

**LOCATION:** Former Optex Site, 18-26 Victoria Road, Barnet, Herts, EN4 9PF

**REFERENCE:** B/00937/13      **Received:** 08 March 2013

**Accepted:** 28 March 2013

**WARD:** East Barnet      **Expiry:** 27 June 2013

**APPLICANT:** Spen Hill Developments Limited

**PROPOSAL:** Redevelopment of the site to incorporate the erection of 2, 3 and 4 storey buildings to provide 27no. residential units (Use Class C3) comprising of: 10no. dwellinghouses and 17no. self-contained flats together with new access from Victoria Road, associated provision of 41 car parking spaces, cycle spaces, amenity space and landscaping. Re-provision of electricity sub-station.

## **APPLICATION SUMMARY**

The existing site is currently vacant and has been for a significant period of time. It's re-development to provide new residential dwellings of the nature proposed, that show a high quality design approach, relate acceptably to their neighbouring properties, are in keeping with the character of the area, do not cause any unacceptable harm to the amenities of the neighbouring properties and would provide their future occupiers with an acceptable standard of accommodation is considered to accord with policies that seek to optimise the use of previously developed sites such as this.

The design and layout of the development has been influenced significantly by the need to create a scheme that relates acceptably to surrounding properties in this backland location, so that a suitable residential environment can be created. Each of the 27 units 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.

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

The scheme provides an appropriate level of car parking on site for the number and type of new dwellings proposed and also takes account of the location of the site in an area with a Public Transport Accessibility Level of 3. The scheme has been designed to provide appropriate and safe access for all users and would not result in any significant harm to the local road network.

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting), provides an appropriate setting for the buildings proposed and includes the planting of new trees. The development would result in the limited removal of the existing trees from the site. However, none of these are protected by a preservation order and it is considered that the replacement

planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

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

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) Employment Training  
A contribution of **£44,000** towards employment and training initiatives for local apprentices.
- (d) Monitoring of the Section 106 Agreement  
A contribution of **£1,980** 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/00937/13 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: 200 Rev A; 201 Rev A; 202; 203; 204; 205 Rev A; 206 Rev A; 207 Rev B; 208 Rev A; 209 Rev A; 210 Rev A; 211 Rev A; 212.

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

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

## **MEASURES TO ENSURE PRIVACY**

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

**Reason:**

To safeguard the privacy and amenities of the future occupiers of the proposed residential dwellings in accordance with policies DM01 and DM02 of the Barnet Local Plan.

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

**Reason:**

To safeguard the privacy and amenities of the future occupiers of the proposed residential dwellings in accordance with policies DM01 and DM02 of the Barnet Local Plan.

## **REFUSE AND RECYCLING**

- 7 Notwithstanding the details submitted with the application, before the development hereby permitted is brought into use or occupied details of the:
- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
  - ii. satisfactory points of collection; and
  - iii. details of the refuse and recycling collection arrangements
- shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason:

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

**ACCESSIBILITY**

- 8 All 27 of the new residential dwellings (use class C3) within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

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

- 9 Before the development hereby permitted commences details of the location within the development and specification of the 3 units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority. The specification provided for the 3 units shall demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users, as well as the provision of disabled standard parking for these units. The development shall be implemented in full accordance with the details as approved prior to the occupation of the development.

Reason:

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

**SUSTAINABILITY**

- 10 The 27 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 replaces that scheme). No dwelling shall be occupied until formal certification has been issued confirming that not less than a Code Level 4 has been achieved and this certification has been submitted to the Local Planning Authority.

Reason:

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

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

Reason:

To ensure that the development is sustainable and in accordance with

## **CONTAMINATED LAND**

### 12 Part 1

Before development commences other than for investigative work:

- A contaminated land desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until these details are approved in writing by the Local Planning Authority.
- If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-
  - a risk assessment to be undertaken;
  - refinement of the Conceptual Model; and
  - the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority prior to the commencement of the development.

- If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring to be carried out shall be submitted to and approved in writing by the Local Planning Authority prior to that remediation being carried out on site.

### Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

#### Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety and to comply with policy DM04 of the Barnet Local Plan.

## **BIODIVERSITY**

- 13 Prior to the commencement of the development details comprising a scheme of measures to enhance and promote biodiversity at the site as

redeveloped shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bat and birds. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation of the development.

Reason:

To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan.

## **WATER AND DRAINAGE**

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

Reason:

To ensure that the development provides appropriate drainage infrastructure and to comply with policy CS13 of the Barnet Local Plan and policies 5.13 and 5.14 of the London Plan.

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

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

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

Reason:

To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

## **REMOVAL OF PERMITTED DEVELOPMENT RIGHTS TO EXTEND**

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

Reason:

To ensure that the development does not prejudice the character of the locality, the amenities of future occupiers of the dwellings proposed and the enjoyment by neighbouring occupiers of their properties in accordance with policies CS5, DM01 and DM02 of the Barnet Local Plan.

## **LANDSCAPING**

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

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

### **Reason:**

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

20 All work comprised in the approved scheme of hard and soft landscaping (submitted under condition 19) shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building or completion of the construction of the development, whichever is sooner.

### **Reason:**

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

21 Any existing tree or hedge shown to be retained or trees, hedges or shrubs



to be planted as part of the approved landscaping scheme (submitted under condition 19) which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

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

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

Reason:

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

- 23 No site works or other works associated with this development shall be commenced before a method statement detailing the precautions to be taken to minimise damage to trees adjacent the site, in accordance with British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations*, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason:

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

- 24 The details submitted pursuant to Conditions 4 and 19 to 23 (inclusive) imposed by this Planning Permission shall be submitted at the same time.

Reason:

To enable the proper consideration of matters relating to site levels, protective fencing and landscaping in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

- 25 The dwellings hereby approved shall not be occupied unless and until a Landscape Management Plan, including details of the long term design objectives, management responsibilities and maintenance schedules for all areas of the site (other than for small privately owned gardens to houses), shall have been submitted to the Local Planning Authority and approved in writing. The management of the landscaping at the site shall be carried out in accordance with the details in the approved Landscape Management

Plan.

Reason:

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

## **NOISE AND AIR QUALITY MANAGEMENT AND MITIGATION**

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

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

- 27 The level of noise emitted from the electricity substation plant hereby approved (and any other plant that may be installed on any building within the development) shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason:

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

## **TRANSPORT**

- 28 Before the development hereby permitted is occupied; parking spaces shall be provided in accordance with a scheme to be submitted to and approved by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development. The applicant should submit details of swept paths showing that vehicles can enter and exit the car park area in a forward manner.

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.

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

Reason:

To ensure that parking is provided and managed at the development in the interests of highway and pedestrian safety and the free flow of traffic in the area and in accordance with policies CS9 and DM17 of the Barnet Local Plan.

30 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.

- 31 Prior to occupation of the development hereby permitted, the approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

Reason:

In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 32 Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 8 of the approved parking spaces to be provided with electric vehicle charging facilities. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason:

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

- 33 Before the development hereby permitted is occupied full details of the disabled standard parking spaces to be provided as part of the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 3 of the approved parking spaces to be provided as disabled standard parking spaces. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason:

To ensure that parking is provided so as to create an accessible environment for all and in accordance with policy 6.13 of the London Plan.

- 34 Prior to the commencement of the development, details of the access and estate road(s) shall be submitted to and approved in writing by the Local Planning Authority. Highways Engineering Drawings and detailed Construction Specifications shall be submitted, with a minimum scale of 1:200. The estate road as approved shall be constructed in accordance with the approved details before the site is occupied. The access road should be constructed to adoptable standards and turning facilities for refuse vehicles should be provided within the site to allow for refuse vehicles to enter the site, however it is not intended for the access road to be considered for adoption by the council. For further guidance and contact details please refer to the Traffic and Development Section – , London Borough of Barnet,

North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1N.P

Reason:

To ensure the safe form of access to the development and to protect the amenity of the area and to conform to London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 35 Prior to the occupation of the development a waiver of liability and indemnity agreement must be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

Reason:

To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

## **LIGHTING**

- 36 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 2** of this report. These include (as the first informative) a summary of the reasons for granting planning permission for this development and the relevant development plan policies taken into account in making this decision.

## **1. MATERIAL CONSIDERATIONS**

### **1.1 Key Relevant Planning Policy**

## Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (published July 2011) and the development plan documents in the Barnet Local Plan (adopted September 2012). These statutory development plans are the main policy basis for the consideration of this planning application. A number of other documents, including supplementary planning guidance and national planning guidance, are also material to the determination of the application.

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

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that that the development will fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan.

## The London Plan

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

### **Context and Strategy:**

1.1 (Delivering the Strategic Vision and Objectives for London)

### **London's Places:**

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

### **London's People:**

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

### **London's Economy:**

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

### **London's Response to Climate Change:**

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

#### **London's Transport:**

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

#### **London's Living Places and Spaces:**

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.13 (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 relevance 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**

The planning history mainly comprises historic applications relating to the former B1 and B8 use of the site and there is considered to be no application history that is of significant relevance to this proposal.

## **1.3 Public Consultations and Views Expressed**

### Public Consultation

A total of 593 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

**4 responses** to consultation were received, **2 generally in favour** of the development and **2 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:

- The Council are urged to consider traffic calming measures for the streets in and around Victoria Road.
- It is a narrow road whereby the volume and speed of traffic now exceeds capacity, and the proposed development would add to this causing hazardous conditions.
- Speed bumps installed on Margaret Road seem to have moved the rat run traffic to Victoria Road, which is even less appropriate due to community/nursery uses and blind spots.
- There are far too many flats in the area and these should be replaced with family houses, which are in short supply.
- The block of flats is 4 storeys high and looks directly into neighbouring gardens, adversely affecting privacy, this should be reduced to 3 storeys.
- The plans show trees to be planted between the block and some neighbouring houses, but not others – additional trees should be planted.
- Parking areas directly adjacent to gardens would result in noise and disturbance.
- The positioning of the electricity substation could adversely affect the health of neighbouring residents.

### Consultation Responses from Statutory Consultees and Other Bodies

#### **New Barnet Community Association:**

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

- The proposal is in line with the New Barnet Town Centre Framework.
- The proposal is for 27 units – 10 houses with gardens and two parking spaces each and 17 flats with communal gardens and 21 shared car parking spaces.
- This equates to 1.5 spaces to each unit, which experience shows is insufficient in this area.
- Affordable housing provision on the site might reduce parking demand and is much needed generally.
- We are concerned that this might result in cars parking in Victoria Road, which is dangerous due to existing car parking and speed of traffic.
- The developer has made significant modifications to address our concerns and this is an exemplar of how community consultation should be carried out.

**Metropolitan Police Service:**

No objections. The provision of a pedestrian link to East Barnet Road could give rise to concerns in relation to units 11-13, but as this does not form part of these proposals this would need to be considered in the future.

**London Fire and Emergency Planning Authority:**

No additional fire hydrants are required.

**Thames Water:**

Recommend that petrol/oil interceptors be fitted in all car parking areas. 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 parking provision proposed is acceptable, subject to 10% of spaces at disabled standard and 10% electric car charging points. 42 cycle parking spaces should be provided and this should be conditioned. The revised access points from Victoria Road would require highways consent. Refuse collection and internal turning spaces are acceptable. Trip generation associated with the development would not have a significant impact on the highways network and there would be no requirement for a formal travel plan.

**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 and noise they raise no objection to the development.

**2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL**

**2.1 Site Description and Surroundings**

The application site comprises an irregular piece of land extending to an area of 0.41ha on the southern side of Victoria Road in New Barnet. The site has been cleared of buildings, but was previously occupied by several general/light industrial buildings including the former Optex Works building

and Odeon Motors Works. The land rises by a gentle gradient from south-east to north-west (towards Victoria Road and East Barnet Station). The site currently has several sewers running through it, as well as an underground electricity cable and a substation occupies part of the site. The application site is situated approximately 300m from East Barnet national rail station and has a public transport accessibility level (PTAL) of 3. The site falls outside of the boundaries of the New Barnet Town Centre, classed as a district centre, but the Council has prepared a framework document that includes guidance in relation to edge of centre sites.

The area surrounding the application site contains a mixture of uses and building forms. Victoria Road is generally characterised by low level dwellings of suburban character, with 2-3 storeys (3<sup>rd</sup> storey generally in the roofspace), small footprints and generous gardens. Land to the rear of the site (south and south-west) is occupied by buildings forming part of New Barnet Town Centre's principle shopping street along East Barnet Road and is characterised by mixed users, mainly independent shops, takeaways and retailers with residential accommodation over. These buildings are predominantly Victorian and generally of a low height and scale with rear service yards and gardens. The Lord Kitchener public house is located to the south of the site adjacent to a break in the building line, with a car park at the rear abutting the southern site boundary. To the east and south-east of the site in the backland position between Victoria Road and East Barnet Road are several industrial type buildings, including an MOT test centre and coachworks, with the landmark building of St James' Parish Church beyond.

## **2.2 Description of the Proposed Development**

Detailed planning permission is sought by the applicant (Spenn Hill Developments Ltd) for the redevelopment of the site to provide 27 Use Class C3 residential units (10 dwellinghouses and 17 flats) and carry out a range of associated works. A plan showing the layout of the site as proposed is provided in **Appendix 1** of this report.

The terrace of dwellinghouses Nos.1-4 and the pair of semi-detached dwellinghouses Nos.5 and 6 would be situated so that they front onto Victoria Road with set backs. They would be of two storeys, although Nos.1-4 would have habitable roofspace and would have private rear gardens. In between this terrace and pair of semis would be the main access road to the rest of the development at the rear. Bin storage and 4 car parking spaces would be sited on the frontage of Nos.1-4 and a further car parking space would be located adjacent to the access road.

To the rear of these dwellings would be a terrace of 4 three storey 'mews style' townhouses sited perpendicular to the frontage buildings. These would have integral garages and parking spaces to the front, with private gardens to the rear and bin storage to the side. Opposite this terrace would be the relocated electricity sub station and cycle store, as well as further car parking and associated landscaping.

At the southern end of the access road would be a 4 storey block of 14 flats sited perpendicular to the mews houses, with individual balconies and surrounded by communal gardens. Associated bin storage would be sited to the north adjacent to the parking area and landscaping. In the south-western

extremity of the site would be a 3 storey block of 3 flats with associated parking and bin storage.

The development would provide a total of 41 car parking spaces, including not less than 4 disabled standard parking spaces (subject to the conditions recommended). These would be provided principally as surface car parking, with the 4 mews houses each having an integral garage parking space. Pedestrian access into the site would be from Victoria Road as per the vehicular access.

The architecture of the proposed buildings would be contemporary, incorporating the use of use of brickwork, render and timber. The frontage dwellings along Victoria Road would have tall pitched roofs and front gables, whilst the 3 storey mews houses would have shallow pitched roofs and parapets. The flatted blocks would be flat roofed and the fourth storey on the larger block would be recessed. The areas surrounding the proposed buildings would contain a mixture of hard and soft landscaping. The CGI images show the Victoria Road frontage to be enclosed by a mixture of brick wall, brick pier and metal railings with gates, although these are not detailed on the drawings.

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

- 4 x four bedroom six person houses (approximately 15% of dwellings)
- 2 x two bedroom three person houses (approximately 7% of dwellings)
- 4 x three bedroom six person houses (approximately 15% of dwellings)
- 15 x two bedroom four person flats (approximately 56% of dwellings)
- 2 x three bedroom five person flats (approximately 7% of dwellings)

None of the units are proposed as affordable housing, although 2 affordable houses are offered as part of a separate scheme for a nearby site under the same ownership, 7-11 Victorian Road, also reported on this agenda (ref B/00938/13).

All of the units proposed would meet or exceed the minimum floor space standards for the relevant type of dwelling (specified in Table 3.3 of the London Plan). The Planning Statement submitted with the application confirms that the dwellings proposed would all achieve the relevant Lifetime Homes Standards and meet Code for Sustainable Homes 'Level 4'. 4 of the units would achieve wheelchair accessible standards or be easily adaptable to meet wheelchair accessible standards.

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

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

- Planning Report incorporating Design and Access Statement
- Landscape Statement
- Transport Statement and Travel Plan
- Land Contamination Report
- Geotechnical Assessment and Ground Investigation
- Ecological Assessment
- Statement of Community Involvement

- Drainage Statement incorporating Flood Risk Assessment
- Foul Sewage and Utilities Assessment
- Affordable Housing Viability Assessment
- Sustainable Design and Energy Statement
- Noise Impact Statement
- Sunlight and Daylight Assessment
- Management Plan

### **3. PLANNING CONSIDERATIONS**

#### **3.1 Principle of the residential use proposed**

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

Barnet Local Plan policies CS8 and DM14 seek to safeguard existing employment sites that meet the needs of modern business. Loss of employment floorspace will only be permitted where it can be demonstrated that a site is not suitable or viable for its existing or an alternative business use and that adequate marketing has been undertaken to demonstrate this.

The applicant has stated within their submission that the buildings that occupied the site were not fit for purpose and were vacant for some time. However, no marketing evidence has been provided to demonstrate the absence of demand from other business occupiers.

Prior to the application being submitted, the buildings were demolished and the site cleared. Despite the clearance of the site, the land still has a lawful use for employment purposes. The proposals put forward to redevelop the site for residential use would therefore result in the loss of a significant quantity of employment floorspace (use classes B1, B2 and B8).

Where a loss of such land is proposed (and justified), redevelopment for mixed use purposes is encouraged as per policy DM14 of the Local Plan. The requirements of this policy need to be considered against other relevant Development Management Policies and the objectives and guidance contained within the New Barnet Town Centre Framework (NBTCF).

Local Plan policy DM11 Development Principles in the town centres states that in the case of town centre sites, the stipulation for mixed use redevelopment of employment sites (as established in policy DM14) will not be required if the site is allocated for another use in a relevant Town Centre Framework document

The NBTCF identifies the 'former Optex site and surrounding land' (Site 2) as an Opportunity Site within the 'New Barnet Mews' area. It is identified for residential development with a preference for predominantly family dwellings. The NBTCF recognises that the redevelopment of the site could help regenerate and lift the appearance of New Barnet.

The loss of employment floorspace, which is generally safeguarded in the interest of the local economic growth and prosperity, is regrettable. However, given the allocation of the land in the NBTCF and the direction of policy DM11, the principle of re-developing the site for residential use is considered acceptable in this case subject to compliance with other planning policies.

Paragraph 2.2.19 of the Planning Obligations SPD states that ‘any development that either leads to the loss of existing employment floorspace, even if such floorspace is vacant, or includes the development of over 10 residential units will be reviewed to assess if there are appropriate measures to support local enterprise and/or training that is required to make the development acceptable’. The proposal would result in the loss of employment land and it is therefore considered necessary to mitigate this impact with the provision of employment and training initiatives through a financial contribution, secured through the S.106. Details of the agreed contribution is in line with emerging guidance and is set out at the beginning of this report.

In light of these considerations and the above planning obligation, the principle of re-developing the site for to provide residential dwellings 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, tacking account of the housing requirements of different groups. The council’s Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough.

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

- 4 x four bedroom six person houses (approximately 15% of dwellings)
- 2 x two bedroom three person houses (approximately 7% of dwellings)
- 4 x three bedroom six person houses (approximately 15% of dwellings)
- 15 x two bedroom four person flats (approximately 56% of dwellings)
- 2 x three bedroom five person flats (approximately 7% of dwellings)

The dwelling mix proposed, including 37% of the total dwellings which would have 3 or more bedrooms, is considered to include an appropriate range of dwelling sizes and types that would make a useful contribution to meeting the needs of the growing and diverse population of the borough.

None of the dwellings would be provided as affordable housing. However, an independent review of the viability of the scheme (discussed in greater detail below) has confirmed that it is not viable for the scheme to make an on-site contribution towards the provision of affordable housing in the borough. However, 2 affordable houses are offered as part of a separate scheme for a nearby site under the same ownership, 7-11 Victorian Road, also reported on this agenda (ref B/00938/13) and this is discussed in more detail in other appraisal sections.

In light of these factors it is considered that, in this instance, the dwelling mix

proposed is acceptable and compliant with planning policy in this instance.

### **3.3 Density of development**

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

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

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
<b>Suburban</b>	<b>150-200 hr/ha</b>	<b>150-250 hr/ha</b>	<b>200-350 hr/ha</b>
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
<b>Urban</b>	<b>150-250 hr/ha</b>	<b>200-450 hr/ha</b>	<b>200-700 hr/ha</b>
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
<b>Central</b>	<b>150-300 hr/ha</b>	<b>300-650 hr/ha</b>	<b>650-1100 hr/ha</b>
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 27 dwellings proposed include 103 habitable rooms. As the site has an area of 0.41 hectares this equates to a density of approximately 66 units per hectare or 250 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 3m<sup>2</sup> for 1 person or 2 person dwellings with an extra 1m<sup>2</sup> expected for each additional bed space proposed. The Mayoral standards on this matter are more onerous and equate to 5m<sup>2</sup> for 1 person or 2 person dwellings with an extra 1m<sup>2</sup> expected for each additional bed space proposed.

The Residential Design Guidance SPD identifies that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

#### Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling, as set out in the below table, which shows the areas relevant to the unit types in this proposal.

Table 3.3 Minimum Space standards for new dwellings (adapted from London Plan)

	Dwelling Type (bedroom/persons- bed spaces)	Gross Internal Area Standard (m <sup>2</sup> )	GIA of Scheme (m <sup>2</sup> ) (Unit Nos)
Flats	2 bedroom 4 person	70	75 (11-13) / 72 (14-25)
	3 bedroom 5 person	86	86 (26-27)
2 Storey Houses	2 bedroom 3 person	No Standard	71 (5-6)
	4 bedroom 6 person	107	121 (1-4)
3 Storey Houses	3 bedroom 6 person	102	138 (7-10)

As set out above, all the proposed units comply with or exceed these minimum standards, with the exception of the 2 bed 3 person houses (units 5-6 fronting Victoria Road), whereby there is no standard in the London Plan. It is noted that the 70m<sup>2</sup> GIA of these units exceeds the standard for 2 bed 4 person flats and the individual room sizes in all of the units would comply with



the standards in the Mayors Housing SPG. Units 5-6 are considered to be provide a good standard of accommodation and would suit a small family who would prefer a house with a private garden to flatted accommodation.

#### Dwelling outlook

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed is considered to maximize the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties. All the proposed houses and flats would be dual aspect and would have appropriate fenestration throughout. There would be adequate setting space around each of the blocks 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. According to the multipliers in the Barnet Planning Obligations SPD, the total child yield of the development would be 8.81, which would be below the threshold in Mayoral guidance for the provision of on site play space. Each of the 10 family houses proposed would have its own private garden (discussed in more detail below). The flatted blocks include areas of communal amenity space, located around the blocks that could be 'usable' in the sense intended by planning policy as play space. The nearby Victoria Recreation Ground also has play area provision for all age groups and it is considered appropriate to seek a proportionate financial contribution to improving play space at this facility, in accordance with policies CS7 and DM15 of the Local Plan and development principle 4.8 of the NBTCP. Overall, this is considered to be sufficient for the scheme to comply with the requirements of policy on play 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 5m<sup>2</sup> of usable outdoor communal or private amenity space per habitable room proposed. For both houses and flats kitchens over 13m<sup>2</sup> are counted as a habitable room and habitable rooms over 20m<sup>2</sup> are counted as two habitable rooms for the purposes of calculating amenity space requirements.

All of the houses proposed would have their own private rear garden. The proposed garden areas would meet the minimum standards in Barnet's Residential Design Guidance, with the exception of the frontage terrace units 1-4, which would fall short by approximately 10m<sup>2</sup> each. However, the proposed garden areas would be in keeping with other gardens in the locality and within the proposed development. These family houses would be larger than the others in the scheme, due to the extra bedroom, but overall it is considered that this minor shortfall would not result in poor living conditions for future occupiers.

The provision of communal garden space for the flatted blocks would also meet the minimum standards in the SPD. Each of the flats would also have

private outdoor space, in the form of a balcony or roof terrace, provided on plot to meet the requirements in the Residential Design Guidance. Furthermore, as noted above, the development site is within 300m of the Victoria Recreation Ground and a contribution to improvements to access and visibility to this park has been agreed.

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 units 1-4, 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

The distance between directly facing windows to habitable rooms in the new dwellings would not be less than 21m. The distance from a habitable room window to a directly facing private garden area within the development would not be less than 10.5m. Subject to the conditions recommended it is considered that the design and layout of the windows, doors and amenity areas in the proposal are such that the new residential units would all be provided with an acceptable level of privacy and not suffer unacceptable overlooking. The proposal is therefore found to be acceptable in this regard.

#### Daylight and sunlight

The submission included an assessment of the daylight that would be received in the habitable rooms of the dwellings proposed. Using the methodology found in guidance from the Building Research Establishment this evaluation found that all of the habitable rooms proposed would meet the relevant daylight standards. In respect of sunlight, all the new dwellings proposed would be dual aspect and the smaller flatted block (units 11-13) would be oriented to be south facing. For these reasons the scheme is considered to be compliant with the objectives of development plan policy and provides an acceptable approach in terms of designing developments to maximise daylight and sunlight to new properties.

#### Noise and air quality

The design and layout of the buildings and spaces on the site has been heavily influenced by the need to create an acceptable noise and air quality environment for future occupiers of the proposed dwellings. Examples of this include laying out the development so that the houses can be provided with gardens that have adequate noise conditions, the design of the new buildings so that all new dwellings would be dual aspect and ensuring that there is adequate space between buildings and to adjacent noise generating uses. The Council's Environmental Health Service considers the site to be suitable for residential use and has not raised any objection to the scheme, or recommended conditions in relation to the protection of future occupiers of the development. 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 buildings and spaces proposed in the application respond positively to the backland context of the site and are found to have an acceptable relationship with the neighbouring buildings, streets and spaces. This is achieved in a number of ways.

The proposed layout provides a terrace of four and a pair of semi-detached

houses fronting on to Victoria Road, which would relate well to the pattern of development in this suburban context and would complete the streetscene. The scale and depth of the buildings would be in keeping with the grain of development here.

The row of 4 three storey town houses would be sited perpendicular to the frontage dwellings, in a 'mews' type arrangement on the west side of the access road, which is considered to be an appropriate response to the width of the site at this point. Adequate separation space would be retained to the east and west site boundaries to maintain the quality of the residential environment. The northern gable end and the front (east) elevation of this terrace would be visible from Victoria Road, but would be well articulated by the use of projecting elements, raised parapets and a variation of materials. All the proposed houses would have private gardens in a traditional arrangement, reflecting neighbouring plot ratios.

The flats proposed are situated in two buildings located to the south of the new houses. The larger block would be 4 storeys in height, although the fourth storey would be recessed, whilst the smaller block would be 3 storeys in height. Whilst these buildings would be larger than many surrounding buildings, there would be adequate space between both themselves, the proposed houses and existing surrounding properties to ensure that they are not overly dominant in this backland suburban setting. The larger block (units 14-27) has been designed to break up the apparent mass of the building, through the design approach of a central recessed core with two 'wings' to the east and west. The top floor would also be recessed.

It is noted that a significant proportion of the site is given over to surface parking. This is in part due to the nature of the larger family sized accommodation proposed and the requisite parking requirements, as well as the desire to avoid the use of basement car parking, which would result in additional construction noise and could exacerbate issues of land contamination on this former industrial site. The extent of hardsurfacing has been kept to a minimum, to allow for the required parking provision and refuse vehicle turning space, and is broken up by planting where possible. The arrangement of 4 spaces in front of units 1-4 would be acceptable given the established character of Victoria Road, where much of the frontages are given over to parking. A condition has been recommended requiring samples of the ground surfacing materials to be submitted and approved.

It is proposed to site 2 bin stores (4 bins each) to the front of units 1-4 and this would be similar to the existing situation at the front of neighbouring properties. The other bin stores within the scheme would provide a convenient facility for residents/collectors and would be of an acceptable appearance. It is proposed to relocate the electricity substation adjacent to the eastern boundary of the site, under a timber structure, which would also encompass the 17 cycle spaces required to serve the flats within the development. This part of the proposal would be modest in scale and the idea of combining these two elements of the scheme in this way is considered appropriate.

In addition to these broader points, the more detailed design of the buildings proposed takes cues from the surrounding Victorian architecture, but with a more contemporary approach. The design of the frontage dwellings along Victoria Road reflects the surrounding buildings through the use of pitched

roofs, projecting party wall parapets and front gables. The mews houses and flatted blocks provide a transition between the suburban areas and the more urban town centre to the south, with a more vertical emphasis and flat roofs. The designs include materials such as brick and render elevations, tiled roofs and the limited use of timber to complement the metal windows and in functional structures such as the bin stores. Such features are considered to be a positive aspect of the scheme and conditions have been recommended to ensure that the materials used at implementation are of a sufficient quality.

The CGI images show the Victoria Road frontage to be enclosed by a mixture of brick wall, brick pier and metal railings, although these are not detailed on the scale drawings submitted. Officers are concerned that this front boundary treatment would not reflect the character of the area and a condition is recommended requiring details of boundary treatments to be considered further.

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

In summary, officers consider that the size, scale, siting and design of the buildings and layout of the scheme proposed is such that they 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 and the layout of the development would allow for a future pedestrian link to East Barnet Road, should the site to the south come forward for development. 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 a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

#### **Overlooking and Loss of privacy**

The nearest existing residential properties to the application site are houses situated on the south side of Victoria Road and residential flats over commercial properties on the north side of East Barnet Road. With the

exception of units 11-13, the development proposed does not include windows to habitable rooms which directly face existing habitable windows in neighbouring residential buildings that are set apart a distance of less than 21m and distances from directly facing habitable windows in the development proposed to a neighbouring properties garden are not less than 10.5m. These parts of the proposal would therefore comply with planning guidance in these regards.

Units 11-13 would have bedroom and bathroom windows facing the rear of properties on East Barnet Road, at a distance of 18 metres. However, the bedroom windows would be high level so would not result in unacceptable overlooking. The bathroom windows would be modest in size and a condition is recommended to ensure that these would be obscure glazed and non-opening. Subject to this condition, it is considered that the impact would be acceptable.

It is noted that the proposed flatted blocks provide balconies and roof terraces and concerns have been raised by a resident of Victoria Road that this element of the scheme would overlook these properties. However, the rear boundaries of these properties would be some 26 metres from this block, with rear walls of the dwellings an additional 12 metres beyond. These intervening distances would ensure the development would not result in unacceptable levels of overlooking and loss of privacy at the neighbouring properties and the development would comply with policy in these regards.

#### Daylight and Sunlight

The application is accompanied by an assessment (prepared by Savills) of the proposals impact on the daylight and sunlight received at neighbouring residential properties. This report finds that the relevant criteria relating to daylight and sunlight would be met. It is therefore reasonable to conclude that there would be no significant adverse affects on the daylight or sunlight received at neighbouring residential properties. For the reasons outlined officers find that the application is acceptable in terms of its impact on daylight and sunlight received at neighbouring properties.

#### Outlook and Visual Impact

The documents submitted with the application include plans showing the impact of the proposed development on properties in the area surrounding the site and show the relationship of the proposed buildings with neighbouring properties and spaces. The closest existing residential properties to the application site are houses situated on the south side of Victoria Road and residential flats over commercial properties on the north side of East Barnet Road. 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 and Health

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. It is however noted that the use of the parking areas by vehicles could give rise to

some noise emissions and this is a concern that has been raised by an adjoining resident. As discussed above, the parking provision is required due to the mix of units proposed and it should be noted the site was previously occupied by B Class uses that would have given rise to some noise and disturbance. The Council's Environmental Health Officer has commented that a condition should be imposed requiring an acoustic fence/barrier to be provided where car parking spaces are proposed adjacent to residential boundaries. Subject to this condition, it is considered that the use of the parking areas by vehicles would have an acceptable impact on the amenities of neighbouring occupiers.

Concerns have been raised by a neighbouring resident, whose daughter suffers from epilepsy, that the relocated electricity substation could adversely affect health. The council's Environmental Health Officer has commented that there is no substantive evidence of a correlation between such installations and human health. The electromagnetic effects from the substation would be unlikely to be higher than those found in an average home. In summary, it is considered that the health impacts of this installation would be dealt with through other legislation and by the utility company. A condition has however been recommended to ensure that noise levels front plant are not detrimental to the amenities of neighbouring occupiers.

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.

#### Impacts from Lighting Associated with the Development

Policy DM01 of the Barnet Local Plan requires new lighting schemes to not impact upon amenity. A condition has been recommended requiring the implementation of the development in accordance with details of the external lighting installed as part of the development. Subject to this condition the proposal is considered to be acceptable and compliant with the objectives of policy in terms of preventing unacceptable lighting impacts from new development.

#### Conclusions

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

### **3.7 Affordable Housing**

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

- Current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8, 3.10 and 3.11.
- Affordable housing targets adopted in line with Policy 3.11.
- The need to encourage rather than restrain residential development (Policy 3.3).

- The need to promote mixed and balanced communities (Policy 3.9).
- The size and type of affordable housing needed in particular locations.
- The specific circumstances of individual sites.

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

This approach is reflected in Local Plan policy DM10 which requires the maximum reasonable amount of affordable housing to be provided on site, subject to viability, having regard to a borough wide target that 40% of housing provision should be affordable. To explain and justify this position the applicant has submitted a confidential report which evaluates the economic viability of the proposed development making a contribution to affordable housing provision. The Council has then commissioned GVA to independently review the viability report provided and examine its findings.

Taking account of the costs associated with bringing the development forward, including the associated planning obligations (set out in further detail below), and the value that the applicant would be likely to generate from the scheme, GVA conclude that the application scheme in isolation could not viably provide any affordable housing. Officers are satisfied that the conclusions of the GVA report are robust and represent an accurate representation of the viability of the scheme. In light of these circumstances in this instance the lack of affordable housing provision is considered to be acceptable and compliant with the objectives of planning policies.

The application therefore does not provide any of the dwellings on this scheme as affordable housing. Instead, the 2 houses proposed on a separate scheme for a nearby site under the same ownership, 7-11 Victoria Road (also reported on this agenda, ref B/00938/13) are proposed as affordable. However, it is noted that the scheme for 7-11 Victoria Road is recommended for refusal and these units cannot therefore be secured as affordable housing.

It is therefore considered necessary to rely upon this development in isolation and consider whether it alone could yield affordable housing provision, either on site or in the form of a commuted sum. As set out above however, the conclusions of the viability assessment indicate that the provision of affordable housing would not be viable. It is therefore considered that the proposal would comply with adopted policy in this regard and the NPPF in regard to development viability.

### **3.8 Trees and Landscaping:**

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

- Is well laid out in terms of access, car parking and landscaping.
- Considers the impact of hardstandings on character.
- Achieves a suitable visual setting for buildings.
- Provides appropriate levels of new habitat including tree and shrub planting.
- Contributes to biodiversity including the retention of existing wildlife



habitat and trees.

- Adequately protects existing trees and their root systems.
- Makes a positive contribution to the surrounding area.

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

The application submission includes a Landscape Strategy incorporating a tree survey. This identifies 8 individual trees which are on or adjacent the application site, none of which are the subject of a Tree Preservation Order and all being classified as category C trees. The proposal would result in the removal of some of these trees to make way for buildings, although the proposed layout would allow for the retention of some of the boundary vegetation, as well as all the off-site trees.

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

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

More generally the landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces, given the constraints of the scheme. It is noted that much of the site would be given over to surface car parking. However, this is partly due to the parking requirements of the family units proposed and the desire to avoid basement excavation. It is also noted that the site was previously extensively covered in buildings and hardsurfacing associated with its former industrial use. The landscaping scheme includes new areas of lawn, trees and shrub planting and provides an appropriate setting for the buildings proposed. There would be a net increase in the extent of soft surfacing. Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate quality and makes a positive contribution to the area.

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

It is concluded that the scheme provides adequate mitigation for the existing

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

### **3.9 Transport, parking and highways matters:**

#### Policy context

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

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

#### Site Location and Surrounding Area

The site is located in Victoria Road approximately 250 metres from its junction with the A110 East Barnet Road. Victoria Road is a traffic sensitive route and the A110 East Barnet Road is part of the Strategic Road Network Route (SRN). The site is within close proximity of New Barnet British Rail Station, several bus routes and town centre amenities. The site is not within a controlled parking zone.

Several waiting restrictions apply in the vicinity of the site, including single yellow lines restrictions from Monday to Saturday 8:00am to 6:30pm and no waiting at any time in Victoria Road near junctions and in the approach to East Barnet Road. However there are no restrictions to parking in parts of Victoria Road and sections of the road network in the vicinity of the site. The nearest pedestrian crossing facility is at East Barnet Road at the junction with Victoria Road. There are no pedestrian crossing facilities in Victoria Road in the vicinity of the site.

The Public Transport Accessibility Level (PTAL) is graded from 1 for poor accessibility to 5/6 for excellent accessibility. The Public Transport Accessibility Level (PTAL) was downloaded from TfL's PTAL website. For the proposed site the PTAL score is 3 and is therefore within a medium accessibility level area.

Site observations show that there is high on street parking demand in the vicinity of the site and a considerable number of vehicle movements at the junction of Victoria Road and East Barnet Road.

### Parking

A total of 41 off street parking spaces are proposed, with 37 spaces accessed via a proposed access road and 4 additional spaces at the forecourt of units adjacent to No 16 Victoria Road.

The parking standards in the London Plan recommend a maximum of 1 to 1.5 parking spaces for a 2 or 3 bedroom. This equates to 27 to 40.5 parking spaces.

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.

The proposed parking layout is generally acceptable on highways grounds, however 10% of the parking spaces should be suitable for disabled parking and electric vehicle charging points (20% active and 20% passive should be provided. Conditions are recommended in this regard.

### Cycle Parking

Cycle parking should be provided in accordance with the London Plan, which for this development equates to a minimum of 42 cycle parking spaces. A condition is recommended requiring the applicant to submit cycle parking details.

### Vehicle Access

The proposal includes two new vehicle accesses from Victoria Road, one providing access to 37 parking spaces and servicing vehicles via the proposed new access road and the second provides access to four parking spaces in the forecourt of units 1 to 4.

There are two existing vehicle access at the site which will be required to be modified and reinstated to footway level. The proposed modifications to vehicle access including new access and reinstatement of redundant crossovers must be carried out under a Section 184 Agreement and a relevant informative is attached.

### Refuse Collection

The applicant has submitted details of the proposed refuse collection and swept paths for refuse vehicles to turn within the site on Drawing SP37 included in the Transport Statement. The submitted details are acceptable on highways grounds.

The proposed refuse collection arrangement will require for refuse collection vehicles to enter the site. The proposed access road will not be considered for adoption, however the access roads within the development should be constructed to adoptable standards. The applicant should ensure that unrestricted access is provided for refuse collection vehicles on collection days.

### Trip Generation

The trip generation associated with a development of this size is not expected to have a significant impact on the surrounding highways network.

### Travel Plan

A residential development of this size falls below the travel plan thresholds as given in the Transport for London guidance 'Travel Planning for new development' and is not deemed to have a significant transport impact therefore does not require a travel plan. However the applicant is encouraged to develop a voluntary travel plan and /or promote more sustainable forms of travel in order to demonstrate commitment to the benefits of reducing vehicle use and increasing walking, cycling and public transport use.

### **3.10 Creating inclusive environments for all members of the community:**

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

The documents submitted with the application 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 the proposed dwellings (houses and flats) to meet the relevant Lifetime Homes standards and also that more than 10% of the dwellings proposed (3 in total) to be designed to meet wheelchair accessible standards or be easily adaptable to meet such requirements. 3 of the parking spaces proposed should be provided to a disabled parking space standard.

It is noted that there would be nothing to prevent level access being provided to all of the houses and flats, so all of the units are capable of complying with Lifetime Homes standards. However, disabled standard parking spaces (width 3.3m) have not been shown and it is not clear which dwellings would be wheelchair homes.

Conditions have therefore been recommended to ensure that all the proposed dwellings would meet the relevant Lifetime Homes standards, not less than 3 of the dwellings proposed would meet (or be easily adapted to meet) wheelchair accessible standards, the site would be developed at appropriate levels and not less than 3 of the parking spaces proposed would be provided to a disabled parking space standard. Subject to these controls and the requirements in place under other legislation officers conclude that the design and layout of the proposal is such that it is acceptable in terms of creating a development that is accessible, useable, permeable and inclusive for all members of the community.

### **3.11 Contaminated land and water quality issues:**

The Council's Environmental Health Service have reviewed the submitted Ground Investigation Report and have confirmed that any concerns they may

have regarding contaminated land issues are adequately addressed through the conditions recommended in this respect. Thames Water has requested that petrol/oil interceptors be fitted in all car parking areas and an appropriate condition is recommended. Having evaluated the information submitted, it is considered that the proposal is acceptable and compliant with development plan policy in respect of contaminated land and water quality matters, subject to the conditions recommended.

### **3.12 Safety and security matters:**

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

The London Fire and Emergency Planning Authority and Metropolitan Police have not raised any objection to the proposal or requested that conditions are placed upon any grant of consent. The design and layout of the development proposed and the degree of natural surveillance is considered to be such that, provided adequate external lighting is provided, it would provide a safe and secure environment. 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.

It is noted that a pedestrian link between the scheme and East Barnet Road could come forward when the adjacent site is developed and the layout of the application scheme allows for this. However, it would be more appropriate to consider safety and security matters for this if and when this site comes forward.

### **3.13 Flooding and water infrastructure matters:**

The application site does not fall within an area identified as being at risk of flooding and the application proposes a reduction in the amount of buildings and hard surfacing on the site. However, a condition has been recommended to ensure that the suitable drainage infrastructure is implemented as part of the development proposed.

Thames Water has responded to the consultation and have not raised any objections to the proposal or requested that conditions are placed upon any grant of consent. The applicant states that there is sufficient capacity in terms of utilities in the vicinity of the site.

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

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

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

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

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

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

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes. The council's adopted Sustainable Design and Construction SPD provides that 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 and Energy Statement, which includes an assessment of the options considered under the Mayor's hierarchy. The chosen options include built fabric improvements such as high insulation values, low energy lighting and high efficiency boilers. Together these measures would reduce CO<sub>2</sub> emissions for the whole development by 11% and in addition, the use of photovoltaic panels would increase this to 29%.

This document sets out the applicant's commitment to achieving level 4 under the Code for Sustainable Homes. As part of reaching this level under the Code for Sustainable Homes the dwellings proposed will need to achieve an improvement of 25% over the Target Emission Rate under the 2010 Building Regulations. Such an improvement is adequate for the scheme to comply with the requirements of policy on reductions in carbon dioxide emissions. A condition has been recommended to ensure that the development achieves Code Level 4 and this level of carbon dioxide reductions as a minimum. Subject to this condition the proposal is found to be acceptable and policy compliant in respect of reducing carbon dioxide emissions.

The Energy Statement submitted with the application identifies that the use of photovoltaic panels in the scheme is possible and that these are the preferable renewable energy technology for this scheme. Therefore the conditions recommended include requirements for the details of the

photovoltaic panels to be installed to be submitted and agreed with the Local Planning Authority.

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

#### Biodiversity matters

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

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

The application site is not designated as a SINC, nor are there any nearby. It has also been cleared of buildings and does not possess any notable wetland habitats.

Notwithstanding this a Phase 1 habitat survey was undertaken prior to the demolition works and has been submitted with this application. The report concluded that the previously existing buildings and vegetation are likely to provide limited opportunities for habitats and no habitats for protected fauna were discovered. However, the report suggests that it is appropriate for the development to provide biodiversity enhancements. More specifically they have suggested that enhancements are provided in relation to bats and birds, as well as through the type of landscaping used.

These findings are accepted and conditions have been recommended to ensure that bird boxes are erected and appropriate new planting takes place, should the scheme be implemented.

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

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

#### Other aspects of sustainable design and construction

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

energy efficiency measures and the installation of facilities for cycle storage.

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

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

### **3.15 Environmental Impact Assessment Regulations:**

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

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

Taking account of the criteria set out in Schedule 3 of the Regulations and all



other relevant factors it is considered that the development described in the information accompanying the application would not be likely to have significant effects on the environment, in the sense intended by the Regulations. Therefore an Environmental Impact Assessment is not necessary and an Environmental Statement, in line with the Regulations, is not required to be submitted with the application.

### **3.16 Planning obligation matters:**

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

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

#### **Enterprise, Employment and Training**

In line with the Planning Obligations SPD and given the loss of employment land as resisted by policy DM14 (set out in detail in earlier sections of this report), it is considered appropriate for the scheme to make provision for employment and training initiatives for local apprentices. This is calculated to be £44,000 through a calculator that will form part of the Enterprise, Employment and Training SPD and has been agreed with the applicant.

#### **Monitoring of the Section 106 Agreement**

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

### **3.17 Mayoral Community Infrastructure Levy**

The proposed development is liable for charge under the Mayoral Community Infrastructure Levy (CIL) and the Barnet CIL. As the site does not presently contain any floorspace all of the floorspace proposed would be liable for charge. Using the developments gross internal area of 2,466.6m<sup>2</sup>, at the relevant rate of £35 and £135 per square metre, this equates to a charge of £86,331 and £332,991 respectively.

## **4. EQUALITIES AND DIVERSITY ISSUES**

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

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

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

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

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

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

With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters, by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The design of the proposed development is such that the site would, as an area of land, become significantly more accessible to all members of the community. In this sense the development would have a positive effect in terms of equalities and diversity matters.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council’s Equalities Policy or the commitments

set in our Equality Scheme and support the council in meeting its statutory equality responsibilities.

## **5. COMMENTS ON GROUNDS OF OBJECTIONS**

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

## **6. CONCLUSION**

The existing site is currently vacant and has been for a significant period of time. It's re-development to provide new residential dwellings of the nature proposed, that show a high quality design approach, relate acceptably to their neighbouring properties, are in keeping with the character of the area, do not cause any unacceptable harm to the amenities of the neighbouring properties and would provide their future occupiers with an acceptable standard of accommodation is considered to accord with policies that seek to optimise the use of previously developed sites such as this.

The design and layout of the development has been influenced significantly by the need to create a scheme that relates acceptably to surrounding properties in this backland location, so that a suitable residential environment can be created. Each of the 27 units 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.

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

The scheme provides an appropriate level of car parking on site for the number and type of new dwellings proposed and also takes account of the location of the site in an area with a Public Transport Accessibility Level of 3. The scheme has been designed to provide appropriate and safe access for all users and would not result in any significant harm to the local road network.

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting), provides an appropriate setting for the buildings proposed and includes the planting of new trees. The development would result in the limited removal of the existing trees from the site. However, none of these are protected by a preservation order and it is considered that the replacement planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

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

adverse impacts from the proposal.

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: PLANS OF THE PROPOSED DEVELOPMENT

## Site layout and context as proposed



## APPENDIX 2: INFORMATIVES

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

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

The existing site is currently vacant and has been for a significant period of time. It's re-development to provide new residential dwellings of the nature proposed, that show a high quality design approach, relate acceptably to their neighbouring properties, are in keeping with the character of the area, do not cause any unacceptable harm to the amenities of the neighbouring properties and would provide their future occupiers with an acceptable standard of accommodation is considered to accord with policies that seek to optimise the use of previously developed sites such as this.

The design and layout of the development has been influenced significantly by the need to create a scheme that relates acceptably to surrounding properties in this backland location, so that a suitable residential environment can be created. Each of the 27 units 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.

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

The scheme provides an appropriate level of car parking on site for the number and type of new dwellings proposed and also takes account of the location of the site in an area with a Public Transport Accessibility Level of 3. The scheme has been designed to provide appropriate and safe access for all users and would not result in any significant harm to the local road network.

The landscaping proposed for the site is considered to include an adequate balance of hard and soft surfaces (including new areas of lawn and shrub planting), provides an appropriate setting for the buildings proposed and includes the planting of new trees. The development would result in the limited removal of the existing trees from the site. However, none of these are protected by a preservation order and it is considered that the replacement planting proposed provides adequate mitigation for the vegetation which would be lost in this instance.

A number of conditions and planning obligations have been recommended

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

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); 3.9 (Mixed and Balanced  
Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable  
Housing Targets); 3.12 (Negotiating Affordable Housing on Individual  
Private Residential and Mixed Use Schemes); 3.13 (Affordable Housing  
Thresholds); and 3.16 (Protection and Enhancement of Social  
Infrastructure)

### London's Economy:

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

### London's Response to Climate Change:

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

### London's Transport:

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and  
Safeguarding Land for Transport); 6.3 (Assessing Effects of Development  
on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity);  
6.5 (Funding Crossrail and Other Strategically Important Transport  
Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling);



6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces:

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.13 (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](mailto:plantprotection@nationalgrid.com) or at Plant Protection, National Grid, Block 1 Floor 1, Brick Kiln Street, Hinckley LE10 0NA.
  9. 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.
  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) is a Traffic Sensitive Road; 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 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 £86,331 under the Mayoral CIL and £332,991 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](http://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](mailto:cil@barnet.gov.uk).

**APPENDIX 3: SITE LOCATION PLAN**

**Former Optex Site, 18-26 Victoria Road, Barnet, Herts, EN4 9PF:**

