carried out for this application has not given adequate consideration to sequentially preferable sites in Burnt Oak District Centre and Edgware Major Centre which are suitable, available and viable. Having regard to the anticipated impact, the proposal would be contrary to the planning policy objective of bringing about more sustainable shopping patterns and would be likely to have significant adverse impacts on the vitality and viability of Burnt

Oak and Edgware Town Centres. The proposal would also be likely to prejudice the delivery of retail development planned as part of the Colindale Area Action Plan. As it is not considered that any other material planning considerations have been advanced which justify these conflicts with all levels of planning policy and the London Borough of Barnet object to the proposal on this basis.

2. It is considered that the application fails to properly recognise, assess and mitigate the impacts of the development on traffic and parking, the public realm and public transport for locations within the London Borough of Barnet.
3. There are serious concerns over whether Brent Council are able to fund construction of the proposed school or have any other means of delivering new school places in this location. The submission makes no commitment to the building of the school and does not provide any indication of when this would be completed. There is currently significant unmet need for school places in the NW9 postcode area of Brent and children from the proposed development would add to this further. It is unclear whether the funding is available to provide educational provision for children generated from the scheme through either the new school or alternative means. Due to the proximity of the site to Brent's border with the London Borough of Barnet this is likely to have a significant impact on Barnet, where we are already experiencing significant demand for primary school places and are having to rely upon temporary solutions to meet need.

In the event that the application is approved Barnet requests that the Director of Planning of the London Borough of Brent acknowledge the level of impact that would be experienced by roads, footpaths, the wider public realm and schools within the London Borough of Barnet as a direct result of the development and that an appropriate ratio of the education and highways contributions should be allocated to the London Borough of Barnet within the associated Section 106 legal agreement, following discussions with Barnet's Education, Highways and Planning Officers.

## **1. MATERIAL CONSIDERATIONS**

### **Key Relevant Planning Policy**

#### **National Planning Guidance**

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan.

#### **The London Plan (July 2011)**

The London Plan is the development plan in terms of strategic planning policy for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act (2004). The most relevant London Plan policies are:

(Delivering the Strategic Vision and Objectives for London); 2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.13 (Opportunity Areas and Intensification Areas); Policy 2.15 (Town Centres); Policy 3.5 (Quality and Design of Housing Developments); Policy 3.16 (Protection and Enhancement of Social Infrastructure); 4.7 (Retail and Town Centre Development); 4.8 (Supporting a Successful and Diverse Retail Sector); 6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development On Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.13: (Parking); 7.1 Building London's Neighbourhoods and Communities; 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location and Design of Tall and Large Buildings); and 8.2 (Planning Obligations)

### Local Plan

The Barnet Local Plan is the development plan in terms of local planning policy for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act (2004) Relevant policies include those within the Core Strategy, Development Management Policies and Colindale Area Action Plan documents:

### **Core Strategy (September 2012):**

CS NPPF - National Planning Policy Framework – Presumption in favour of sustainable development; CS1 - Barnet's place shaping strategy – The three strands approach; CS3 – Distribution of growth in meeting housing aspirations; CS5 - Protecting and enhancing Barnet's character to create high quality places; CS6 – Promoting Barnet's town centres; CS8 – Promoting a strong and prosperous Barnet; CS9 - Providing safe, efficient and effective travel; CS10 – Enabling inclusive and integrated community facilities and uses; and CS15 Delivering the Core Strategy

### **Development Management Policies (September 2012):**

DM01: Protecting Barnet's character and amenity; DM05: Tall buildings; DM11: Development principles in the town centres; DM13: Community and education uses; and DM17: Travel impact and parking standards

### **Colindale Area Action Plan (March 2010):**

The Area Action Plan (AAP) for Colindale adopted in March 2010 provides a framework to guide and inform the development of the Colindale area up to 2021. It contains guidance on sustainable development, addresses land use issues and aims to ensure balanced growth through co-ordinating development interests. It also identifies a number of key infrastructure improvements needed to support the delivery of growth in Colindale.

The Colindale AAP sets out a spatial plan for the area and identifies four main opportunity areas, the 'Corridors of Change', which are focussed around Colindale Avenue, Aerodrome Road, Edgware Road and Grahame Park Way. Whilst the AAP boundary runs down the A5, the Edgware Road Corridor of Change responds to the cross borough boundary nature of this stretch of the A5 between Barnet and Brent. The AAP takes into account the development potential of the sites that are located on the Brent side of the road.

The AAP sets the following vision for the Edgware Road Corridor of Change:

*The Colindale stretch of Edgware Road will become a thriving mixed-use urban corridor providing a focus for employment, housing and bulky retailing. A coordinated and high quality approach to the public realm will help establish a formal boulevard character befitting this busy and dense urban corridor. The area will provide an improved gateway to the new Colindale centre incorporating tall buildings where appropriate and involving key junction improvements to increase movement capacity and new or improved public transport provision.*

This strategic planning document provides the context for growth in Colindale and the delivery of 10,000 new homes and 1,000 new jobs as set out in the London Plan. Whilst this growth is expected to be delivered in Barnet, the adopted AAP takes account of the consented development and development opportunities along the Edgware Road in the London Borough of Brent.

### **Key Relevant Planning History:**

#### **Oriental City, Edgware Road, NW9 (WITHIN LONDON BOROUGH OF BRENT)**

##### Application reference WA0126D/06

“Full Environmental Impact Assessment application for the demolition of existing buildings and redevelopment for mixed use purposes, comprising Class A1 retails (with a replacement Oriental City, new B & Q, 520 residential units (comprising 1, 2 and 3 bed units) located in eight blocks rising to 3, 6, 9 and 18 stories above a fifth floor level landscaped podium along the Edgware Road, rising to 8, 4, 5 and 2 stories above the fifth floor landscaped podium facing Plaza Walk and rising to 3 and 6 stories above the Grove Park street level. Also, a nursery and primary school for 480 children, health & fitness studio (Class D2), associated landscaping, servicing, 1069 car-parking spaces (718 for retail and 351 for residential) and works to highway.”

On the 26th September 2006 the Barnet Planning & Environment Committee resolved:

*“That the Director of Planning of the London Borough of Brent be informed that whilst the London Borough of Barnet supports the social, economic, community and regeneration benefits of this mixed use, high density scheme it does have the following reservations:*

*1. The retail element of the proposal has the potential to have an adverse impact on the role and function of Edgware Town Centre. It is accepted that the suggested restriction on the type of retail permitted at this location – the replacement of Oriental City, a B& Q warehouse and a restriction on the remainder of the floorspace to bulky goods – will minimise any possible effect on the vitality and viability of Edgware town centre. However, it is considered that the retail statement has not demonstrated a comprehensive approach to sequential site selection nor that the sites identified in Barnet have been fully considered. We would welcome further discussions on this issue with the London Borough of Brent and their advisers.*

*2. Concerns remain about the height and massing of the development and the impact on the street scene of the raised retail floorplate of this development and in particular the pedestrian environment created. Concern also remains about the precedent created by the very tall residential tower for other sites along the Edgware*

*Road, in the absence of any coherent and robust tall buildings analysis against the Mayor's London Plan and CABE and English Heritage guidance.*

*3. Significant concerns remain about both the traffic impact and parking provisions.*

*4. The provision of the site for a new primary school is welcomed. Concern exists over whether the money is available to build and run the school and in relation to the quantum of external play space and parking. It is unlikely that there will be any surplus places in Barnet primary schools to accommodate children from this development."*

Application reference H/00015/10/CNA

"Extension to time limit of planning permission 06/1652 dated 13/06/2007 for the demolition of existing buildings and redevelopment for mixed-use purposes, comprising Class A1 retail (with a replacement Oriental City [to include a Sui Generis amusement arcade and A3/A5 Uses], new B & Q and bulky goods store, which together should provide 500 jobs), 520 residential units (comprising 1-, 2- and 3-bedroom flats, 4% being affordable) located in eight blocks rising to 3, 6, 9 and 18 storeys above a fifth-floor-level landscaped podium along Edgware Road, rising to 8, 4, 5 and 2 storeys above the fifth-floor landscaped podium facing Plaza Walk and rising to 3 and 6 storeys above the Grove Park street level; also, a nursery and primary school for 480 children, a health & fitness studio (Use Class D2), associated landscaping, servicing, 1,098 car-parking spaces - comprising 721 spaces for retail users (incl. school drop-off and disabled), 5 staff spaces accessed from Grove Park for the school, and 351 (incl. disabled) spaces for residents and a further 21 disabled spaces on the podium and works to highway."

On the 20<sup>th</sup> May 2010 a delegated powers decision was taken:

*That the Director of Planning of the London Borough of Brent be informed that whilst the London Borough of Barnet supports the social, economic, community and regeneration benefits of this mixed use residential-led scheme it continues to have the following reservations and concerns about the redevelopment of Oriental City:*

- 1. The retail element of the proposal continues to have the potential to have an adverse impact on the role and function of Edgware Town Centre. It is accepted that the restriction on the type of retail permitted at this location - the replacement of Oriental City, a B&Q warehouse and a restriction on the remainder of the floorspace to bulky goods - will minimise any possible effect on the vitality and viability of Edgware town centre. However, it is considered that the retail statement originally provided as part of the application did not demonstrated a comprehensive approach to sequential site selection nor that the sites identified in Barnet have been fully considered. We would welcome further discussions on this issue with the London Borough of Brent and their advisers.*
- 2. The design is an innovative solution to the provision of a high rise mixed use development. Concerns remain about the height and massing of the development and the impact on the street scene of the raised retail floorplate of this development and in particular the pedestrian environment created. The decision of Brent Council to approve a 17 storey tower on the site of Wicks on the corner of Capitol Way and the A5 clearly demonstrates that the approval of the original Oriental City application in 2007 has set a precedent that other developers are*

*following. Without proper guidance, there will be pressure from developers to build towers on each of the sites in Brent along this stretch of the Edgware Road which could result in an oppressive 'tunnel' effect. Concern therefore remains about the approval of very tall residential towers along the Edgware Road. Strategic joint guidance needs to be developed between Brent and Barnet before further schemes can be considered.*

- 3. Significant concerns remain about both the traffic impact and parking provisions. The need for significant highways improvements to the junction between Colindale Avenue and the A5 has been identified in the Colindale AAP and the London Borough of Barnet would expect the proposed development to make appropriate contributions to these improvements.*
- 4. The provision of a site for a new primary school is welcomed. However concern exists over whether the money is available to build and run the school. The London Borough of Brent are advised that there will not be any surplus places in Barnet primary schools to accommodate children from this development.*

## **2. PLANNING APPRAISAL**

### **SITE DESCRIPTION AND SURROUNDINGS:**

The application site comprises approximately 2.93 hectares of land situated on the south-west side of the Edgware Road (A5) in the London Borough of Brent. The site is broadly rectangular in shape and is bounded to the south-east by Grove Park and the south-west by Plaza Walk. The site is currently occupied by the Oriental City shopping complex which comprises a 12212m<sup>2</sup> retail centre including shop units, a supermarket and a food court. This retail complex was closed down following a previous approval of the planning permission to redevelop the site and remains unoccupied at present.

An ASDA supermarket is located directly to the north-west of the site and a residential development is situated to its south-west in Airco Close. The surrounding area includes the 13 storey office building Merit House, which is located to the north-east of the site.

The site is located approximately 750m from Colindale Underground Station and has a Public Transport Accessibility Level (PTAL) of 3. The current site includes a significant quantity of parking (approximately 750 spaces) in a concrete post and lintel structure.

### **PROPOSAL:**

The proposal comprises a hybrid planning application (including both outline and full planning permission elements) over three phases of development. Since the application was originally submitted it has been amended, with the key change being that the proposal now seeks consent for outline permission for a primary school and nursery.

The first phase seeks full detailed planning permission for a retail led development comprising the following elements:

- Demolition of the existing buildings on the site.
- The construction of a 7817m<sup>2</sup> (Gross External Area) Morrison's food store (Use Class A1) with sales area of 3754m<sup>2</sup>.

- The Construction of 5207m<sup>2</sup> (Gross External Area) of Oriental and Far Eastern Floorspace. This space would be used for purposes falling within a mixture of Use Classes A1, A2, A3, A4, A5, B1 and D1.
- The provision of 368 car parking spaces, 28 motorcycle spaces and 116 cycle spaces.
- Access and egress provided from Grove Park and Plaza Walk (off Capitol Way).
- New hard and soft landscaping.
- Offsite highway works to Grove Park and the Edgware Road, including a new signal controlled junction.
- The construction of a podium slab for the school.

The second and third phases seek outline planning permission (with all matters reserved for subsequent determination) for development comprising the provision of:

- A maximum residential floorspace (Use Class C3) of 19801m<sup>2</sup> (Phase 2).
- A maximum educational floorspace (Use Class D1) of 3715m<sup>2</sup> (Phase 3).

The floorspace figures quoted are both expressed as Gross External Areas.

The submission includes an illustrative indication of how the residential floorspace might be developed into a scheme that includes 183 residential units. These dwellings would be provided with 183 car parking spaces (under a residential podium), access through the northern end of Airco Close, and 332 cycle parking spaces. None of the residential floorspace proposed would be provided as affordable housing. The illustrative scheme submitted includes the following dwelling mix:

- 58 x 1 bedroom 2 person dwellings
- 7 x 2 bedroom 3 person dwellings
- 46 x 2 bedroom 4 person dwellings
- 60 x 3 bedroom 5 person dwellings
- 12 x 4 bedroom 7 person dwellings

However, the submission specifically states that these details are all explicitly excluded as formal parameters of the application at this stage.

The proposed educational floorspace would be provided in Phase 3 as a two form entry primary school and nursery. This would be accompanied by 2652m<sup>2</sup> of external play space. The application confirms that the LB Brent would be responsible for the delivery of this aspect of the scheme. The submission identifies that parking provision for the educational use would include 39 car parking spaces (staff and parent drop off) located in the retail car park. A school coach pick up and drop of facility would also be provided on Airco Close.

#### PLANNING CONSIDERATIONS:

A previous application (Barnet Planning Reference WA0126D/06) for the development of the Oriental City site was presented to the Planning & Environment Committee on the 27<sup>th</sup> September 2006. This significant scheme was eventually approved by Brent Council in 2007. A subsequent application (Barnet Planning Reference H/00015/10/CAN) to extend the time limit of the consent by another 3 years has also been approved. However, the financial viability of that scheme has

proved to be problematic and the approved development is unlikely to be built out in this form.

The current application for development of the Oriental City site is different from the previous consent in a number of important ways and as such it raises different issues. Two particularly key differences are the inclusion of a retail foodstore (Use Class A1) and a reduction in the maximum height of building approved. In respect of consequences for Barnet the following are the main material planning considerations for this application:

- Assessment of the development in the context of the adopted Colindale Area Action Plan
- Impact of the retail element of the scheme on town centres and planned retail development within Barnet
- Impact on traffic, parking and transport infrastructure
- Impact on the streetscape of the Edgware Road
- Impact on primary school places.

### **Impact of the retail element of the scheme on town centres within Barnet:**

National guidance and development plan policy require Local Planning Authorities to apply a sequential test to planning applications for main town centre uses that are not in an existing town centre and not in accordance with an up to date development plan (such as the proposals in this application). They should require applications for town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites (such as the Former Oriental City site) be considered.

When assessing applications for retail and leisure development of the nature proposed which are outside of town centres and not in accordance with an up-to-date Local Plan, Local Planning Authorities should require an impact assessment to be provided as part of the submission. This should include assessment of:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.

Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

### **Planning policy designation of the application site:**

In planning policy terms the Former Oriental City site is positioned in an out of town centre location. However, it is recognised that the application site is identified in the Brent Site Allocations DPD. The text in this document for the site specifically identifies that:

“The scale and type of retail development permitted will depend upon there being, in accordance with the sequential approach set out in policy CP16 of the Core Strategy, no alternative sites available, and upon the results of a retail impact assessment.”

The London Borough of (LB) Barnet considers that the scale and type of retail development proposed does not accord with the requirements of the LB Brent Site Allocations DPD and that there are sequentially preferable sites available as an alternative. Officers also consider that the proposal is likely to have a significant adverse impact on town centres in Barnet and prejudice the planned investment in Colindale (designated under development plan policy as appropriate for new retail development) in LB Barnet. These matters are discussed in greater detail below.

In addition it is noted that this application has been submitted for consideration in advance of LB Barnet working with LB Brent to prepare planning guidance for the Burnt Oak and Colindale Opportunity Area (as identified in the London Plan 2011).

The sequential test:

LB Barnet has significant concerns that the sequential assessment carried out for this application has not given adequate consideration to sequentially preferable sites in town centres within LB Barnet and more specifically in Burnt Oak District Centre and Edgware Major Centre.

***Burnt Oak Town Centre:***

Burnt Oak district centre is located less than a kilometre from the application site and represents the closest defined town centre. There is a longstanding redevelopment aspiration for the Watling Avenue car park site in Burnt Oak, reflected in the 2006 Barnet Unitary Development Plan Schedule of Proposals. This allocates the site for development for uses including a 'large food store'. The implications of this allocation are reflected in the town centre boundary defined for Burnt Oak in the recently adopted Barnet Development Management Policies DPD (September 2012), which includes the entirety of the Watling Avenue site. Paragraph 11.7.9 of the Barnet Core Strategy notes that development opportunities have been identified in Burnt Oak which would enhance the vitality and viability of this centre, as well as its overall attractiveness. Given this policy context it is very likely that the forthcoming Barnet Site Allocations DPD will identify the Watling Avenue site as a town centre development opportunity.

The sequential site assessment prepared for the Former Oriental City scheme dismisses the Watling Avenue site on the grounds that it is not suitable, viable or available. However, it is not considered that this is the case. Tesco are currently in advanced discussions with the Council, who own the land, over the redevelopment of the Watling Avenue car park site and a number of other properties to provide a mixed use development including a retail food store of approximately 7000qm<sup>2</sup> (gross external area), 6 other shop units (totalling approximately 950m<sup>2</sup>), 24 residential units and approximately 315 car parking spaces (with 34 of these for the residential)

On the 18<sup>th</sup> October 2012 the LB Barnet Cabinet Resources Committee resolved to accept a conditional offer for the site from Tesco to acquire the freehold interest in the Watling Avenue car park site, areas of adjoining land and a number of other properties.

The application for Oriental City suggests that the Watling Avenue site is not suitable because redevelopment would result in a loss of car parking (and adversely impact upon the town centre vitality and viability); the site has access constraints; and any

scheme would suffer design constraints associated with the site's location in a designated Conservation Area.

However, Tesco's emerging proposals involve an increase in the number of car parking spaces on the site from approximately 250 to 280 spaces. Managed as shared parking for the new development and the wider town centre (as is commonly the case) this would be expected to promote linked trips and have a positive impact on the vitality and viability of Burnt Oak Town Centre. Tesco have confirmed that conditional agreements are currently in place to acquire the additional land needed to resolve any access related constraints at this site. In respect of the sites location within a conservation area, it is not entirely clear why this would result in a retail scheme not being suitable. There are many instances of retail developments in designated conservation areas and, while this will require a sensitive design approach to be taken, it is in no way considered to make the site unsuitable for a new supermarket.

It is considered that the availability of the site for a retail led development (including a new food store) is supported unequivocally by the recent resolution of the LB Barnet Cabinet Resources Committee to accept a conditional offer for the site from Tesco. In such circumstances it is not at all clear how the site could be considered unavailable.

In terms of possible viability concerns, it is acknowledged that the site falls within an area identified as being at risk of flooding (Flood Zone 3). However, Tesco and the Council have been working with the Environment Agency to prepare an approach to the development of the site which includes suitable flood mitigation measures. Tesco have carried out detailed investigations into the costs of these works and have confirmed that they believe a foodstore led scheme remains viable. In such circumstances it is not considered reasonable for the site to be deemed unviable.

In summary, as stated in Barnet's Unitary Development Plan (2006), the Council's aspirations for the site included a large food store, the retention of the market and car park, housing, offices with storage and distribution as a subsidiary use and other appropriate town centre uses. LB Barnet own the freehold of the site and have been negotiating with developers over a number of years to bring this town centre opportunity forward for development. These negotiations have now reached a crucial stage where Tesco have proposed a retail development for this site following them working with the Council and Environment Agency to address flooding issues, which are one of the most significant constraints to the site coming forward.

For the reasons set out above the Watling Avenue site is found to be a suitable, viable, available and sequentially preferable in planning policy terms. It is therefore considered that this site cannot reasonably be discounted.

### ***Edgware Town Centre:***

The Barnet Core Strategy identifies Edgware as a Major Town Centre with the potential for future growth that will be shaped by a Town Centre Framework. While a Town Centre Framework for Edgware has not yet been published (it is expected that it will be published this year), it is clear that there is at least one site within the identified town centre boundary (as shown in the Adopted Barnet Development Management Policies DPD) for Edgware which is sequentially preferable to the Former Oriental City site.

The existing car park of the Broadwalk Shopping Centre is identified in the sequential site assessment submitted for Oriental City but discounted on the grounds that it is not available (due to its redevelopment having an adverse impact on parking provision to the detriment of other uses in the town centre and the overall town centres vitality and viability) or suitable (due to access and congestion issues on the access road from Station Road, Churchway).

However, it is considered that the issues raised in the sequential site assessment submitted with the application are far from insurmountable. There is little reason to conclude that appropriate parking and access arrangements could not be provided as part of the redevelopment of this site for retail purposes. Barnet consider this site to be available, suitable, viable and sequentially preferable in planning policy terms. This site should therefore not be discounted in the sequential assessment.

#### Impact on town centres and designated sites in Barnet:

##### ***Burnt Oak Town Centre:***

In terms of impacts on the viability of the existing town centre, the submission estimates the diversion of £0.195 million from the existing Tesco Metro at Burnt Oak. It is acknowledged that, by virtue of its size and the range of goods on offer, the diversion from this Tesco Metro will be more limited than from other surrounding larger food stores. However, it is considered that the submission has underestimated the diversion from this store and therefore also the impact on Burnt Oak town centre. The submission identifies that the Tesco Metro in Burnt Oak is trading at 71% of benchmark. This would suggest that any diversion from this store, which currently anchors the district centre, would result in significantly adverse impacts on the vitality and viability of the centre. It is not reasonable to argue that because the Tesco Metro is still trading, it could inevitably withstand the impact of another food store in such close proximity. In the context of circumstances where the wider centre is underperforming (as identified in the Barnet Core Strategy), the existing anchoring retail store is undertrading and the impact on the store has been understated, it is concluded that the proposal would undoubtedly have a significant adverse impact on the vitality and viability of Burnt Oak Town Centre.

In terms of future potential investment in Burnt Oak there is no evidence to suggest that there is an immediate need for additional convenience floorspace in the vicinity that might require food store development in advance of the Watling Avenue site coming forward within a five-year period. Furthermore, in the context of the previous allocation of the Watling Avenue site for a 'large new food store' and in circumstances where expenditure growth is only expected to generate an additional £11.33m of convenience expenditure (as specified in the application documents), the need for two new stores within such close proximity is limited. Whilst the Watling Avenue site has been considered in sequential terms, despite being a long-standing policy aspiration, the impact of the proposed store on this planned investment has not been taken into account in the cumulative impact assessment.

The National Planning Policy Framework (NPPF) specifically requires applications to be assessed with regard to the impact on planned investment within town centres and Tesco's intended investment at Burnt Oak is precisely the type of investment the NPPF is seeking to protect. It is notable that since the ASDA adjacent the application site was allowed, no such investment in large retail schemes in Burnt Oak has come

forward. In the current economic circumstances, it is considered that approving another large out-of-centre scheme would serve to further prejudice this investment to the detriment of the vitality and viability of Burnt Oak district centre.

Having regard to the anticipated impact, the proposal would run contrary to the planning policy objectives of bringing about more sustainable shopping patterns and improving the vitality and viability of Burnt Oak Town Centre.

Under the town-centre-first principle present in all levels of planning policy, the existence of a sequentially preferable site that can be brought forward within an appropriate timescale, it would be contrary to national policy and development plan policy to grant planning permission for a proposal that would prejudice the delivery of a town-centre site in Burnt Oak.

***Edgware Town Centre:***

The applicant has submitted a Retail Impact Assessment which seeks to demonstrate why sites in Edgware Town Centre are not appropriate. However, as set out earlier in this report, LB Barnet has significant concerns that there is at least one sequentially preferable site in Edgware. In addition to this there are concerns that the proposal underestimates the level of impact that the scheme would have on Edgware Town Centre and could prejudice the delivery of development within this centre, which has been identified in the Barnet Core Strategy as having potential for growth.

The previous application at the Former Oriental City site was identified as having an impact of 9.8% on Edgware Town Centre, when the impact of those proposals for Oriental City were factored in with other committed developments (i.e. forecast turnover in 2016 would be 9.8% lower than what it would be if those developments did not happen). However, despite the proposal now changing to include a new large food store the Retail Impact Assessment now submitted suggests that the impact on Edgware would be only 4.9% (to 2017). It is not clear how the impact on Edgware has reduced so substantially during this timeframe.

The Council welcomes the re-provision of the previous use for the retailing of goods of an Oriental and Far Eastern origin. However, the Retail Impact Assessment submitted also fails to adequately explore the scope for potential disaggregation of the retail elements proposed. For example, no adequate explanation is given as to why the food store proposed could not be disaggregated from the OFEO. This is considered to potentially be an issue in respect of all town centres, but it may have particular significance for the potential ability of some of the uses proposed to be located in more sustainable sequentially preferable sites within Edgware Town Centre. The proposal fails to explore this adequately.

Unlike previous proposals for the site it is not proposed to limit the use of the new retail floorspace proposed to bulky goods. This is considered to be a very significant change and serious concerns exist about the principle of a large out of town centre food store on the application site, which is contrary to all levels of planning policy, and the significant adverse impacts that this would be likely to have on Edgware Town Centre.

***New convenience retail in the Colindale Area Action Plan zone:***

The Adopted Area Action Plan for Colindale constitutes development plan level planning policy and as such should be given the appropriate level of weight in the decision making process. This document includes policies that identify appropriate locations and quantities of convenience retail floor space in the area covered. Policies 4.1 and 7.1 of the Colindale AAP identify that development in the area will be expected to provide a sustainable and walkable neighbourhood centre for Colindale including convenience food store provision of 2500m<sup>2</sup>, supported by a range of associated shops and service needs to meet local needs.

The application advances that the development and growth planned in the Colindale AAP will support the development put forward for the Former Oriental City site. However, LB Barnet consider that the convenience shopping space proposed under this application would in fact prejudice the delivery of the retail development planned in the Colindale AAP and encourage less sustainable shopping patterns.

The quantity of convenience retail floorspace proposed in the AAP policies was driven specifically by the needs generated by the various developments in the area covered and located so as to encourage more sustainable shopping patterns. The application proposed would be sited further from much of the planned development in Colindale and would therefore encourage unsustainable patterns of shopping. Given the level of need for convenience retail floorspace which exists it is also very likely that the approval of the current application on the Former Oriental City site would significantly reduce the likelihood of the more sustainably situated retail development proposed in the AAP coming forward. The application is therefore considered to conflict with the policies and objectives of the Colindale AAP (and wider development plan policy) and would be likely to have a significant adverse impact on this planned investment.

It is noted that the application advances that the Colindale AAP has taken account of the additional retail floorspace previously approved on the Former Oriental City site. However, this is not a full reflection of the situation, as the previous consent on the Oriental City site was controlled by a condition limiting the new B&Q proposed to bulky goods only. This scheme would therefore not have resulted in the kind of convenience retail use which is now proposed and is of serious concern for the reasons set out above.

**Other material planning considerations:**

The Planning Statement submitted in support of the application makes reference to a number of applications for certificates of lawfulness and an extant permission for bulky goods development on the application site. These are considered further below.

***Certificates of lawfulness:***

The existing, vacant, development on the application site is subject to a condition which restricts the retail element of Oriental City to 'the display and sale of goods of mainly oriental and Far Eastern origin' (OFEO). A certificate of lawfulness for the OFEO element of the existing development, found to be lawful in December 2011, establishes that 33% of the quantum of retail space can be treated as having an unrestricted open A1 Use Class. The Planning Statement submitted with the application implies that this establishes the principle of a certain quantum of open A1

floorspace (3,089m<sup>2</sup> gross) at the site. However, it is not considered that such an interpretation fully reflects the actual lawful position.

Rather than confirm a particular quantum of floorspace, the certificate in question relates to a proportion of floorspace and specifically confirms that 66% of the existing floorspace is the minimum amount that would need to be devoted to OFEO goods to satisfy the requirements of the condition. As such the unrestricted 33% of the retail floorspace could not operate independently of the other OFEO floorspace. Indeed it would appear reasonable that the very nature of the condition in question is such that a disaggregation of the floorspace would be in contravention of the restriction imposed. A theoretical amount of unrestricted A1 floorspace has therefore only been set in the context of the unrestricted floorspace playing an ancillary role to a main OFEO component at the site.

It is also notable that applications which sought to confirm 49.9% and 100% open retail components were refused and dismissed at appeal (APP/T5150/X/11/2161184) in April 2012. In dismissing the appeal for the 49.9% open retail certificate the Inspector appears to support the approach outlined above and, refers specifically to the reason for original condition limiting the sale of non-OFEO products. This states that the condition was imposed 'so that the retail element remains compatible with, and a component part of the proposed overall use of the premises as an Oriental Cultural Centre and is not used as a separate retail use'. As such it is our view that a parallel cannot be drawn between the 33% open retail component of the OFEO floorspace and the retail food store proposed under the current application. The two are not comparable on the basis that the 33% open retail only exists as an ancillary component of the OFEO offer. In such circumstances the 33% of the existing retail space which could theoretically be used for open A1 retail purposes should not be accorded weight in the assessment of the current scheme.

***Extant permission:***

The Planning Statement submitted with the application advances that the conditioning of the extant permission at this site (see planning history above) fails to adequately restrict the B&Q unit approved to bulky comparison goods and that this therefore allows 6823m<sup>2</sup> of the permitted retail floorspace at the site to trade with an open A1 retail use. However, no certificate of lawfulness has been obtained to confirm this view and the LB Barnet note that there is a condition on the extant permission which states that 'the premises shown to be used for the sale of bulky goods'. Given the wording of the condition imposed and the absence of a certificate of lawfulness to confirm otherwise it is not considered reasonable to conclude that 6823m<sup>2</sup> of open unrestricted Use Class A1 retail exists under the extant permission.

It also needs to be recognised that, whatever restrictions are imposed on the Use Class A1 B&Q space by the condition, to represent a reasonable fall back position there needs to be a realistic prospect of the extant permission being implemented. In this instance the permission in question has not been implemented at present and the current application has acknowledged (in the Planning Statement at paragraph 1.8) that the permission is 'undeliverable.' In these circumstances it is not considered that the previous consent can be deemed to be creating a meaningful fall back position that allows a quantum of open A1 retail use at the site. Such a position should therefore not be accorded weight in the assessment of the current scheme.

### Retail and town centre impact conclusions:

The application proposes an out of centre retail development that is found to conflict with its allocation in the LB Brent Site Allocations DPD. LB Barnet has significant concerns that the sequential assessment carried out for this application has not given adequate consideration to sequentially preferable sites in Burnt Oak District Centre and Edgware Major Centre which are suitable, available and viable. Having regard to the anticipated impact, the proposal would run contrary to the planning policy objective of bringing about more sustainable shopping patterns and would be likely to have significant adverse impacts on the vitality and viability of Burnt Oak and Edgware Town Centres. The proposal would also be likely to prejudice the delivery of retail development planned as part of the Colindale AAP. As it is not considered that any other material planning considerations have been advanced which justify these conflicts with all levels of planning policy LB Barnet object to the proposal on this basis.

### Impact on traffic, parking and transport infrastructure:

#### Impact on the wider highway network and transport infrastructure:

The key highways objective of the Colindale AAP is to maintain a network which provides sufficient capacity to facilitate traffic flow whilst accommodating growth. In line with the significant level of development proposed for Colindale, highway capacity enhancements will be required to facilitate the anticipated growth in demand on the highway network. This can be achieved through a variety of new streets and junctions and improvements to existing streets and junctions.

In order to support the transport policies contained within the AAP, a number of transport studies and modelling exercises were conducted in partnership with TfL and undertaken by independent specialist consultants commissioned by the Council.

The modelling work comprised the development of future year highway models to test various proposed schemes and a number of junction and highway improvements. The models were developed using a recognised traffic modelling package (SATURN). In addition, the VISSIM model was used to undertake a more detailed assessment of the predicted traffic movements for the various highway options for 2021. These assessments took into account the consented developments and development opportunities along the Edgware Road in the London Borough of Brent. The outcome of the studies demonstrated that in order to accommodate the growth in Colindale, including from sites in Brent, a series of highways improvements at key junctions will be required.

Colindale Avenue is the key east/west link that crosses the Underground line, serves Colindale Underground station and links Colindale to the A5/Edgware Road. It is currently a major bus link and an important route for pedestrians and cyclists although it is frequently congested on the approach to the A5. The Colindale Avenue/A5 junction is identified in CAAP Policy 3.1 as a strategic highways priority in Package 1 of a series of highways improvements that need to be delivered to support growth in the Colindale area. Improvements to this junction will need to be delivered through a combination of government funding and Section 106 contributions from developments in the area. Barnet have already secured some contributions from other developments towards improvements to the junction and land has been safeguarded from the redevelopment alongside the former Kidstop site.

Given that the Colindale Avenue/A5 junction is the junction which will be most affected by the development of the Former Oriental City site, it is considered essential that a recognition and financial contribution (through as Section 106 Agreement) from the Oriental City developers is made to highway improvements at this junction, which is currently at and near capacity during peak times.

Colindale AAP policy 3.4 states that a new public transport interchange will be provided around Colindale Underground Station, improving the interchange between different modes of transport and providing a new gateway in to Colindale. At the heart of the interchange will be a new public piazza and station building. Given the relatively low level of car parking provided within the scheme, the occupants and users of the development are going to need to rely on public transport including Colindale Underground and local bus services. The increased trip making that will result from the Oriental City development needs to be fully considered and appropriate mitigation and improvements provided. This is likely to include a contribution to improvements to the pedestrian environment between the site and Colindale tube station, funding towards provision of step free access, funding support for increased frequency of bus services as necessary, and funding to allow a review and potential enhancement of waiting restrictions within the London Borough of Barnet.

It is considered that the application has failed to properly recognise and address the public transport implications and traffic and parking impacts arising from the development. This concern should be addressed through points of clarification, further assessments (see Appendix 1) and an appropriate Section 106 Agreement involving the relevant parties, including the London Borough of Barnet.

It is evident that a number of pedestrian, vehicular and cycling routes (for example along the Edgware Road, Colindale Avenue, Capitol Way, Annesely Avenue) which will be key to the functioning of the site are within or pass through Barnet. Similarly a number of key destinations (for example bus stops, Colindale Tube Station and various schools) that are very likely to be important for occupiers of the site are also located within Barnet. As such it is expected that contributions under a Section 106 Agreement to fund public realm enhancements in Barnet will be made. The exact amount and nature of the contributions identified above should be discussed with Barnet in advance of any consent being granted.

#### Detailed transport comments:

In addition to the above general points, the Barnet Council Traffic and Development Team have reviewed the Transport Assessment (TA) and Travel Plan (TP) documents submitted with the application and have identified a number of issues. These have been passed direct to the Brent case officer, but the key points are summarised in Appendix 1 of this report.

#### **Impact on the streetscape of the Edgware Road:**

London Plan policies 7.4, 7.5, 7.6 and 7.7 respectively set out the criteria for assessing the impact of proposals on local character, the quality of public realm that should be created, the standard of architecture required in new buildings and appropriate location and design approach for large and tall buildings.

Policy 7.7 sets out that large buildings, such as the scheme proposed under this application, should:

- Generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport.
- Only be considered in areas whose character would not be affected adversely by the scale, mass or bulk of a large building.
- Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level.
- Individually or as a group, improve the legibility of an area.
- Incorporate the highest standards of architecture and materials.
- Have ground floor activities that provide a positive relationship to the surrounding streets.
- Contribute to improving the permeability of the site and wider area.
- Incorporate publicly accessible areas on the upper floors, where appropriate.

The information submitted with the application shows buildings ranging between 3 and 9 stories fronting onto the Edgware Road. This is considered to be a significant improvement over the previous proposals for the site, which included a 23 storey tower facing Edgware Road, about which Barnet expressed reservations and concerns.

Most buildings in this area are between 2 and 3 storeys high, punctuated with occasional tall buildings, such as Merit House (up to 14 storeys). Recently approved schemes in Barnet, such as 1 Colindale Avenue on the former Kidstop site (up to 8 storeys) and Green Point (up to 8 storeys) put forward a similar order of development to that now proposed and are considered to be of an appropriate scale for this part of the Edgware Road. So long as the design of the proposed buildings and associated spaces are controlled, through the use of appropriate conditions, to ensure that they are of an appropriate scale and of sufficient quality the impact of the proposal on the streetscape in this part of the Edgware Road does not raise any design concerns.

#### **Impact on primary school places:**

The Colindale AAP has assessed the requirements for primary school places arising from the planned growth in the area. This has informed Colindale AAP Policy 7.6 which states that development will deliver at least 4 new forms of entry in primary schools within Colindale, either through new schools or expansion/relocation of existing schools. The Barnet College site (subject to the College relocating) and Peel Centre East site are each identified to provide a 2 form entry primary school (420 pupils per school). Developers will be required to meet the costs associated with meeting the additional need for nursery and school places generated by their development proposals in line with the Council's Contribution to Education SPD.

Whilst the AAP allocates a site for a new two form entry school on the Barnet College site, additional demand is already causing pressure on places at schools in the locality. The demand has occurred since the previous approvals at Oriental City in 2007 and 2010 and is suspected to be due to a combination of inward migration and increasing birth rates. All schools in the surrounding area (Orion, Blessed Dominic, Goldbeaters, Barnfield, Annunciation, Woodcroft, Hyde) are now full for this year's reception intake and the pressure is such that new provision is required to accommodate existing growth.

The inclusion of a new two form entry primary school and nursery is welcomed. However, officers have serious concerns over whether Brent Council are able to fund construction of the school or have any other means of delivering new school places in this location. The submission makes no commitment to the building of the school and does not provide any indication of when this would be completed. The only detail given on the delivery of this aspect of the scheme specifies that it would be the responsibility of the LB Brent and will be confirmed at a later stage.

There is currently significant unmet need for primary school places in the NW9 postcode area of Brent, and children from the proposed development would add to this further. Due to the proximity of the site to Brent's border with Barnet the application would have a significant impact on Barnet, where we are already experiencing considerable demand for primary school places and are needing to use temporary solutions. As such, it is important that provision of the school is prioritised to take place during an earlier phase of the scheme and that there is certainty over its delivery.

Given the existing pressures on primary school places in schools within Colindale in Barnet, the Council's Children Service has advised that there will not be any surplus places in Barnet primary schools to accommodate extra children arising from the development, either in the period between the new housing being delivered and the school being built or in the longer-term should funding to build the school not be available.

#### **Assessment of the development in the context of the adopted Colindale Area Action Plan (AAP):**

The AAP sets out a spatial plan for the area and identifies four main opportunity areas, the 'Corridors of Change' which are focussed around Colindale Avenue, Aerodrome Road, Edgware Road and Grahame Park Way. Whilst the AAP boundary runs down the A5, the Edgware Road Corridor of Change responds to the cross borough boundary nature of this stretch of the A5 between Barnet and Brent. The AAP takes into account the development potential of the sites that are located on the Brent side of the road.

The AAP sets the following vision for the Edgware Road Corridor of Change:

*The Colindale stretch of Edgware Road will become a thriving mixed-use urban corridor providing a focus for employment, housing and bulky retailing. A coordinated and high quality approach to the public realm will help establish a formal boulevard character befitting this busy and dense urban corridor. The area will provide an improved gateway to the new Colindale centre incorporating tall buildings where appropriate and involving key junction improvements to increase movement capacity and new or improved public transport provision.*

CAAP Policy 4.3 states that within the Edgware Road Corridor of Change, development will be expected to:

- a. Promote and coordinate the redevelopment of sites to provide a mix of uses appropriate to the area, with emphasis given to ensuring lower floors of key sites provide the commercial and community activity required to create a lively, busy and thriving place;

- b. Promote upper floors of key sites for high quality, high density residential accommodation to a density level of up to 200dph incorporating noise mitigation measures;
- c. Ensure major sites contribute to the creation of a coordinated new, tree-lined urban boulevard environment along this part of Edgware Road incorporating a high quality clutter-free public realm;
- d. Provide high quality, attractive, safe and legible pedestrian and cycle routes to and from surrounding areas and along Edgware Road itself;
- e. Improve public transport services and priority together with appropriate vehicular capacity along Edgware Road and particularly the junction with Colindale Avenue; and
- f. Continue to work closely with the London Borough of Brent and Transport for London on ensuring the coordinated management and implementation of the range of development and transport improvements and other infrastructure necessary to support the area's sustainable growth

Whilst the Colindale AAP is a Barnet policy document, the assessment and strategies it contains are relevant to the London Borough of Brent. In terms of the Colindale AAP there are considered to be three main areas of concern arising from the Oriental City development:

1. The impact on the highway network and other transport impacts.
2. The impact on primary school places.
3. The impact on the retail development supported by the AAP.

These matters are discussed in greater detail in the earlier relevant sections of this report.

### **3. CONCLUSIONS**

The current application for development of the Oriental City site is different from the previous consent in a number of important ways and as such it raises different issues. Two particularly key differences are the inclusion of a retail foodstore (Use Class A1) and a reduction in the maximum height of building approved. In respect of consequences for Barnet the following are the main material planning considerations for this application:

- Assessment of the development in the context of the adopted Colindale Area Action Plan
- Impact of the retail element of the scheme on town centres and planned retail development within Barnet
- Impact on traffic, parking and transport infrastructure
- Impact on the streetscape of the Edgware Road
- Impact on primary school places.

The Council welcomes the re-provision of the previous retailing goods of Oriental and Far Eastern origin. However, the London Borough of Barnet objects to the application for the following reasons.

The scale and type of retail development proposed does not accord with the requirements of the LB Brent Site Allocations DPD. There are sequentially preferable sites available as an alternative and the proposal is likely to have a significant

adverse impact on town centres in Barnet (Burnt Oak and Edgware) and prejudice the planned investment in Colindale.

It is considered that the application fails to properly recognise, assess and mitigate the impacts of the development on traffic and parking, the public realm and public transport for locations within the London Borough of Barnet.

There are serious concerns over whether Brent Council are able to fund construction of the proposed school or have any other means of delivering new school places in this location. The submission makes no commitment to the building of the school and does not provide any indication of when this would be completed. There is currently significant unmet need for school places in the NW9 postcode area of Brent and children from the proposed development would add to this further. It is unclear whether the funding is available to provide educational provision for children generated from the scheme through either the new school or alternative means. Due to the proximity of the site to Brent's border with the London Borough of Barnet this is likely to have a significant impact on Barnet, where we are already experiencing significant demand for primary school places and are having to rely upon temporary solutions to meet need.

## APPENDIX 1: DETAILED TRANSPORT COMMENTS

- The TA states that the VISSIM model was used to assess the development impact on Edgware Road over the time periods of an average weekday and assessed 17:00-18:00, although the PM Peak is 17:30 to 18:30. Similarly Saturday was modelled over 12:00 to 13:00 when the peak is over 12:30-13:30. Barnet therefore request confirmation that the peak hours were modelled correctly.
- Barnet request that the TRAVL site data is provided so this can be used to check the traffic flow information supplied.
- Barnet requests that the TRAVL sites used are reviewed as some of the sites that have been included are too old (Yeats Close and Watergardens), unsuitable (Grand Union Village) or have recently been rejected by Transport for London on other sites (Kew Riverside).
- Trip distribution in TA has used Census journey to work data but this has not been included for review. Barnet request that the Census Journey to Work trip distribution data used is provided.
- The selection of comparable school sites used should be reviewed and local school travel data collected. The mode splits used for the school trip generation are not accepted by Barnet. An assessment of parking accumulation is required for the proposed car parking and on-street availability as this has not been provided.
- The TA identifies that a weighting has been used based on the difference between the Weekday and Saturday residential trip rates to predict a Saturday Colindale AAP model. Barnet request that this approach be confirmed with the use of Weekday/Saturday ATC data.
- The TA shows that the parking ratio for the residential element of the scheme is 0.8 spaces per unit. The surrounding streets are uncontrolled and confirmation is required that parking will not impact adversely on the surrounding streets. LBB request that a review of the parking on surrounding streets is carried out to confirm that the proposed parking ratio is appropriate for the site will not be likely to result in a risk of overspill.
- The submission shows accident analysis for the existing situation but does not assess the increased risk of accidents as a result of the development proposed. There is particular concern because of the increase in walking trips the development would generate and the vulnerable pedestrians associated with the school and nursery uses.
- Barnet requests to see a copy of the VISSIM model (video) used to allow a review the impacts set out in the TA.
- The TA shows that the Capitol Way junction is within capacity but the output data is not attached for review. Barnet request that the full LINSIG output be provided to confirm acceptance of the results.

- The TA shows that the Grove Park/Colindale Avenue junction is nearing capacity in AM and Saturday Scenario 1 and AM and PM in Scenario 3. Barnet requests that the full LINSIG output be provided to confirm acceptance of the results.
- The TA shows that the Colindeep Lane/Edgware Road junction LINSIG results under all scenarios are within capacity except Saturday in Scenario 3, which is very near capacity. Barnet requests that the full LINSIG output is provided to confirm acceptance of the results.
- It is evident from the information in the TA that there are large differences between the VISSIM queue results and LINSIG results and further data is requested so that a full review of the results and proper assessment of the impacts can be made.
- The TP prepared for this scheme should cover the life of the development. This would mean continuing until at least 5 years after first occupation of the final phase of development and the inclusion of appropriately timed targets. The range of targets and measures identified in the TP are too limited for employees of the Oriental and Far Eastern units, all retail customers and other visitors and servicing and deliveries for the site.
- The documentation submitted contains an addendum and makes a small number of changes to the text in the main TP to cover the addition of a school and nursery to the proposal. However, several sections of the main TP are missing references to the school and nursery and large parts of the addendum are taken from the original TA and TP and have not been adjusted to make them specifically relevant to the school or nursery.
- The parking spaces provided for the school should be clearly marked and a parking management plan provided. There will be high influxes of school children and so walkways and crossing points should be provided from the parking bays so that children can cross safely.
- The submission acknowledged that a School Travel Plan (STP) will be required, but suggests that it cannot be completed until the school opens. However, Officers consider that it is possible to complete most sections of a STP prior to occupation and also for commitments to be made to complete the STP once the school is operational. At present it is not clear if the STP will cover both the school and nursery travel and no information is provided about the types of school (beyond it being 2 form entry) and nursery that will be delivered.
- The baseline surveys for the pm peak do not include usual school pick up times and this has not been accounted for. The primary school trip generation shown does not include movements between 17:00 and 18:00 and therefore does not consider any after school clubs and staff leaving work at that time. The nursery school trip generation uses the school peak time of 15:00 to 16:00. However if the nursery is a private nursery offering child care this peak is more likely to be between 17:00 to 18:00.
- The proposed pick up and drop off facility for parents within the retail car park should be restricted to those that need to drive. In the absence of this the facility

may encourage car use when other more sustainable modes of travel would have been considered. In addition to this, no reference is made to the inclusion of safer and more sustainable travel in the school and nursery curriculum and day to day activities and policies.

- The provision of an approved TP and STP should be secured through a S106 agreement with measures including the appointment of Travel Plan Coordinators funded by the applicant. Remedial measures are identified should car driver targets agreed following the completion of required surveys not be met. However all of the measures should be committed to with clear triggers and cost implications included. Barnet request to be involved in the on-going monitoring of the TP and STP.

