

LOCATION: Former Fire Station, Bunns Lane, Mill Hill, London

REFERENCE: H/02796/11

Received: 05 July 2011

Accepted: 20 July 2011

WARD: Mill Hill

Expiry: 19 October 2011

APPLICANT: London Square

PROPOSAL: Erection of 34 residential units (Use Class C3) comprising 8 houses and 26 flats in buildings up to three storeys high (plus lower ground floor parking level). Creation of communal and private amenity space; refuse and recycling facilities; associated car and cycle parking; new vehicular access from Bunns Lane and associated landscaping

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) Healthcare
A contribution of **£37,128** towards improvements to health facilities within the borough as identified by the Local Health Authority.
- (d) Education
A contribution of **£171,170** index linked towards education provision in the borough.
- (e) Libraries
A contribution of **£5,566** index linked towards the provision of library facilities within the borough.
- (f) 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.
- (g) Travel Plan Monitoring
A contribution of **£5,000** index linked towards the monitoring of the Travel Plan for the development.

- (h) Highways Works
A contribution of **£10,000** index linked towards the provision of a new pedestrian refuge on Bunns Lane and the associated feasibility works.
- (i) Introduction of Waiting Restrictions
A contribution of **£2,000** index linked to cover the cost of the introduction of waiting restrictions on Bunns Lane.
- (j) Public open space
A contribution of **£60,000** index linked towards the provision of enhancements and improvements to Public Open Space and the Public Realm within 1.5km of the application site.
- (k) Monitoring of the Section 106 Agreement
A contribution of **£5,817** index linked towards the monitoring and management of the S106 planning obligations.
- (l) Affordable Housing
A financial contribution of **£34,000** towards the provision of Affordable Housing within the London Borough of Barnet.

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 H/02796/11 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:
12320_01_00_D4; 12320_02_00-D11; 12320_02_01-D13;
12320_02_02-D12; 12320_02_03-D12; 12320_02_05-D11;
12320_02_12-D11; 12320_02_13_A1; 12320_02_14-D2;
12320_02_15-D11; 12320_02_16-D11; 12320_02_17-D11;
12320_02_18-D11; 12320_02_19-D11; 12320_02_21-D8;
12320_02_22_D11; 12320_02_23-D10; 12320_02_24-D11;
12320_02_25-D11; 12320_02_26-D11; 12320_02_61-D7;
12320_02_63-D3; 12320_02_65-D2; 12320_02_66-D2; and

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

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 CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

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 amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

MEASURES TO ENSURE PRIVACY

5. Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby permitted 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 the future occupiers of the proposed residential dwellings in accordance with polices DM01 and DM02 of the Barnet Local Plan.

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 the future occupiers of the proposed residential dwellings in accordance with polices DM01 and DM02 of the Barnet Local Plan.

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 polices CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

ACCESSIBILITY

8. All 34 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.

9. Before the development hereby permitted commences details of the location within the development and specification of the 4 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 4 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.

SUSTAINABILITY

10. The 34 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 DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan.

11. Before the development hereby permitted is commenced full details of the photovoltaic panels to be installed as part of the scheme shall have been submitted to and approved in writing by the Local Planning Authority. The photovoltaic systems detailed in the information provided shall be fully installed and operational prior to the first occupation of the building and shall thereafter be maintained in accordance with the approved details.

Reason:

To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan.

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 DM04 of the Barnet Local Plan.

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 scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats, birds and reptiles. 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 DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan.

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 either breeding birds or reptiles 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 DM01 and DM16 of the Barnet Local Plan and policy 7.19 of the London Plan.

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 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 policy CS13 of the Barnet Local Plan and policies 5.13 and 5.14 of the London Plan.

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 CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

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 CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO EXTEND

18. 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, the amenities of future occupiers of the dwellings proposed and the enjoyment by neighbouring occupiers of their properties in accordance with policies CS5, DM01 and DM02 of the Barnet Local Plan.

LANDSCAPING

19. 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 and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping and means of enclosure submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed;
- details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;
- means of planting, staking and tying of trees, including tree guards, and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;
- existing site contours and any proposed alterations to these such as earth mounding;
- Details and specifications of all play features to be included within the landscaped areas.
- details of all proposed hard landscape works, including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings;
- timing of planting;
- details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site.

Reason:

To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

20. All work comprised in the approved scheme of hard and soft landscaping (submitted under condition 19) 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 ensure a satisfactory appearance to the development and protect the

amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

21. 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 19) which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

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

22. No site works or other works associated with this development shall be commenced before temporary tree protection measures to safeguard trees adjacent the application site have been erected in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved shall remain in place until after the development works hereby consented are completed and no material or soil shall be stored within any of the protected areas during the works associated with this development.

Reason:

To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

23. No site works or other works associated with this development shall be commenced before a method statement detailing the precautions to be taken to minimise damage to trees adjacent the site, in accordance with British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations*, has 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 amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

24. The details submitted pursuant to Conditions 4 and 19 to 23 (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, protective fencing and landscaping in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

25. The dwellings hereby approved shall not be occupied unless and until a Landscape Management Plan, including details of the long term design objectives, management responsibilities and maintenance schedules for all areas of the site (other than for small privately owned gardens to houses), 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 ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

26. 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 DM01 and DM04 of the Barnet Local Plan.

27. Prior to the commencement of the development hereby permitted a scheme of the air pollution mitigation measures to be provided in the development to protect the amenities of future occupiers shall have been submitted to the Local Planning Authority and approved in writing. The approved scheme of air pollution mitigation measures shall be implemented in its entirety in the development constructed 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 DM04 of the Barnet Local Plan and policy 5.3 of the London Plan.

28. 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 (as part of condition 27) 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 poor air quality in accordance with policy DM04 of the Barnet Local Plan and policy 5.3 of the London Plan.

29. Prior to the commencement of the development a full scheme of the measures to be incorporated in the development to mitigate the impact of noise from road and rail 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 of measures submitted 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 and the submission made shall include sufficient details and information to adequately demonstrate how these standards would be met. The development shall be implemented in full 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 DM04 of the Barnet Local Plan and 7.15 of the London Plan.

30. The development hereby permitted shall not be occupied until noise monitoring has been undertaken at the completed development, at locations within the site and at times that have previously agreed in writing with the Local Planning Authority, and results of the monitoring, showing that the noise standards set out in condition 29 of this consent have been achieved, have been submitted to the Local Planning Authority and approved in writing.

Reason:

To ensure that the amenities of the occupiers of the development are not prejudiced by noise and to accord with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

31. Prior to the first occupation of the development hereby permitted details of all acoustic walls, fencing and other barriers to be erected on the site shall have been submitted to the Local Planning Authority and approved in writing. Prior to the first occupation of the development the acoustic walls, fencing and other barriers shown in the approved details shall be erected and installed in their 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 DM04 of the Barnet Local Plan and 7.15 of the London Plan.

32. Before the development commences, a report shall be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval that assesses the likely noise impacts from the ventilation and extraction plant to be installed as part of the development. The report shall also clearly outline mitigation measures proposed to reduce these noise impacts to acceptable levels.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before any of the units are occupied.

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

33. Before the development hereby permitted commences on site, details of all extraction and ventilation equipment to be installed in the development shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented in full before the first occupation of the site.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

34. The level of noise emitted from the plant installed as part of the development hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

TRANSPORT

35. Before the development hereby permitted is occupied the car parking spaces shown on plan numbers 12320_02_01-D13 and 12320_02_19-D11 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 CS9 and DM17 of the Barnet Local Plan.

36. 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 CS9 and DM17 of the Barnet Local Plan.

37. Before the first occupation of the development hereby approved details showing suitable on-site parking and storage facilities for not less than 44 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 CS9 and DM17 of the Barnet Local Plan and Policy 6.13 of the London Plan.

38. Prior to the commencement of the development hereby approved a Demolition and Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;

- vii. noise mitigation measures for all plant and processors;
- viii. 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 CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

39. 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 DM17 and CS9 of the Barnet Local Plan.

40. 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 9 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.

41. Before the development hereby permitted is occupied full details of the disabled standard parking spaces to be provided as part of the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than four of the approved parking spaces to be provided as disabled standard parking spaces. 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 parking is provided so as to create an accessible environment for all and in accordance with policy 6.13 of the London Plan.

LIGHTING

42. Prior to the first occupation of the dwellings hereby approved full plans, details and specifications of all external lighting to be installed as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development and thereafter be maintained as such.

Reason:

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

PLAY SPACE DETAILS

43. 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 site 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 DM01 and MM04 of the Barnet Local Plan and policy 3.6 of the London Plan.

VEHICULAR ACCESS GATE

44. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first occupation of the development details of any gates, barriers or means of enclosure to be erected across the vehicular access proposed into the site from Bunns Lane shall have been submitted to the Local Planning Authority and approved in writing. The details submitted shall show any such gate, barrier or means of enclosure across the vehicular access set back a distance of not less than 6m from the back edge of the public footway on Bunns Lane. Prior to the first occupation of the dwellings the development shall be implemented in full accordance with any details approved under this condition and be maintained as such thereafter.

Reason:

In the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies CS9 and DM17 of the Barnet Local Plan

INFORMATIVES:

The informatives that it is recommended be included on the decision notice in respect of this application are set out in **Appendix 3** 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 development plan documents in the Barnet Local Plan (adopted September 2012). These statutory development plans are the main policy basis for the consideration of this planning application. A number of other documents, including supplementary planning guidance and national planning guidance, are also material to the determination of the application.

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

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that 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.

The London Plan

The London Plan (adopted July 2011) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes); 3.13 (Affordable Housing Thresholds); and 3.16 (Protection and Enhancement of Social Infrastructure)

London's Economy:

4.1 (Developing London's Economy); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Implementation, Monitoring and Review:

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

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)
CS9 (Providing safe, effective and efficient travel)
CS10 (Enabling inclusive and integrated community facilities and uses)
CS11 (Improving health and well being in Barnet)
CS12 (Making Barnet a safer place)
CS13 (Ensuring the efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM02 (Development standards)
DM03 (Accessibility and inclusive design)
DM04 (Environmental considerations for development)
DM06 (Barnet's Heritage and Conservation)
DM08 (Ensuring a variety of sizes of new homes to meet housing need)
DM10 (Affordable housing contributions)
DM14 (New and existing employment space)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents

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

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)

Draft Planning Obligations (December 2012)
Draft Sustainable Design and Construction (November 2012)
Draft Residential Design Guidance (November 2012)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Health Issues in Planning (June 2007)
Wheelchair Accessible Housing (September 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
Land for Industry and Transport SPG (September 2012)
Housing (November 2012)

National Planning Guidance

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes,

Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, 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 regulation 122 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 obligations set out in Recommendation 2.

1.2 Key Relevant Planning History

A full summary of the key planning history of this site is set out in **Appendix 1** of this report. Of particular significance to the current proposal is the application (planning reference H/04386/10) submitted in 2010 for three new buildings containing a total of 59 flats (use class C3). This was refused planning permission under delegated powers for the following reasons:

1. The proposed buildings would, by reason of their design, bulk, mass, sitting and setting result in a poor form of development which is detrimental to the character, appearance and quality of the area, contrary to policies GBEnv1, GBEnv2, H16, D1, D2, D3, D4, D11 and D13 of the Adopted Barnet Unitary Development Plan (May 2006), policies 2A.1, 3A.6, 4B.1 and 4B.8 of the London Plan (Alterations and consolidations since 2004 published February 2008) and national guidance contained in Planning Policy Statement 1 Delivering Sustainable Development and Planning Policy Statement 3 Housing.
2. The proposed development would, by reason of its design, layout and setting fail to provide its future occupiers with an acceptable outlook, a safe and secure environment where opportunities for crime and fear of crime are reduced and does not demonstrate that future occupiers would be provided with adequate levels of daylight and sunlight. The proposal does not therefore constitute sustainable development and is contrary to policies GSD, GBEnv2, GBEnv3, D1, D5, D9, D11 and H16 of the Adopted Barnet Unitary Development Plan (May 2006), policies 2A.1, 3A.6, 4A.3, 4B.1 and 4B.6 of the London Plan (Alterations and consolidations since 2004 published February 2008), the Barnet Supplementary Planning Document Sustainable Design and Construction (June 2007) and national guidance contained in Planning Policy Statement 1 Delivering Sustainable Development and Planning Policy Statement 3 Housing.
3. Insufficient information has been submitted with the application in respect of the impact of the proposed development on biodiversity and nature conservation. On the basis of the information provided it is

considered that the proposed development could result in adverse impacts on protected and priority species and protected habitats within the application site and fails to fully explore the opportunities that exist for the proposal to achieve positive gains for biodiversity and conservation. The application is therefore unacceptable and contrary to policies GBEnv1, GBEnv4 and D11 of the Adopted Barnet Unitary Development Plan (May 2006), policies 2A.1, 4B.1 and 3D.14 of the London Plan (Alterations and consolidations since 2004 published February 2008) and national guidance contained in Planning Policy Statement 9 Biodiversity and Geological Conservation.

4. The development does not include a formal undertaking to provide a contribution to affordable housing to meet the demand for such housing in the area or financial contributions towards the enhancement of public open space, the provision of pedestrian crossing and cycling facilities, the costs of the additional pressure on existing library facilities that would be caused by the development, the extra educational and health facility provision costs arising in the borough as a result of the development or the monitoring of the undertaking, which are necessary for the proposal to be acceptable. The proposal is therefore unacceptable and contrary to policies GCS1, H5, H8, H20, CS2, CS8, CS13, M3, M4, M5, M10, M13, IMP1 and IMP2 of the Adopted Barnet Unitary Development Plan (May 2006), policies 2A.1, 3A.10, 3A.11, 3A.17, 3A.18, 3C.3, 3C.17, 3D.8, 3D.13 and 4B.1 of the London Plan (Alterations and consolidations since 2004 published February 2008), the Barnet Supplementary Planning Documents Contributions to Health Facilities from Development (July 2009), Contributions to Library Services from Development (February 2008), Contributions to Education from Development (February 2008), Affordable Housing (February 2007) and Planning Obligations (September 2006) and the Mayor of London Supplementary Planning Guidance Providing for Children and Young People's Play and Informal Recreation (March 2008).

For the reasons set out in the committee report (below) the current application is considered to have overcome the reasons for refusing the previous application at the site.

1.3 Public Consultations and Views Expressed

Public Consultation

A total of 175 local properties and other bodies were consulted on the application by letter and email in August 2011. The application was also advertised on site and in the local press at that time. Following revisions to the scheme and submission documents two further rounds of consultation were carried out in July 2012 and February 2013.

The section below provides a summary of the comments received on the application. Responses are provided in the relevant section of the report.

Number of Responses from Residents

7 responses objecting to the proposal were received. 2 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 by residents are summarised below:

- The quantity of parking proposed is inadequate and the development would unacceptably exacerbate the existing parking problems in the area.
- Development would add unacceptably to the vehicles and traffic in the area and exacerbate the existing access and vehicular 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.
- Development would have an unacceptable impact on the amenities and quality of life of the occupiers of neighbouring properties, including loss of privacy.
- Proposal is not sympathetic with its context, has an unacceptable relationship with neighbouring properties and is detrimental to the character of the area.
- The design and nature of the proposal raises concerns with respect to possible increases in crime and anti-social behaviour.
- The land should remain as an open site.
- Site is not suitable for housing and would provide poor quality dwellings due to the noise, pollution and sunlight conditions provided.
- The building works the development would result in would have an unacceptable impact on traffic, congestion and the amenities of surrounding occupiers.
- Proposal has not overcome the reasons for refusing the previous application.
- The information provided with the application is inadequate.

Consultation Responses from Statutory Consultees and Other Bodies

Mill Hill Preservation Society:

Have responded to the consultation and **objected to the application**, recommending that it be refused. The comments made can be summarised as follows:

- The design proposed is unattractive.
- The scheme represents overdevelopment and is overly dense.
- Parking provision on the site is inadequate. There is no visitor parking and this will place pressure on adjoining streets, which are already very busy with traffic and do not lend themselves to additional on street parking.
- The open space provided on site for the flats is insufficient.
- The siting of the blocks does not allow for a screen of tree planting between the buildings and the motorway.
- The space standards used for the flats seem cramped. There is also limited storage in every flat.
- The noise and orientation of the site present very challenging environmental conditions. In order to make room for the blocks on the south side of the site the other flat blocks and houses are pushed very close to Bunns Lane, which is a busy road generating considerable noise. The living areas, some bedrooms and the majority of the

balconies for all the flats face towards the M1 Motorway which generates a high degree of dust, pollution and noise. There are also major train tracks alongside the motorway which create additional noise.

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:

- The proposal would not result in an unacceptable impact to either the Transport for London Road Network (TLRN) or the Strategic Road Network. However, the applicant should address the issues raised below to ensure that the proposal would be compliant with the London Plan.
- The applicant should clarify the number of dwellings proposed.
- As the site is has a Public Transport Accessibility Level of 3 TfL recommend that car parking provision (including disabled spaces) could be reduced to below 100% provision. TfL considers that lower car ownership in the area could contribute toward reducing impacts on the nearby TLRN (A1 and A41).
- The provision of electric vehicle charging points (EVCP) has not been mentioned in the submission. TfL requests that provision of EVCP should be in accordance with the latest London Plan standards.
- The applicant should clarify the number of disabled parking spaces to be provided in the scheme. TfL recommends that the spaces provided should be designated for disabled users and be design to comply with the Disability Discrimination Act 1995 Standards under the Department for Transport guidance 'Inclusive Mobility'.
- The applicant should clarify the number of cycle parking spaces to be provided in the scheme. TfL requests that cycle parking provision should be made in accordance with the latest London Plan 2011 standards.

Highways Agency:

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

Network Rail:

Have responded to the consultation and confirmed that they have no objections to the proposal in principle. They have identified that every endeavour should be made by the developer to provide adequate soundproofing for the new dwellings, due to the proximity of operational railway to the site, and advise that the soundproofing to be installed should be the subject of a condition on any consent that is granted.

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. However, they have suggested that it is appropriate for the development to provide biodiversity enhancements. Specifically they have suggested that enhancements are provided in relation to bats, birds, reptiles and in the type of landscaping used. They have also suggested that it should be made clear what the applicant's strategy is for ensuring that reptiles will not be harmed by the development.

Royal Society for the Protection of Birds:

Have responded to the consultation and **objected to the application**. The comments made can be summarised as follows:

- The site is biodiversity rich and although relatively small it forms part of the mosaic of natural habitats that gives Mill Hill its character.
- Sites like this form part of wildlife corridors which should be maintained.
- The application makes no mention of the wildlife interest of the site and it is not clear how the developers propose to retain and enhance the site's biodiversity.
- The scheme proposes intensive urbanisation on the corner of a very busy junction frequently bottlenecked during rush hours and school runs. Parking is already a problem in the area and this development is unlikely to provide enough parking. However, providing further on-site parking would introduce more hard surfacing reducing further any retained natural habitat.
- The visual impact from Mill Hill Park and other view points will be seriously impaired by the development and in particular its proximity to the roadway.
- The site forms part of or is adjacent to the old railway line that used to link Mill Hill East with Edgware. There are plans to establish a tramline across the borough and this site might form part of the route or be required for related purposes. Allowing the development would hinder development of the tramline and lead to additional expense. Other plans for cycle and walking routes may also be affected.

Environment Agency:

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

National Grid:

Have responded to the consultation and have not raised any specific objection to the proposal. However they have stated that due to the presence of National Grid apparatus in proximity to the site, any person wishing to implement the development must contact National Grid before any works are carried out, to ensure their apparatus is not affected. An informative to this affect has therefore been recommended.

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 informative.

University of London Observatory:

Have responded to the consultation and confirmed that they do not object to the application as long as the height of the proposal does not increase and the final development incorporates:

- Low level and shielded exterior lights to prevent upward illumination.
- Controls on the installation of security lighting.
- Pediment 'overhang' to the top floor windows in the proposal (as is currently submitted).

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 comprises a partially vegetated area of currently vacant land, approximately 0.55 hectares in size, within the Mill Hill Ward. The site is situated on the south-west side of Bunns Lane, south of the junction of Flower Lane with Bunns Lane. Although it is often referred to as the 'Fire Station Site' (possibly due to it formerly being owned by the London Fire and Emergency Planning Authority) the last use of the site recorded by the planning service was as a builders yard. However, the land is presently vacant and it is understood that it has been since approximately 1999. The site currently has several sewers running under parts of it. The topography of the land is varied, although it generally slopes upward both to the north-east towards Bunns Lane and to the south-west towards the M1 Motorway. The application site is situated approximately 800m from Mill Hill Broadway over ground railway station and has a public transport accessibility level (PTAL) of 3.

The area surrounding the application site contains a mixture of uses. Residential dwellings are situated on the north-east side of Bunns Lane, opposite the site. Further dwellings can be found along Bunns Lane to the south-east, beyond the Barnet By Pass (A1), and to the north-west along Flower Lane. 1 Dove Close, which is presently in use as a nursery, is situated adjacent the south-east boundary of the site. The building on this site has recently been altered and extended (see the planning history section of this report for further details). Mill Hill Industrial Estate and Bunns Lane Works are situated to the north-west of the site. Pentavia Retail Park is to the south of the site. Two major roads, the M1 Motorway and Barnet By Pass (A1) are located to the west and east of the site respectively. Mill Hill Park, which is

designated as Green Belt, is situated to the north of the site and can be accessed from Bunns Lane.

The scale of buildings surrounding the site is predominantly two storeys. Four pairs of semi-detached two-storey dwellings with a pitched roof, of a traditional suburban character, are situated to the north-east of the site on Bunns Lane. The nursery building adjacent the south-east boundary of the site (in Dove Close) is also two storeys (although it does have single storey elements) with a pitched roof. Non-residential properties in the wider area include single storey, two storey and single storey double height buildings.

2.2 Description of the Proposed Development

Detailed planning permission is sought by the applicant (London Square) for the redevelopment of the site to provide 26 self contained flats and 8 houses (all Use Class C3) and carry out a range of associated works. A plan showing the layout of the site as proposed is provided in **Appendix 2** of this report.

The 8 new houses and two buildings containing flats would be situated so that they front directly onto Bunns Lane. Vehicular access into the site would be provided from Bunns Lane at the north-western end of the site and run approximately east-west to the south (rear) of the new buildings fronting onto Bunns Lane. Two additional buildings containing flats would be located to the south of this internal access road. The development would provide a total of 43 car parking spaces, including not less than 4 disabled standard parking spaces (subject to the conditions recommended). These would be provided as a mixture of basement car parking (22 spaces, located beneath the buildings containing flats fronting onto Bunns Lane), surface car parking (19 spaces) and garage parking spaces (2 spaces). Pedestrian access into the site would be provided from a number of points along Bunns Lane.

The 8 houses proposed would be provided in the form of semi-detached properties with accommodation over three floors. This would be provided as two floors of accommodation, with a third level above in a pitched roof containing dormer windows and gable features. Each of the houses would have its own private rear garden.

The 26 flats proposed would be provided in four separate buildings with each having accommodation across three floors. The top (third) level of accommodation would be situated within the pitched roof of each building, which would contain dormer window and gable features. The basement level, situated beneath the buildings containing flats fronting onto Bunns Lane, contains areas for the storage of cycles and refuse and recycling facilities. Further refuse and recycling storage facilities would also be provided in the rear garden of the houses and to the north of the buildings containing flats on the southern part of the site.

The architecture of the proposed buildings is inspired by the traditional architectural style used in Bedford Park in West London (designed Norman Shaw). It includes features such as predominantly brick and hung tile elevations; substantial pitched roofs; oriel and dormer windows; chimneys; and timber and tile entrance canopies. The areas surrounding the proposed buildings would contain a mixture of hard and soft landscaping. Onto Bunns Lane the development would be enclosed by a mixture of brick wall, brick pier and metal railings with gates.

The development proposed includes a wall and fence structure running approximately east-west along the majority of the length of the site. This would be situated within the site to the north of the new access road and to the south of the ends of the private amenity spaces of the flats (ground floor) and houses fronting onto Bunns Lane. Externally the feature would be mainly constructed of brick, timber and glass. The need for it is primarily a product of the significant level changes across the site, the scheme layout and the desire to provide amenity space which is protected from the surrounding noise sources. The brick and timber element of the structure would have an approximate maximum height of 4.2m. In places an additional glass structure would be situated on top of this element and this would increase the maximum height of the feature up to approximately 9m. An acoustic barrier, approximately 4.1m in height, constructed as a gabion wall feature would be situated on the southern part of the site, between the two blocks of flats proposed in this location. This structure is intended to provide acoustic protection to the area to the north of it, including an area of communal amenity space. The application documents submitted provide details of how the walls, fence and acoustic barrier structures described in this paragraph would be design to incorporate soft landscaping and vegetation to 'green' them.

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

- 8 x four bedroom eight person houses (approximately 23% of dwellings)
- 2 x one bedroom two person flats (approximately 6% of dwellings)
- 22 x two bedroom four person flats (approximately 65% of dwellings)
- 2 x three bedroom five person flats (approximately 6% of dwellings)

None of the units are proposed as affordable housing.

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). The Planning Statement submitted with the application confirms that the dwellings proposed would all achieve the relevant Lifetime Homes Standards and meet Code for Sustainable Homes 'Level 4'. 4 of the units would achieve wheelchair accessible standards or be easily adaptable to meet wheelchair accessible standards.

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

In addition to the application drawings the documents accompanying the submission include the following:

- Planning Statement
- Design and Access Statement
- Landscape Addendum Report
- Transport Statement (including a Travel Plan)
- Energy Statement
- Daylight and Sunlight Assessment
- Noise and Vibration Assessment
- Air Quality Assessment

- Report on Ecological Matters
- Tree Survey
- Affordable Housing Toolkit and supporting information

The development proposed under the current application is significantly different from that for which consent was sought under the previous application at the site (application reference H/01249/10). Key differences include a reduction in the maximum height of built form from 4 floors of living accommodation to 3, a changed layout, a substantial reduction in the overall number of units proposed (from 59 dwellings to 34) and the inclusion of semi-detached houses as a dwelling type in the scheme.

3. PLANNING CONSIDERATIONS

3.1 Principle of the residential use proposed

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 Barnet 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.

Barnet Local Plan policies seek to safeguard existing employment sites that meet the needs of modern business and only permit the loss of B Class uses (such as a builders yard) where it can be demonstrated that a site is not suitable or viable for its existing or an alternative business use and a adequate marketing has been undertaken. However, given the nature of the site and the significant period of time for which it has been vacant (over 10 years) it is considered that the loss of the previous employment generating use to provide a residential use is acceptable. It is also noted that the area surrounding the site is partially residential in character and that the principle of redeveloping this site to provide dwellings was not a reason for refusing a previous application of this nature at the site (application reference H/04386/10).

The application site has not been identified for any specific use, is previously developed and is within walking distance of a number of amenities, including Mill Hill Park and Mill Hill Town Centre. The land has a Public Transport Accessibility Level of 3, is located approximately 800m from Mill Hill Broadway Station and the layout of the surrounding roads makes pedestrian movements relatively simple.

In light of these various 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 noted that concerns have been expressed that this site might form part of the possible route for a tramline in the borough, be required for related purposes or alternatively be needed for cycle and walking routes and that allowing this development could hinder these possibilities. The site has not been allocated for such purposes in the Local Plan and officers are not aware of any current plans to do so. Under circumstances where the land is

not currently or anticipated to be allocated and there are no detailed plans for transport works of the nature proposed it is not considered that a refusal of planning permission on this basis would be justified in this instance.

3.2 Dwelling mix

Development plan policies require proposals to provide an appropriate range of dwelling 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.

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

- 8 x four bedroom eight person houses (approximately 23% of dwellings)
- 2 x one bedroom two person flats (approximately 6% of dwellings)
- 22 x two bedroom four person flats (approximately 65% of dwellings)
- 2 x three bedroom five person flats (approximately 6% of dwellings)

The dwelling mix proposed, including the 29% of the total dwellings which would have 3 or more bedrooms, 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.

None of the dwellings would be provided as affordable housing. However, an independent review of the viability of the scheme (discussed in greater detail below) has confirmed that it is not viable for the scheme to make an on-site contribution towards 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/hr	100-240 u/ha	215-405 u/ha

The application site is in a location with a PTAL of 3 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 95 units per hectare or 150 to 250 habitable rooms per hectare (see table above).

Using the approach taken in the London Plan the 34 dwellings proposed include 126 habitable rooms. As the site has an area of .055 hectares this equates to a density of approximately 62 units per hectare or 229 habitable rooms per hectare. The proposal therefore falls within the 'optimum' density range specified in the London Plan in terms of the number of dwellings and habitable rooms proposed.

As the other sections in this report outline the proposal is considered to be compliant with the objectives of policies on good design, local context and character, providing acceptable amenities for future occupiers of the new development, transport matters and protecting the amenities of neighbouring occupiers.

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.

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.

The council's adopted supplementary planning document (SPD), Sustainable Design and Construction, and the Mayors adopted supplementary planning guidance, Housing, provide more detailed guidance on a range of matters related to creating new dwellings that have adequate amenities for their future occupiers. These include, in both documents, identifying minimum sizes for private external amenity space (balconies or terraces). The Barnet standards in this regard equate to 3m² for 1 person or 2 person dwellings with an extra 1m² expected for each additional bed space proposed. The Mayoral standards on this matter are more onerous and equate to 5m² for 1 person or 2 person dwellings with an extra 1m² expected for each additional bed space proposed.

In addition to the above guidance Barnet currently has two draft SPD's currently out to consultation (both published November 2012) which contain guidance on the creation of dwellings with adequate amenities for future occupiers. These comprise a revised Sustainable Design and Construction SPD, intended in due course to replace the currently adopted document, and a Residential Design Guidance SPD. The draft Residential Design Guidance SPD identifies that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

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 the requirements of the London Plan for a dwelling of that type. The majority of units would in fact exceed the minimum requirements of the London Plan. The proposal is therefore considered to be acceptable in this regard.

Table 3.3 Minimum Space standards for new dwellings (adapted from 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 5 person	86
3 Storey Houses	4 bedroom 8 person	133

Dwelling outlook

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed is considered to maximize the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties and the potential impacts on new dwellings arising from noise sources (mainly roads) around the site. 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 all but two of the dwellings proposed are dual or triple aspect and that the two single aspect dwellings proposed are both south facing. It is considered that each of the dwellings proposed has an acceptable outlook and that the scheme has overcome this aspect of the reasons for refusing the previous application at the site.

External amenity space provision

Barnet Local Plan policy DM02 and London Plan policy 3.6 state that proposals for dwellings 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 118m² of play space on site. The application site includes an area of communal amenity space, located predominantly between the two blocks of flats on the southern part of the site, of which approximately 270m² could be 'usable' in the sense intended by planning policy as play space. As this area is of sufficient size and (subject to the controls in place under the conditions recommended) would be designed appropriately to include elements such as play features (for example boulders and stepping logs), this is considered to be sufficient for the scheme to comply with the requirements of policy on play space.

Guidance in Barnet's emerging SPD's sets out that the council will seek houses with 6 habitable rooms, such as those proposed, to have 70m² of outdoor amenity space provided for them. Flats are expected to be provided with 5m² of usable outdoor communal or private amenity space per habitable room proposed. For both houses and flats kitchens over 13m² are counted as a habitable room and habitable rooms over 20m² are counted as two habitable rooms for the purposes of calculating amenity space requirements.

All of the houses proposed would have their own private rear garden. In each case this would have an approximate usable area of 70m² or greater, which is sufficient to meet or exceed the requirements of Barnet's emerging guidance on this point. 5 of the flats proposed (including the two 3 bedroom flats proposed) would also have adequate private external amenity space, in the form of a balcony, terrace or garden, provided on plot to meet the requirements of policy on outdoor amenity space. 5 further flats would have access to an area of private amenity space (a terrace or balcony) that would not be of sufficient size to meet Barnet's requirements on outdoor amenity space in their own right. The remaining 16 flats proposed would not have access to any private outdoor amenity space of their own.

Using the emerging Barnet outdoor amenity space standards the scheme would be expected to provide a total of approximately 370m² of communal amenity space for the flats which either lack sufficient private space to meet the required standard or have no private external amenity space of their own. It is noted that the scheme only provides approximately 270m² of usable communal amenity space, situated primarily between the blocks of flats on the southern part of site. Other spaces are provided, but it is considered that these would act more of a setting for the buildings than as usable amenity space. However, when account is taken of the close proximity of the site to Mill Hill Park (on the opposite side of Bunns Lane), with the significant outdoor

amenity that this space would offer, the improved access that the pedestrian refuge proposed as part of the scheme would offer to the space in Mill Hill Park (described in greater detail below), the provision of adequate on plot amenity space for all of the 3 bedroom and greater dwellings proposed and the schemes compliance with policy of on-site play space provision, it is considered that in this instance the scheme is acceptable and compliant with the objectives of policy in terms of the outdoor amenity space which would be available for future occupiers of the dwellings. It is also noted a contribution of £60,000 towards enhancements to Mill Hill Park has been agreed.

In terms of guidance on balcony or terrace provision specifically, 7 of the 26 flats (all ground floor units) proposed would have access to a private external amenity space (in the form of a balcony or terrace) which is of sufficient size to meet or exceed the requirements of Council and Mayoral guidance on the provision of private amenity areas for a dwelling of that size. Three additional flats (also ground floor) would have areas of private external amenity space (balcony or terrace) of sufficient size to meet the currently adopted Barnet requirements on such matters, but would fall short of the more stringent Mayoral requirements in this respect. The other 16 flats proposed would not have access to any usable private external amenity space.

While it is accepted that the lack of private external space or provision of limited private external space for certain units is not ideal, for the reasons set out in respect of policy on amenity space more widely this is not considered by officers to constitute a reason to refuse the scheme. The amenities offered by the nearby Mill Hill Park, with the improved access to this space that would be provided, the provision of adequate space for the 3 bed or larger unit and the proposals compliance with policy on the provision of play space (through on-site facilities) are considered to be sufficient to outweigh the schemes conflicts with elements of guidance on the provision of outdoor amenity space. It is also noted that many of the flats without private outdoor space could, theoretically, have been provided with balconies in terms of their design. However, the spaces created would have been unacceptably impacted on by noise sources surrounding the site and so this was not considered to be an appropriate approach. It is considered that reasonable steps have been taken to design new dwellings with usable private and communal outdoor amenity space (including suitable noise conditions) on this constrained site.

It is concluded that while the scheme has certain limitations in terms of the outdoor amenity space provided, other benefits are available which outweigh these. Taken in the round the proposal is considered to be compliant with the objectives of planning policy on the provision of outdoor amenity space. The application is therefore considered to be acceptable in this regard.

Privacy and overlooking

The distance between directly facing windows to habitable rooms in the new dwellings would not be less than 21m. 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 10.5m. 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 included an assessment of the daylight that would be received in the habitable rooms of the dwellings proposed. Using the methodology found in guidance from the Building Research Establishment this evaluation found that all of the habitable rooms proposed would meet the relevant daylight standards. In respect of sunlight, all but 2 of the new dwellings proposed would be dual aspect or triple aspect properties and the 2 single aspect dwellings proposed would both be oriented to be south facing. For these reasons the scheme is considered to be compliant with the objectives of development plan policy and provides an acceptable approach in terms of designing developments to maximise daylight and sunlight to new properties. As such the development is considered to have overcome this aspect of the reason for refusing the previous application for planning permission at the site.

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 laying out the development so that the houses can be provided with gardens that have adequate noise conditions, the design of the new buildings so that all but two of the thirty four new dwellings would be dual or triple aspect and the designing of acoustic barriers into the scheme. In addition 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 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 design of the scheme and 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 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 reasons for refusing the previous proposal for the site in this respect.

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.

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. Policy DM15 notes that development adjacent the green belt should not have a detrimental impact on visual amenity and respect the character of its surroundings.

The London Plan also contains a number of relevant policies on character, design and landscaping. 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 in the application respond positively to their context and are found to have an acceptable relationship with the neighbouring buildings, streets and spaces, including the properties in Dove Close and Bunns Lane. This is achieved in a number of ways.

The proposed layout provides semi-detached houses fronting on to Bunns Lane opposite existing semi-detached houses. The flats proposed are situated in buildings located to the south and west of the new houses. The new buildings within the site include adequate spaces between both themselves and existing surrounding properties, have private rear gardens for each of the new houses, include suitable new landscaped areas and features (see other sections of this report of further detail) and have a significant proportion of the parking proposed in a basement level (beneath the flats fronting onto Bunns Lane) to reduce its impact on the design of the rest of the site. This is found to provide an acceptable approach to the design, layout, height and scale of development at the site.

Officers consider that the size, scale, siting and design of the buildings proposed is such that they would not have a detrimental impact on the visual amenity of the adjacent area of green belt (Mill Hill Park on the North side of Bunns Lane) and adequately respect the character of the area surrounding the green belt in this location.

In addition to these broader points, the more detailed design of the buildings proposed takes an approach inspired by the traditional architecture style of

Bedford Park in West London (designed Norman Shaw). It includes features such as predominantly brick and hung tile elevations; substantial pitched roofs; oriel and dormer windows; chimneys; and timber and tile entrance canopies. Such features are considered to be a positive aspect of the scheme and conditions have been recommended to ensure that the materials used at implementation are of a sufficient quality.

As set out earlier in this report the development proposed includes a wall and fence structure running approximately east-west through the site, situated to the north of the new access road and to the south of the ends of the private amenity spaces of the flats (ground floor) and houses fronting onto Bunns Lane. Externally the feature would be mainly constructed of brick, timber and glass. The brick and timber element of the structure would have an approximate maximum height of 4.2m. In places an additional glass structure would be situated on top of this element and this would increase the maximum height of the feature up to approximately 9m. An acoustic barrier, approximately 4.1m in height, built as a gabion wall feature would be constructed on the southern part of the site, between the two blocks of flats proposed in this location. These structures are needed to respond to the level changes across the site and to provide certain areas of amenity space proposed with suitable noise conditions. The application documents submitted provide details of how the features would be design to incorporate soft landscaping and vegetation to 'green' them. Conditions have been recommended to ensure that these features are designed appropriately, including the installation of suitable planting, and subject to these controls the features are found to be acceptable.

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.

The development proposed under the current application is significantly different from that for which consent was sought under the previous application at the site (application reference H/01249/10). Key differences include a reduction in the maximum height of built form from 4 floors of living accommodation to 3, a changed layout, a substantial reduction in the overall number of units proposed (from 59 dwellings to 34) and the inclusion of semi-detached houses as a dwelling type in the scheme.

The overall design quality of the development proposed has improved and scheme now under consideration has a reduced size, bulk and mass and better setting when compared to the proposal previously considered. Officers conclude that the current proposal is considered to have overcome the design and character reason for refusing the previous application at the site in 2010.

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

Local Plan policies seek broadly to promote quality environments and protect the amenity of neighbouring occupiers and users through requiring a high standard of design in new development. More specifically policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight,

privacy and outlook for adjoining occupiers and users. Policy DM04 identifies that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted.

Barnet's Draft Residential Design Guidance Supplementary Planning Document (published November 2012) provides further guidance on safeguarding the amenities of neighbouring and surrounding occupiers and users. This includes stating that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

Overlooking and Loss of privacy

The nearest existing residential properties to the application site are semi-detached houses situated on the north side of Bunns Lane. 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 21m and distances from directly facing habitable windows in the development proposed to a neighbouring properties garden are not less than 10.5m. The proposal would therefore comply with planning guidance in these regards.

The nursery in Dove Close is the closest neighbouring property to the application site. Conditions have been recommended which would minimise the impact of the proposed development on the neighbouring adjacent nursery in respect of overlooking and loss of privacy. The conditions recommended enable the council to require that certain windows in the development are installed with obscured glazing, remain fixed shut (with only a fanlight opening) and are retained as such; create a prohibition on the installation of new windows without the receipt of express planning permission; and include controls on the means of enclosure installed around the application site. In the absence of these controls proposal could potentially cause a degree of overlooking and loss of privacy at the neighbouring nursery building and the spaces which surround it (including a play area). However, this issue is considered to be adequately addressed by the conditions recommended.

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 and Sunlight

The application is accompanied by an assessment (prepared by Brooke Vincent and Partners) of the proposals impact on the daylight and sunlight received at neighbouring residential properties. This report finds that the relevant criteria relating to daylight and sunlight would be met. It is therefore reasonable to conclude that there would be no significant adverse affects on the daylight or sunlight received at neighbouring residential properties. It is considered that the siting of the nursery adjacent the application site (in Dove Close) and the size and layout of the scheme proposed in this application are such that the development would not result in unacceptable impacts on this

property or its setting in terms of daylight and sunlight. For the reasons outlined officers find that the application is acceptable in terms of its impact on daylight and sunlight received at neighbouring properties.

Outlook and Visual Impact

The documents submitted with the application include plans showing the impact of the proposed development on properties in the area surrounding the site and show the relationship of the proposed buildings with neighbouring properties and spaces. The closest neighbouring residential properties are situated on the opposite (north) side of Bunns Lane. The closest building is the nursery situated to the south-east of the site in Dove Close. It is considered that the design, size 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 and spaces including the adjacent nursery in Dove Close. The application is therefore considered to be acceptable and compliant with development plan policy in these regards.

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 and nursery uses) in the normal course of their occupation. In addition to this a condition has been recommended to ensure that the construction of the development does not result in unacceptable levels of noise and disturbance. This includes 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. Subject to this condition the proposal is considered to be acceptable in terms of the noise impacts.

Impacts from Lighting Associated with the Development

Policy DM01 of the Barnet Local Plan requires new lighting schemes to not impact upon amenity. It is noted that the University of London Observatory have responded to the consultation to confirm that they do not object to the application as long as the height of the proposal does not increase and the final development incorporates:

- Low level and shielded exterior lights to prevent upward illumination.
- Controls on the installation of security lighting.
- Pediment 'overhang' to the top floor windows in the proposal (as is currently submitted).

Conditions have been recommended requiring the implementation of the development in accordance with the design shown in the submitted plans and to control the external lighting installed as part of the development. Subject to these conditions the proposal is considered to be acceptable and compliant with the objectives of policy in terms of preventing unacceptable lighting impacts from new development.

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 application does not provide any of the dwellings proposed as affordable housing. However a contribution of £34,000 towards the provision of affordable housing elsewhere in the borough is proposed as part of the Section 106 Agreement which would accompany the application. To explain and justify this position the applicant (London Square) has submitted a confidential report which evaluates the economic viability of the proposed development making a contribution to affordable housing provision. The Council has 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 (set out in further detail below), and the value that the applicant would be likely to generate from the scheme, BNP Paribas conclude that proposed financial contribution of £34,000 represents the maximum reasonable amount that it is viable for the development to provide. As part of their evaluation BNP Paribas tested the impact on viability of the inclusion of a single affordable flat in the scheme (instead of the contribution of £34,000 proposed). This work demonstrated that with the inclusion of such a unit the scheme became financially unviable. In light of these circumstances in this instance the proposed financial contribution to affordable housing is considered to be acceptable and compliant with the objectives of planning policies.

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 submission made includes a Tree Survey. This identifies 31 individual and 3 groups of trees which are on or adjacent the application site (13 of the trees are adjacent the site). The majority of the individual trees surveyed (23) and the tress groups were classified as category C trees, with the remainder (8) being classified as category B trees. None of the trees on or adjacent the site are covered by a tree preservation order. The proposal would result in the removal of all the existing trees (and other areas of vegetation) on the site.

The scheme proposed includes the planting of new trees and additional landscaped areas to mitigate the trees and landscaping which would be lost through the works and also as part of providing suitable landscaping for the development more widely. The proposed site layout in Appendix 2 provides further detail on the proposed landscaping.

Officers consider that the new trees and other landscaping works proposed provide adequate mitigation for the existing trees and landscaping which would be lost in this instance. It is noted that none of the trees are protected by preservation orders and that it has previously been confirmed to the applicant (in writing) that all trees on the site could be removed without further reference to the Council. Conditions have been recommended to ensure that the trees and wider landscaping implemented as part of the proposal would be of a sufficient quality, including new trees of a suitable size and species. The conditions recommended also include requirements to ensure that appropriate measures are taken to protect the trees immediately adjacent the application site. Officers take the view that adequate consideration has been give to trees in this instance.

More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces. The landscaping scheme includes new areas of lawn, shrub planting and greened wall (and similar structures) and provides an appropriate setting for the buildings proposed. Onto Bunns Lane the development would be enclosed by a mixture of brick wall, brick pier and metal railings with gates. 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 and 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 existing

trees and other landscaping which would be lost as part of the works proposed and that the development is acceptable and compliant with policy in respect of tree and landscaping matters with the conditions recommended.

3.9 Transport, parking and highways matters:

Policy context

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

Major development proposals with the potential for significant trip generation will be expected to be in locations which are, or will be made, highly accessible by a range of modes of transport and supported by a Transport Assessment that fully assesses the transport implications of the development across all modes. Schemes are also required to implement and maintain a satisfactory Travel Plan to minimise increases in road traffic and meet mode split targets.

Parking provision

The car parking standards for residential development, as set out in the Barnet Local Plan, recommend a range of parking provision for new dwellings based on the on a sites Public Transport Accessibility Level (PTAL) and the type of unit proposed. 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 3.

Using the standards set out in the Barnet Local Plan the development proposed generates the need for a car parking provision of between 36 to 54 car parking spaces, depending on the PTAL Score for the site. The proposed parking provision of 43 spaces is therefore within the range that local development plan policies would expect to be provided. Conditions have been recommended to ensure that the parking spaces proposed are provided prior to the occupation of the development and also that they 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 43 car parking spaces for the development is considered to be acceptable and compliant with the objectives of development plan policy.

Policies seek for developments to provide 10% of the car parking spaces proposed to a disabled parking space standard. The application plans identify that 3 of the parking spaces provided would be delivered to a disabled parking space standard, a shortfall of approximately 1 space. However, while they are not labelled as such on the plans, it is clear that a number of the other 'standard' parking spaces proposed are of sufficient size (and suitable in other regards) to also provide disabled parking spaces. In such circumstances it is not considered that it would be appropriate to refuse planning permission for so small a shortfall. Instead a condition has been recommended to ensure that not less than 10% (equating to 4) of the parking spaces proposed are delivered to a disabled parking space standard. Subject to such a condition the proposal is acceptable and compliant with development plan policy in this regard.

A condition has been recommended to ensure that not less than 1 in 5 of the proposed car parking spaces proposed (equating to a total of 9 spaces) will be delivered with electric vehicle charging power points. Subject to this condition the scheme is found to comply with planning policy in this regard. In order to meet the requirements of development plan policy the scheme would need to provide a total of 44 cycle parking spaces on-site. A condition has been recommended to ensure that this level of cycle parking is achieved and subject to this the proposal is considered to be acceptable and policy compliant in this regard.

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

To allow for a realistic assessment of this vacant site as it would be expected to function with the development proposed the Transport Statement submitted as part of the application carries out a trip assessment using the TRICS and TRAVL surveys (which are accepted tools). The following table shows a summary of the multi-modal trip generation predicted for the development derived using weighted average trip rates from comparable sites on these surveys.

Predicted Multi-Modal Trip Generation from the Development

Mode	AM Peak		PM Peak	
	Arrivals	Departures	Arrivals	Departures
Vehicle Trips	4	7	6	4
Motorcycle	0	1	1	0

Taxi	0	0	0	0
Walk	2	8	5	3
Bicycle	0	1	0	0
Bus	1	6	4	2
Train	2	7	5	3
Total Site Trips	10	31	21	13

This assessment predicts that the site would generate 4 car arrivals and 7 car departures in the AM Peak and have 6 cars arriving and 4 cars departing in the PM Peak. The above trip rates identified are of a number and nature that they would be expected to have a negligible impact on the local transport network and it is considered that the scheme assessed would not result in any significant detrimental impacts in this regard. It should also be noted that since this Transport Statement was submitted (for a previous iteration of the scheme) the number of dwellings and parking spaces proposed has decreased (from 46 dwellings to 34 dwellings). It is therefore expected that the trip generation from the development currently proposed would be less than is predicted in this assessment.

The trip generation data above predicts that 10 walking trips would take place in the AM Peak and 8 would take place in the PM Peak. As such the proposal to provide a pedestrian refuge to cater for the pedestrian movements across Bunns Lane is considered appropriate.

As Bunns Lane is a bus route London Buses were consulted on the application. London Buses have responded and request that waiting restrictions are provided on Bunns Lane on either side of the new pedestrian refuge proposed, to ensure no parking takes place in this area to the detriment of cyclists. A financial contribution of £2000 to carry out these works has therefore been agreed with the applicant and forms part of the contributions set out in the heads of terms recommended.

The Council Traffic and Development Team has reviewed the submission made, including the Transport Statement, and have not raised any objections to the scheme, subject to the conditions and obligations recommended. It is concluded that the scheme would be unlikely to result in any significant detrimental impact on the local highway network, including in respect of congestion and safety matters. As such the proposal is considered to be acceptable and compliant with the objectives of policies in these respects.

Access and site layout

The application proposes that a single gated vehicular access to Bunns Lane is provided at the western end of the site. Visibility splays for this access would be in accordance with the relevant guidance (Manual for Streets) and conditions have been recommended to ensure that the gates proposed are designed so that vehicles wanting to access the site do not wait on public highway whilst the gates are opening. A number of separate pedestrian access points are proposed at positions along Bunns Lane. The approach proposed to access for the site is found to be acceptable and compliant with the objectives of planning policy subject to the conditions recommended.

It is proposed that a new pedestrian refuge would be provided on Bunns Lane as part of the works carried out to support the scheme. This would facilitate the safe crossing of Bunns Lane by pedestrians from the development. These works would be carried out by the Council (as a Highway Authority) at the applicant's expense and an appropriate financial contribution (£10,000) to these works has been agreed with the applicant.

The application proposes that the 43 car parking spaces sought are provided as a mixture of basement car parking (22 spaces, located beneath the buildings containing flats fronting onto Bunns Lane), surface car parking (19 spaces) and garage parking spaces (2 spaces). 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.

Travel and construction management plans

A 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 at implementation 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 Demolition and 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 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 them accessible for all members of the community. The Design and Access Statement provided sets out that all the proposed dwellings (houses and flats) would meet the relevant Lifetime Homes standards and also that more than 10% of the dwellings proposed (4 in total) would be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements. As outlined above not less than 4 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 not less than 4 of the parking spaces proposed would be 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 and is considered to have overcome this aspect of the reason for refusing the previous application at the site.

3.13 Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding and the Environment Agency has responded to the consultation and has not raised any objection to the proposal or requested that conditions are placed on any grant of consent. However, a condition has been recommended to ensure that the suitable drainage infrastructure is implemented as part of the development proposed.

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 informative.

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:

- Be lean: use less energy
- Be clean: supply energy efficiently
- 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 Mayor's 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. A revised version of this council guidance, published in November 2012, identifies that schemes such as this should achieve Code Level 4.

Carbon dioxide emissions

The application is accompanied by an Energy Strategy, which includes the results of 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. 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 reductions in carbon dioxide emissions. A

condition has been recommended to ensure that the development achieves Code Level 4 and 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 Energy Strategy submitted with the application identifies that the use of photovoltaic panels in the scheme is possible and that these are the preferable renewable energy technology for this scheme. Therefore the conditions recommended include requirements for the details of the photovoltaic panels to be installed to be submitted and agreed with the Local Planning Authority.

The submission demonstrates that appropriate consideration has been given to the use of Combined Heat and Power systems 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 and policy compliant in this regard.

Biodiversity matters

Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity. Where development would affect a Site of Importance for Nature Conservation (SINC) or a species of importance the council will apply the following hierarchy:

1. Avoid adverse impact to biodiversity interest.
2. Minimize impact and seek mitigation.
3. Only in exceptional cases, where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

The application site is not designated as a SINC. It is noted that the Royal Society for the Protection of Birds (RSPB) has responded to the consultation and objected to the application on biodiversity related grounds. In summary the comments made by the society (set out more fully earlier in this report) suggest the application makes no mention of the wildlife interest of the site and indicate that it is not clear how the developers propose to retain and enhance the site's biodiversity interests and value.

The submission includes a document prepared by the consultancy Wildlife Matters. This contains reports on biodiversity matters generally, bats, birds and reptiles that were all prepared following the completion of a phase 1 habitat survey. Natural England has been consulted on the application and has also been sent the comments made by the RSPB. Following this Natural England have responded and have not raised any objections to the application. However, they have suggested that it is appropriate for the development to provide biodiversity enhancements. More specifically they have suggested that enhancements are provided in relation to bats, birds, reptiles and through the type of landscaping used. They have also suggested that it should be made clear what the applicant's strategy is for ensuring that reptiles will not be harmed by the development.

The Wildlife Matters report states that no bat roosts were found on the site. It also concludes that while there was little evidence of bat foraging on the site from their surveys, the potential impact of the sites redevelopment would be to deny foraging opportunities. However, it finds that this could be rectified with the use of suitable native landscaping and recommends that the use of this, along with the erection of bat boxes as part of the development, would provide adequate mitigation. These findings are accepted and conditions have been included to ensure that the recommended biodiversity enhancement and mitigation measures for bats are carried through into the implementation of the scheme.

In terms of birds the Wildlife Matters document recommends the erection of bird boxes and the use of appropriate native landscaping. It also identifies the biodiversity benefits that can arise from gardens (such as supplying flying insects which would provide food for birds) of the nature proposed. Overall it finds that these measures would assist in integrating this parcel of land with the nearby Mill Hill Park, so that in the long term the area will be enhanced and there will be ecological gain. These findings are accepted and conditions have been recommended to ensure that bird boxes are erected and appropriate new planting takes place, should the scheme be implemented. A condition has also been recommended to ensure that suitable measures are taken to prevent unacceptable impacts on nesting birds during the construction phase of the development.

Following the carrying out of surveys the Wildlife Matters report concludes that reptiles are not present on the site. However, in line with the requests made by Natural England, conditions have been recommended to ensure that suitable measures are taken to prevent unacceptable impacts on reptiles during the construction phase of the development and to require the provision of biodiversity enhancements for reptiles as part of the landscaping of the site.

The tree and wider landscaping conditions recommended are considered sufficient to ensure that the scheme makes appropriate contributions to biodiversity generally and that the new planting which takes place provides suitable levels of habitat.

Subject to the controls in place under the conditions recommended and the requirements in place under other legislation the proposal is found to be acceptable and compliant with the objectives of planning policy on biodiversity and nature conservation matters. The scheme is therefore considered to have overcome this reason for refusing the previous application at the site.

Other aspects of sustainable design and construction

The proposal includes a number of features that have been incorporated to develop in a sustainable way, mitigate and adapt to climate change, conserve resources and minimise pollution. These include elements such as new planting, the provision of appropriate recycling facilities, the inclusion of energy efficiency measures and the installation of facilities for cycle storage.

The submission (in the Energy Strategy) includes the results of a preliminary Code for Sustainable Homes assessment. This and Planning Statement accompanying the application make it clear that the proposal would be seeking to achieve 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. 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. Certain of the walls within the development would also be designed to facilitate the development of planting over and across them. 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).

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. 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:

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

In accordance with development plan policies and the Council's supplementary planning documents the following obligations are required to be secured through a legal agreement with the developer. With these obligations secured (alongside the other mitigation provided by the development and secured through the conditions recommended) the proposal is considered to be acceptable in terms of delivering the infrastructure, facilities and services needed to mitigate the impacts it would generate.

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 make a contribution of **£34,000** towards the provision of affordable housing in the borough. Affordable housing matters are discussed in greater detail in section 3.7 of this report.

Education

Under policy CS10 of the Barnet 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 and type of residential units proposed, a contribution of **£171,170** is required.

Healthcare

Under policy CS15 of the Barnet 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 **£37,128** is required towards improvements to health facilities within the borough as a result of the development.

Libraries

In accordance with policy CS10 of the Local Plan and the Council's Contributions to Libraries SPD a sum of **£5,566** is required towards the provision of library facilities within the borough as a result of the development.

Travel Plan

In accordance with policy DM17 of the Barnet 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.

Public Open Space

Under policy CS7 of the Barnet Local Plan the council will seek to secure improvements to public open space in the borough. The circumstances of this application (set out in detail in earlier sections of this report) are such that it is considered appropriate for the application to make a contribution to such improvements. A contribution of **£60,000** to enhancements to open space in the borough within 1.5km of the site has been agreed with the applicant and this is considered adequate to meet the objectives of planning policy in this instance.

Highways Works

Policy DM17 of the Barnet Local Plan makes it clear that new developments will be required to provide safe and suitable access arrangements for all road users. It also identifies that where changes or improvements to the road network are needed as a result of a development the Council will seek to secure these through a legal agreement. In accordance with these policy objectives a contribution of **£10,000** towards the provision of a new pedestrian refuge on Bunns Lane (and the associated feasibility works) has been agreed with the applicant, to ensure that suitable and safe pedestrian access is provided to and from the development.

Waiting Restrictions on Bunns Lane

London Buses have requested that waiting restrictions should be introduced on Bunns Lane on either side of the pedestrian refuge proposed in association with the development (see previous paragraph). This is to ensure that no parking takes place near the refuge to the detriment of cyclists. In accordance with the objectives of Local Plan policy DM17, which include ensuring that developments take account of the safety of all road users, a contribution of **£2,000** to cover the cost of the introduction of these waiting restrictions have been agreed with the applicant.

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 policy DM17 of the Barnet Local Plan.

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 **£5,817** towards the costs of undertaking the work relating to securing the planning obligations in line with the adopted Supplementary Planning Document for Planning Obligations.

3.17 Mayoral Community Infrastructure Levy

The proposed development is liable for charge under the Mayoral Community Infrastructure Levy (CIL). As the site does not presently contain any floorspace all of the floorspace proposed would be liable for charge. Using the

developments gross internal area of 3,866m², at the relevant rate of £35 per square metre, this equates to a charge of £135,310.

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 development is such that the site would, as an area of land, become significantly more accessible to all members of the community. In this sense the development would 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 support the council in meeting its statutory equality responsibilities.

5. COMMENTS ON GROUNDS OF OBJECTIONS

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

6. CONCLUSION

The existing site is currently vacant and has been for a significant period of time. It's re-development to provide new residential dwellings of the nature proposed, that show a high quality design approach, relate acceptably to their neighbouring properties, are in keeping with the character of the area, do not cause any unacceptable harm to the amenities of the neighbouring properties and would provide their future occupiers with an acceptable 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 nearby roads 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 laying out the development so that the houses can be provided with gardens that have adequate noise conditions, the design of the new buildings so that all but two of the thirty four new dwellings would be dual or triple aspect and the designing of acoustic barriers into the scheme. Such a layout also helps the development in fitting in with its context, as it positions the houses with private rear gardens opposite to existing houses on Bunns Lane houses with gardens.

More generally the application includes a number of measures to achieve a good standard in respect of sustainable design and construction. The new dwellings would all meet Code for Sustainable Homes Level 4 and there are requirements for appropriate biodiversity mitigation and enhancement measures which are ensured through the conditions recommended.

The scheme provides an appropriate level of car parking on site for the number and type of new dwellings proposed and also takes account of the location of the site in an area with a Public Transport Accessibility Level of 3. 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 new trees. The development would result in the removal of the existing trees from the site. However, none of these are

protected by a preservation order and it is considered that the replacement planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

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 or biodiversity, 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 reasons for refusing the previous application at the site (in 2010). The application is found to propose a positive development that would comply with the relevant policies in the development plan and provides high quality new residential dwellings.

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 development 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 PLANNING HISTORY FOR THE SITE

Former Fire Station Site, Bunns Lane, Mill Hill

H/01249/10 'Development of site to provide 59 residential units (use class C3) in three separate part three, part four storey buildings, with associated car parking, landscaping, refuse and recycling facilities, access and works'. Refused (2010).

H/04386/09 'Environmental impact assessment screening opinion'. Environmental Statement Not Required (2009).

W03196T 'Details of materials, levels and landscaping pursuant to condition 02, 04 and 06 of planning permission W03196R'. Granted (1998)

W03196R 'Demolition of Scout Hall and erection of part single part two storey building for use as Day Centre and parking for 6 cars'. Granted (1997).

W03196P 'Retention of offices which have been sited in a different position to that shown on planning approval W03196N for the use of the site as a builders yard'. Granted (1996).

W03196N 'Use as a builders yard'. Granted (1994).

W03196M 'Use of Scouts Hall for playgroup of up to 30 children, aged 2 to 5 years old, from 9 am to 3 pm Mondays to Fridays'. Granted (1994).

W03196L 'Use of scouts hut for a playgroup of up to 30 children aged 2-5 years old from 9.00am to 3.00pm Mondays to Fridays'. Planning Permission Required (1993).

Dove House, 1 Dove Close, Mill Hill

H/02407/12 'Single storey front extension to replace existing porch. Single storey rear extension including covered play area with new steps. New covered play area to the side (west). Construction of a pedestrian ramp and deck including timber balustrade to the front and rear of ramp. New deck area at the first floor level with balustrade. Extension of the existing car park to the front. Landscaping and associated works'. Approve subject to the completion of a Section 106 Agreement (2012).

APPENDIX 2: PLANS OF THE PROPOSED DEVELOPMENT

Site layout and context as proposed



APPENDIX 3: 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 site is currently vacant and has been for a significant period of time. It's re-development to provide new residential dwellings of the nature proposed, that show a high quality design approach, relate acceptably to their neighbouring properties, are in keeping with the character of the area, do not cause any unacceptable harm to the amenities of the neighbouring properties and would provide their future occupiers with an acceptable 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 nearby roads 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 laying out the development so that the houses can be provided with gardens that have adequate noise conditions, the design of the new buildings so that all but two of the thirty four new dwellings would be dual or triple aspect and the designing of acoustic barriers into the scheme. Such a layout also helps the development in fitting in with its context, as it positions the houses with private rear gardens opposite to existing houses on Bunns Lane houses with gardens.

More generally the application includes a number of measures to achieve a good standard in respect of sustainable design and construction. The new dwellings would all meet Code for Sustainable Homes Level 4 and there are requirements for appropriate biodiversity mitigation and enhancement measures which are ensured through the conditions recommended.

The scheme provides an appropriate level of car parking on site for the number and type of new dwellings proposed and also takes account of the location of the site in an area with a Public Transport Accessibility Level of 3. 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 new trees. The development would result in the removal of the existing trees from the site. However, none of

these are protected by a preservation order and it is considered that the replacement planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

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 or biodiversity, achieves the benefits that the submission advances in support of the scheme and mitigates any potential adverse impacts from the proposal. These are appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

The current scheme is considered to have overcome the reasons for refusing the previous application at the site (in 2010). The application is found to propose a positive development that would comply with the relevant policies in the development plan and provides high quality new residential dwellings. As such it is considered that there are material planning considerations which justify the grant of planning permission.

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant and agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance. In this case formal pre-application advice was sought prior to submission of the application.

A summary of the development plan (London Plan 2011, Barnet Core Strategy 2012 and Development Management Policies DPD 2012) policies relevant to this decision is set below:

Barnet Core Strategy 2012:

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Barnet Development Management Policies 2012:

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM06 (Barnet's Heritage and Conservation)

DM08 (Ensuring a variety of sizes of new homes to meet housing need)

DM10 (Affordable housing contributions)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

London Plan 2011 (set out by chapter):

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes); 3.13 (Affordable Housing Thresholds); and 3.16 (Protection and Enhancement of Social Infrastructure)

London's Economy:

4.1 (Developing London's Economy); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.11 (Green Roofs and Development Site Environs); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land)

London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise); 7.19 (Biodiversity and Access to Nature); and 7.21 (Trees and Woodlands)

Implementation, Monitoring and Review:

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

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. 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.

5. Bunns Lane is part of Traffic Sensitive Route from 8.00am-9.30am and 4.30pm-6.30pm Monday-Saturday.
6. The London Plan promotes electric vehicle charging points with 20% active and 10% passive provision and charging points should be provided in accordance with this policy. The parking layout should include provision of electric charging points for all elements of the development.
7. The applicant is advised that waiting restrictions are requested by London buses as part of the discussions to provide a pedestrian refuge on Bunns Lane. This aspect of the scheme would be subject to a separate public consultation. The related financial contribution which forms part of the S106 Agreement covers the cost of consultation and implementation of the proposed waiting restrictions.
8. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The council's supplementary planning document on Sustainable Design and Construction requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 4) Department of transport: Calculation of road

traffic noise (1988); 5) Department of transport: Calculation of railway noise (1995); 6) Department of transport : Railway Noise and insulation of dwellings.

9. It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. 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.
10. Due to the presence of National Grid apparatus in proximity to the site, any person wishing to implement the development must contact National Grid before any works are carried out, to ensure their apparatus is not affected. The National Grid Plant Protection Team can be contacted at on 0800 688 588 and at plantprotection@nationalgrid.com or at Plant Protection, National Grid, Block 1 Floor 1, Brick Kiln Street, Hinckley LE10 0NA.
11. The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet. Your planning application has been assessed to require a charge of £135,310.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

If you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please contact us: cil@barnet.gov.uk.

APPENDIX 4: SITE LOCATION PLAN

Former Fire Station, Bunns Lane, Mill Hill, London:

