

LOCATION: 15 East Barnet Road, Barnet, Herts, EN4 8RN

REFERENCE: B/00939/13 **Received:** 08 March 2013

Accepted: 28 March 2013

WARD: East Barnet **Expiry:** 23 May 2013

APPLICANT: Spen Hill Developments Limited

PROPOSAL: Demolition of existing building and erection of a part 3, part 4 storey building to accommodate 2no. 2 bed flats at floors 1-3 and an A1 Class Use (retail) or A3 Class Use (restaurant/ café) unit at ground floor. Provision of 3no. parking spaces accessed from Victoria Road.

APPLICATION SUMMARY

The existing site comprises a vacant and semi-derelict building and has been for a significant period of time. It's re-development to provide new landmark building, that shows a high quality design approach, relates acceptably to neighbouring properties, is in keeping with the character of the area, does not cause any unacceptable harm to the amenities of the neighbouring properties and would provide their future occupiers with an acceptable standard of accommodation is considered to accord with policies that seek to optimise the use of previously developed sites such as this.

The scale and design of the development has been influenced significantly by the prominent nature of this corner site. The proposal would result in a high quality contemporary design and conditions are recommended in relation to the detailed design and use of materials. The scheme would provide a retail/café unit at ground floor level, which is appropriate to its town centre location.

Both of the flats proposed would be appropriately sized, would have acceptable levels of outdoor amenity space and would be dual or triple aspect. Such a layout also helps to ensure adequate daylight and sunlight levels for future occupiers of the scheme, as well as neighbouring occupiers. The new dwellings would both meet Code for Sustainable Homes Level 4.

The scheme provides an appropriate level of car parking on site for the uses 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. An area of land along the frontage of the site would be safeguarded through the legal agreement, to allow for future improvements to the roundabout junction.

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

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.

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) Highways land safeguarding

Transfer of the land marked on plan and comprising a 1m strip adjacent to the front highway boundary of the site to the council as a public highway to allow for future highways improvement works.

(d) Monitoring of the Section 106 Agreement

A contribution of **£500** index linked towards the monitoring and management of the S106 planning obligations.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, the Acting Assistant Director of Planning and Development Management approve the planning application reference B/00939/13 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: 250 Rev A; 251 Rev B; 252 Rev B; 253; 254 Rev A; 255 Rev A; 256 Rev A.

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 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.

REFUSE AND RECYCLING

- 5 Notwithstanding the details submitted with the application, before the development hereby permitted is brought into use or occupied details of the:
- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling

containers, wheeled refuse bins and any other refuse storage containers where applicable;

ii. satisfactory points of collection; and

iii. details of the refuse and recycling collection arrangements

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

Reason:

To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

DESIGN AND BOUNDARY TREATMENTS

6 Notwithstanding the approved plans, drawings at 1:20 scale showing details of the window reveal depths shall be submitted and approved in writing by the local planning authority prior to commencement of the development hereby approved. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason:

To ensure the highest standards of design in the interests of 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.

7 Notwithstanding the detail on the approved plans, before the development hereby permitted is commenced, details of the height, materials and type of boundary treatments to be erected along the Victoria Road frontage (including manufacturers' details of the electric gates) shall be submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason

To ensure the highest standards of design in the interests of the character and visual amenities of the site and wider area and in the interests of highway safety in accordance with policies CS5, DM01 and DM17 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

SUSTAINABILITY

8 The 2 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.

- 9 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

10 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.

WATER AND DRAINAGE

- 11 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.

- 12 The development hereby permitted shall not commence until a piling method statement is submitted to and approved by the local planning authority. The statement should detail the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works. Any piling shall be undertaken in accordance with the approved statement.

Reason:

To ensure that the development does not adversely affect sewerage infrastructure and to comply with policy CS13 of the Barnet Local Plan and policies 5.13 and 5.14 of the London Plan.

- 13 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.

- 14 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.

LANDSCAPING

15 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:

- 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 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.

16 All work comprised in the approved scheme of hard and soft landscaping (submitted under condition 14) 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.

17 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 14) 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.

NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION

- 18 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.

- 19 Before development commences, a report should 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 development of any ventilation/extraction plant that may be required. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should 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 the ground floor use commences.

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 20 The development shall be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration. This sound insulation shall ensure that the levels of noise generated from the A3 use as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

A scheme for mitigation measures shall be submitted to and approved by the Local Planning Authority prior to development. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 21 Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.
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 Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.
- 22 The A3 use hereby permitted shall not be open to customers outside the following times:
07.00 to 23.00 hours Monday to Saturday; and
08.00 to 22.30 hours on Sundays and Bank Holidays.
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 Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.
- 23 Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.
Reason:
To ensure that the amenities of occupiers are not prejudiced by rail and / or road traffic and / or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

TRANSPORT

- 24 Before the development hereby permitted is occupied the car parking spaces shown on the approved plans 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.

25 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.

26 Prior to the commencement of the development hereby permitted, details of the provision of 3 secure cycle parking spaces in connection with the residential use shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason:

To ensure that adequate cycle parking facilities are proposed, in line with policy 6.9 of the London Plan.

LIGHTING

27 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.

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); and 3.9 (Mixed and Balanced Communities)

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); 7.13 (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)

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:

Planning Obligations (April 2013)

Sustainable Design and Construction (April 2013)

Affordable Housing (February 2007)

Contributions to Education from Development (February 2008)

Contributions to Health Facilities from Development (July 2009)

Contributions to Library Services from Development (February 2008)

Residential Design Guidance (April 2013)

New Barnet Town Centre Framework (November 2010)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Health Issues in Planning (June 2007)

Wheelchair Accessible Housing (September 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
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. The most relevant application is the 2004 approval (ref N00818M/04) for the redevelopment of the site to provide 4 flats and an A1 retail unit in a 3-4 storey building.

1.3 Public Consultations and Views Expressed

Public Consultation

A total of **120** local properties and other bodies were consulted on the application by letter and email in April 2013. The application was also advertised on site and in the local press at that time.

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

5 responses to consultation were received, **all in objection**. None of the objectors have requested to speak at committee. No responses supporting the proposal were received.

Comments from Residents

The comments made by residents are summarised below:

- There are insufficient parking spaces allocated to the housing units.
- The proposed café/restaurant would greatly increase the use of delivery vehicles.
- The proposed design should be symmetrical and should be more in keeping with the Victorian character of New Barnet.
- The building has no architectural merit and the façades should be improved.

Consultation Responses from Statutory Consultees and Other Bodies

New Barnet Community Association (request to speak at Committee):

Have responded to the consultation and **broadly support the application, but have some concerns over design**. The comments made can be summarised as follows:

- The proposal is broadly in line with the New Barnet Town Centre Framework.
- We strongly support the retail unit and agree that housing should be provided above.
- Three parking spaces are not sufficient.
- The building must be a distinctive landmark and needs a degree of symmetry that flows around the corner.
- The Victoria Road 'wing' is not acceptable and the building should read as one entity.
- The developer has made significant modifications to address some of our concerns and this is an exemplar of how community consultation should be carried out.

Thames Water:

Recommend that 'fat traps' should be installed if the ground floor unit is used for catering. Surface water storm flows should be attenuated or regulated. A condition should be applied requiring a piling method statement to be submitted and approved.

Internal Consultation responses

Traffic and Development Team:

The proposed parking provision would be acceptable. 3 secure cycle spaces should be provided and this should be conditioned. The new access would be subject to consent under the Highways Act. The proposed refuse storage and collection arrangements would be acceptable. An area of land 1m in depth from the front boundary of the site should be formally transferred to the Highway Authority to be safeguarded for future highways improvements.

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 contaminated land, noise and fume extraction, 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 roughly triangular piece of land of 0.03m hectares forming the corner site between East Barnet Road and Victoria Road. The site is occupied by a vacant 2 storey Victorian building, formerly commercial on the ground floor with residential above. The site is currently hoarded off and occupied by advertisements. The land falls away to the north down Victoria Road. The application site is situated approximately 200m from New Barnet national rail station and has a public transport accessibility level (PTAL) of 3. The site marks the beginning of the New Barnet Town Centre when approaching from the west and forms part of the primary retail frontage.

The town centre is characterised by a mix of buildings that are generally 2-3 storeys in height, although taller buildings are evident opposite and on the west side of the railway line. The adjoining building to the east is 3 storeys. To the rear (north east) of the site are more suburban residential areas generally characterised by traditional 2 storey housing.

2.2 Description of the Proposed Development

Detailed planning permission is sought by the applicant (Spen Hill Developments Ltd) for the redevelopment of the site to provide 2x2 bed flats and a retail/restaurant/cafe (A1/A3 Class Use) unit in a part 3, part 4 storey building with associated parking and access. A plan showing the layout of the site as proposed is provided in **Appendix 2** of this report.

The proposed building would be attached to the adjoining property at No.17, with a maximum width of 14.5m. Visually, it would comprise a 3 storey linked element to No.17, rising to 4 storeys and back down to 3 storeys set 1m away from the return frontage on Victoria Road. The design would be contemporary, incorporating the use of use of brickwork, render and timber. It would incorporate curved walls, brise soleil features and would be flat roofed with parapets.

The proposed retail unit would be located on the ground floor and the forecourt would be paved with areas of planting. One flat would be located on the first floor, with the other split between the second and recessed third floors. A roof terrace would be provided for the upper floor flat, with access from the third floor master bedroom.

The development would provide a total of 3 car parking spaces at the rear of the site, with gated access from Victoria Road, along with servicing space and bin storage. The main access to the residential and retail units would be at the front, although there would be a secondary access from the rear.

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'.

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 Report incorporating Design and Access Statement
- Statement of Community Involvement
- Sustainable Design and Energy Statement

3. PLANNING CONSIDERATIONS

3.1 Principle of the uses proposed

The site falls within the primary shopping frontage of New Barnet Town Centre. The New Barnet Town Centre Framework (NBTCF) states that 'proposals for additional restaurants will be supported around the junction of Victoria Road/East Barnet Road/Approach Road, which should establish a cluster of restaurant and drink uses' (Development Principle 5.3) and the site is identified for retail on the ground floor in the NBTCF. The proposed A3 unit would therefore be acceptable in principle having regard to this Framework and would contribute towards the cluster of such uses that are envisaged at this end of the centre. The A1 retail use would also be acceptable in this location having regard to Barnet Local Plan Policy DM11.

The site is identified in the NBTCF for residential on the upper floors and Development Principle 5.5 states that residential uses are suitable at upper floors only within the High Street character area (where this site is located).

In light of these considerations the principle of re-developing the site for the mix of uses proposed is deemed to be acceptable, subject to compliance with other planning policies.

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 application proposes two 2 bed 4 person flats. Although these do not contribute to the priority housing types set out above, it would not be expected that a site such as this would provide family houses. The provision is considered to be appropriate given the location above commercial premises in a town centre environment. In light of these factors it is considered that 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 2 dwellings proposed include 7 habitable rooms. As the site has an area of 0.03 hectares this equates to a density of approximately 66 units per hectare or 233 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 documents (SPDs), Sustainable Design and Construction and Residential Design Guidance, 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.

The Residential Design Guidance SPD identifies that there should be 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, with 2 bed 4 person units requiring at least 70m². Both the proposed flats exceed this standard and the individual room sizes in all of the units would comply with the standards in the Mayors Housing SPG.

Dwelling outlook

Development plan policy requires that new dwellings are provided with adequate outlook. All the proposed flats would be at least dual aspect and would have appropriate fenestration throughout. There would be adequate setting space around the building to ensure that outlook from the units would not be unduly constrained by other buildings or trees and the level of outlook provided would therefore be adequate for future occupiers of the development.

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. The total child yield of the development would be below the threshold in Mayoral guidance for the provision of on-site play space and it is not expected that the proposed development would generate a requirement for such space.

Guidance in Barnet's Residential Design Guidance SPD sets out minimum standards for outdoor amenity space provision in new residential developments. 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.

The proposed first floor flat would not have a balcony or roof terrace, whilst the upper floor flat would have a roof terrace of 30m². The external amenity space provision for the upper floor unit would therefore comply with the SPD, whilst the first floor flat would not. However, it is noted that the particular circumstances of the development, being sited on a busy road and within a commercial location, does not lend itself to the provision of balcony space. The majority of the other upper floor residential units in the town centre do not have external amenity space and this provision would therefore be in accordance with the general character of the area. Given the above, it is considered that the lack of external amenity space provision for one of the units would be acceptable. Furthermore, the development site is within 300m of the Victoria Recreation Ground, where a good level of outdoor amenity, albeit not private amenity space, is available.

It is therefore considered that reasonable steps have been taken to design new dwellings with usable private and communal outdoor amenity space. It is concluded that while the scheme has certain limitations in terms of the outdoor amenity space provided for the first floor flat, the shortfalls are modest and 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/daylight and sunlight

The proposed flats would be an adequate distance from neighbouring properties so as not to be unacceptably overlooked. The development would not be constrained and adequate levels of daylight and sunlight would be provided.

Noise and air quality

The Council's Environmental Health Service considers the site to be suitable for residential use and has not raised any objection to the scheme. Noise from traffic and commercial uses could be a concern, but conditions have been recommended relating to sound insulation to overcome this. Conditions are also recommended in relation to the installation of any plant and machinery required in connection with the proposed commercial use. The proposal is therefore 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.

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.

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.

Development principle 4.3 of the NBTCF (copied below) seeks to ensure that development in the area reflects the existing predominantly low level suburban context of the locality as follows:

- *'Redevelopment should seek to make the most effective and efficient use of land. A design-led approach should be taken to defining appropriate plot ratios and residential densities, having regard to the suburban setting and good public transport accessibility.*
- *Building heights should be appropriate to the wider suburban context.*
- *Massing (bulk of buildings) should be reflective of the suburban setting and role of the town centre – over-dominance (visual) by any unit should be avoided.'*

The application site is on a prominent corner and marks the beginning of the New Barnet Town Centre when approaching from the west. It is therefore considered appropriate to provide a distinctive landmark building to provide a visual focus. Such a building should be of a high design quality, should relate well in terms of scale to the adjoining building at No.17 and should utilise materials that complement surrounding buildings.

A contemporary design approach has been adopted and the proposed building would have three key elements. A 3 storey element would abut the adjoining building. This would be at a reduced height compared to the eaves of No.17 and would act as a visual break between this existing terrace and the more distinctive 4 storey element of the proposed block. The curved 4 storey element would sit proud of the link section and would turn the corner, whilst

the western 3 storey element (fronting Victoria Road) would incorporate contrasting brickwork with a rendered element to the rear (north).

In terms of scale, the proposed building would be similar to the 2004 permission, except that the building would be set 1m from the Victoria Road boundary. The building would not be higher than the adjoining building at No.17. This revised proposal adopts a more contemporary approach to the design, whereas the previous permission was more of a reflection of the adjacent building. The fenestration would however maintain a strong vertical emphasis, which is characteristic of many attractive buildings in the locality and is appropriate to a landmark building. The curved form of the building and the deep window reveals would create visual interest and the indicative use of materials (as shown on the submitted visuals) would reflect neighbouring buildings. Timber screen and brise soleil features would further break up the bulk of the design.

It is noted that specific concerns have been raised by objectors in relation to the return wing adjacent to Victoria Road. However, as noted above, the projection of this element has been reduced by 1m as compared to the 2004 permission. Very little fenestration is proposed to the rear of the building, facing Victoria Road, as it is appropriate to have the main outlook from the flats to the south and not facing over rear service yards. However, the bulk of the various elements of the rear (north) elevation is broken up through the use of contrasting materials and a vertical timber screen. In the context of existing views from this part of Victoria Road, where the somewhat plain rear elevations of commercial properties are evident, this is considered to be acceptable.

It is therefore considered that the proposal would result in a high quality contemporary design on this important corner site. Subject to conditions recommended in relation to the depth of window reveals and details of materials, the proposal is considered to satisfy the objectives of the design policies set out above.

The proposal makes provision for a small area of 'public realm' on the forecourt of the site, which could serve as an outdoor seating area for the ground floor unit. This is considered to be an appropriate response to the location of the site in the shopping frontage, subject to details of hardsurfacing materials as required by condition.

The proposed car parking and refuse storage would be located to the rear of the building and would be screened from public view by 2.2m high boundary treatments and a sideways opening electronic gate, similar to other rear boundaries along Victoria Road. Subject to a condition requiring details of this boundary treatment to be submitted and approved, this part of the proposal is considered 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 3.7 of this report.

In summary, officers consider that the size, scale and design of the building

and layout of the scheme proposed is such that it would adequately respect the character of the surrounding area. The scheme would make effective and efficient use of previously developed land as required by the NBTCF. The overall design quality of the development responds well to the site context and is considered to be of a high quality. The proposal is therefore considered to comply with the relevant design policies set out above.

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 Residential Design Guidance Supplementary Planning Document provides further guidance on safeguarding the amenities of neighbouring and surrounding occupiers and users. This includes stating that there should be 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 houses situated on the north side of Victoria Road and residential flats over commercial properties on the north side of Victoria Road. The development would not incorporate rear facing habitable room windows and the limited north facing windows would be modest in size and would not overlook the rear elevations or garden areas of nearby properties. The proposed roof terrace would be some 25 metres from the nearest garden and this is considered to be acceptable. It is therefore considered that the development would not result in unacceptable overlooking or loss of privacy.

Daylight and sunlight/outlook and visual impact

The proposed building would be sited a sufficient distance from surrounding residential properties, so as not to unduly impact on daylight and sunlight levels. There is a flank wall window at No.17 that faces the application site. The size of this window suggests that it does not serve a habitable room. However, the proposed building would be set away from this window so as to not unduly impact on daylight and sunlight levels.

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. 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 in the normal course of their occupation and the proposed parking area would be sited adjacent to existing parking/servicing areas which would currently generate a degree of noise.

It is noted that the proposed A3 use could result in some noise and disturbance, both in terms of activity and in relation to plant and machinery requirements. However, a restaurant/café use would be appropriate to this town centre location and neighbouring residential properties would already experience a high level of noise and disturbance from similar uses in the locality. A condition is recommended to restrict the opening hours of any A3 use that might occupy the development. Conditions have also been recommended by Environmental Health in respect of possible ventilation equipment and other plant and machinery. Subject to compliance with these conditions, the proposals would have an acceptable impact on neighbouring amenity in terms of noise.

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 these conditions the proposal is considered to be acceptable in terms of the noise impacts.

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 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.

It is noted that no trees would be lost as part of the proposal, but there would be an opportunity for tree and shrub planting on the forecourt of the development, to improve the street scene setting. This would be required in line with the above landscaping scheme, as recommended by condition.

3.8 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.

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 score parking provision at the higher end of the range would be required. The PTAL score for the site is 3.

A total of 3 off street parking spaces are proposed accessed via a new vehicle access from Victoria Road. One parking space will be allocated for each of the flats and one operational space will be allocated for the retail unit. The parking spaces, refuse storage and proposed servicing are to the rear of the site within an enclosed yard.

The parking standards in the London Plan recommend a maximum of 1 to 1.5 parking spaces for a 2 bedroom flat and a maximum of one space per 50-30 sqm for a non food retail use in a PTAL 4 to 2 areas. This equates to 2 to 3 parking spaces for the residential development and 1 to 2 parking spaces for the retail use.

The proposed parking provision is therefore in accordance with the parking standards in London Borough of Barnet's Local Plan Policy DM17 of Development Management Policies (Adopted) September 2012 and is considered acceptable on highways grounds for a development at this location.

Cycle parking

There should be a minimum of 3 cycle parking spaces provided to serve the 2 flats. This could be provided either in an enclosure in the rear yard or within the entrance lobby. A condition is recommended to require details of this provision to be submitted and approved.

Vehicle access

A new crossover is required to provide access to the proposed off street parking spaces and servicing area as there is no vehicle access into the existing property. There is a gated vehicle access in Victoria Road adjacent to the site which provides access to the neighbouring property at 17/19 East Barnet Road. A gated new vehicle access is proposed for the development from Victoria Road approximately 12 metres west of the existing neighbouring crossover. Any new or amended crossovers will be subject to detailed survey as part of the application for a new vehicular access under the Highways Act and an informative has been recommended in this regard.

The proposed gates should not open onto the public highway. It is noted that a sideways opening electronic gate is proposed and further details of this would be secured through a condition.

Refuse collection

The proposed refuse collection point shown on submitted plans is within 10 metres from the public highways and is considered acceptable on highways grounds. The applicant should ensure that unrestricted access is provided for refuse collection operatives on collection days.

Construction management plan

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.

Highways land safeguarding

A strip of land 1m wide along the East Barnet Road/Victoria Road frontage of the site is required to be safeguarded to allow for future highways improvements at this junction. A plan denoting this piece of land has been agreed with the applicant and this area will be transferred to the council as highways authority through the s.106 agreement, as set out at the beginning of this report.

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.

3.9 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 do not include a detailed explanation of how the layout of the scheme and design of the proposed buildings has been influenced by the desire to make them accessible for all members of the community. Policy requires all new dwellings (houses and

flats) to meet the relevant Lifetime Homes standards.

There is no lift proposed in the development, so level access would not be provided to either of the flats. The internal arrangements of the flats, particularly the bathrooms, would not comply with the principles of inclusive design. However, it is considered that the modest scale of development proposed does not justify the provision of a lift, which would also take up floorspace and could affect the design. On balance therefore, it is considered that the lack of compliance with Lifetime Homes standards should not lead to refusal of planning permission in this instance. Level access would be provided to the ground floor retail unit and this would therefore be fully accessible.

3.10 Contaminated land and water quality issues:

The Council's Environmental Health Service have 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.

3.11 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 design and layout of the development proposed would allow for good natural surveillance of the front of the site and surrounding streets. It is noted that there is an absence of rear facing windows to the parking area. However, this area would be fenced and gated off from Victoria Road, which would create a secure environment, provided adequate external lighting is provided. A condition is recommended requiring a lighting scheme to be submitted and approved. The proposal is therefore deemed to be acceptable in respect of providing a safe and secure development with an environment which reduces opportunities for crime and the fear of crime.

3.12 Flooding and water infrastructure matters:

The application site does not fall within an area identified as being at risk of flooding. However, a condition has been recommended to ensure that the suitable drainage infrastructure is implemented as part of the development proposed, in line with Thames Water recommendation. Piling details are also required by condition as construction could affect sewerage infrastructure.

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.

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

3.13 Energy, climate change and sustainable construction matters:

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions. 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. 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 schemes such as this should achieve Code Level 4 or above against the Code for Sustainable Homes.

Carbon dioxide emissions

The application is accompanied by a Sustainable Design Note, which sets out a 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. The chosen options include built fabric improvements such as high insulation values, low energy lighting and high efficiency boilers, as well as the installation of photovoltaic panels on the roof of the development, thereby achieving a 28% betterment for each of the flats. 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 conditions recommended also include requirements for the details of the photovoltaic panels to be installed to be submitted and agreed with the Local Planning Authority, in order to ensure an acceptable appearance.

3.14 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. Other than the requirement to safeguard an area of the forecourt for future highways improvements, no further mitigation is considered to be required.

3.15 Community Infrastructure Levy

The proposed development is liable for charge under the Mayoral Community Infrastructure Levy (CIL) and the Barnet CIL. As the site does not presently contain any floorspace that can be relied upon for the purposes of the CIL

Regulations, all of the floorspace proposed would be liable for charge. Using the developments gross internal areas of 186.5sqm (residential) and 61.2sqm (retail), at the relevant rates of £35 and £135 per square metre, this equates to a charge of £8,670 and £33,440 respectively.

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 building 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.

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 landmark building, that shows a high quality design approach, relates acceptably to neighbouring properties, is in keeping with the character of the area, does not cause any unacceptable harm to the amenities of the neighbouring properties and would provide their future occupiers with an acceptable standard of accommodation is considered to accord with policies that seek to optimise the use of previously developed sites such as this.

The scale and design of the development has been influenced significantly by the prominent nature of this corner site. The proposal would result in a high quality contemporary design and conditions are recommended in relation to the detailed design and use of materials. The scheme would provide a retail/café unit at ground floor level, which is appropriate to its town centre location.

Both of the flats proposed would be appropriately sized, would have acceptable levels of outdoor amenity space and would be dual or triple aspect. Such a layout also helps to ensure adequate daylight and sunlight levels for future occupiers of the scheme, as well as neighbouring occupiers. The new dwellings would both meet Code for Sustainable Homes Level 4.

The scheme provides an appropriate level of car parking on site for the uses 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. An area of land along the frontage of the site would be safeguarded through the legal agreement, to allow for future improvements to the roundabout junction.

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

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

N00818K/02 'Redevelopment of site to provide 6no. 1 bed self-contained flats in a four storey building with retail (Class A1) use at ground floor level'. Appeal (2002)

N00818L/04 'Demolition of existing building and erection of part four, part five storey building to provide 5no. self-contained flats with a ground floor Class A1 commercial unit. Provision of off-street parking accessed from Victoria Road'. Refused (2004)

N00818M/04 'Demolition of existing building and erection of part three, part four storey building with terraces to provide 4no. self-contained flats with a ground floor Class A1 commercial unit. Provision of off-street parking accessed from Victoria Road'. Granted (2004)

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 landmark building, that shows a high quality design approach, relates acceptably to neighbouring properties, is in keeping with the character of the area, does not cause any unacceptable harm to the amenities of the neighbouring properties and would provide their future occupiers with an acceptable standard of accommodation is considered to accord with policies that seek to optimise the use of previously developed sites such as this.

The scale and design of the development has been influenced significantly by the prominent nature of this corner site. The proposal would result in a high quality contemporary design and conditions are recommended in relation to the detailed design and use of materials. The scheme would provide a retail/café unit at ground floor level, which is appropriate to its town centre location.

Both of the flats proposed would be appropriately sized, would have acceptable levels of outdoor amenity space and would be dual or triple aspect. Such a layout also helps to ensure adequate daylight and sunlight levels for future occupiers of the scheme, as well as neighbouring occupiers. The new dwellings would both meet Code for Sustainable Homes Level 4.

The scheme provides an appropriate level of car parking on site for the uses 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. An area of land along the frontage of the site would be safeguarded through the legal agreement, to allow for future improvements to the roundabout junction.

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

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.

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 and amendments were made to the scheme to accord with this advice.

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:

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)

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); and 3.9 (Mixed and Balanced
Communities)

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); 7.13 (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)”;
 - 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. 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. 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.

8. 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.
9. Refuse collection points should be located within 10 metres of the Public Highway. Otherwise the site is required to be design to allow refuse vehicles to enter and turn within the site. The applicant should ensure that unrestricted access is provided for refuse collection operatives on collection days.
10. The applicant is advised that for construction works adjacent or affecting the public highways, the council's Street Based Services should be contacted on 0208 359 4600 for any necessary Highways Licenses or any highway approvals deemed necessary.
11. The applicant is advised that Victoria Road (whole length) and East Barnet Road (whole length) are Traffic Sensitive Roads; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic.
12. The applicant is advised that the development is located on or will have an impact on the Strategic Road Network (SRN)/Transport for London Road Network (TLRN). The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.
13. The Mayor of London introduced a Community Infrastructure Levy (CIL) on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet and the Barnet CIL sets a rate of £135. Your planning application has been assessed to require a charge of £8,670 under the Mayoral CIL and £33,440 under the Barnet CIL.

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.

