

**MEETING****FINCHLEY AND GOLDERS GREEN AREA PLANNING COMMITTEE****DATE AND TIME****THURSDAY 9TH FEBRUARY, 2017****AT 7.00 PM****VENUE****HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ**

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
5.	ADDENDUM (IF APPLICABLE)	3 - 18

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**114-120 West Heath Road**

**Ref: 16/5993/FUL**

**Amend Recommendation**

Delegate authority to officers to approve the planning application subject to s106, providing that no additional objections are received raising matters that are not addressed in the report by 16/02/2017

**Amend report:**

**Objection from Corporation of London**

As mentioned in the report an objection has been received from the Corporation of London on the following grounds:

*'The site is located directly adjacent to Golders Hill Park, as well as within an Area of Coordinated Character. Therefore, the site is considered to be a sensitive location in terms of views, character and openness. The application, which proposes "partial lower ground floor level and four to five floors above", is significantly higher in comparison with the existing buildings on site as well as the surrounding buildings on West Heath Road which predominantly comprise private residential properties and flatted developments of 2-3 storeys. The size, bulk, siting and design of the proposal is visually intrusive and would be detrimental to the visual and residential amenities of occupants of neighbouring properties, as well as to views from Golders Hill Park.'*

*'The proposed development will lead to intensification of the site and an associated increase in vehicular movements due to residents, staff and visitors. The City has concerns in relation to how this will impact on Golders Hill Park and the surrounding area, particularly in relation to traffic and parking. It is not considered that the application provides sufficient justification or mitigation measures to alleviate its concerns.'*

*'There are a number of trees which are proposed to be removed as a result of the proposals. The Arboricultural Report identifies that 32 trees are to be lost in total. This is fairly substantial given the leafy nature and suburban character of the locality, as well as being located adjacent to Golders Hill Park. The character of the area is largely established by this open space framed with residential properties, their landscaped gardens and mature trees. The proposed development fails to protect and preserve existing trees and landscaping. Therefore, the City considers that the substantial loss of trees on the site will erode the special character and nature of the area.'*

Officers have considered these points and consider that they are generally addressed in the report to committee. It should be noted that the applicant has provided a detailed townscape assessment including verified views and this illustrates that the views from the park would be limited. Furthermore the proposed building is considered to be of high quality design and is in keeping within the area. Highways and tree issues are dealt with within the report.

**Fire Brigade**

The objection from the London Fire Brigade has been addressed as the applicant has confirmed that part B5 of the Building Regulations will be met.

## **Amendments to main body of the report**

### **Loss of the Employment Use**

In addition to the report, it is understood that the applicant has undertaken a marketing exercise and that there was no interest from office operators. It must be noted in any event that the proposals would provide significant levels of employment.

It is acknowledged that the development will contribute to Barnet's housing needs by releasing family homes to the market, creating employment and reducing burden on the NHS.

### **Trees and Landscaping**

The trees and landscaping comments are now revised as there have been further discussions with the Council's Tree Officer. Whilst the objection from tree officers remains there has been further clarity on this issue and this is reflected below. The applicant's arboricultural consultant has provided some clarification which has gone some way to addressing the tree officer's concerns regarding the scheme.

The difference in opinion on the trees now relates only to 5 of the trees on site. 21 trees are to be removed (T34, T39, T41, T42 and T45) A total of 29 trees and 1 group (48) made up of yew trees and mature rhododendron will be removed to facilitate this proposal. 17 of these trees are protected by tree preservation orders TPO/TRE/HE/ 3 & 13.

The applicant has committed to providing a landscaping scheme which proposes significantly planting including 28 trees. 28 new deciduous and evergreen trees are proposed to be planted around the site. The 9m high trees specified, largest available nursery stock, is best available option to start offsetting the loss of trees for this development. The age of the trees removed range between 60 to 100 years plus and therefore cannot be considered a direct replacement. As such there will be a considerable period of time where there is a loss of tree canopy cover in the site.

The sub station is to be located on left side of driveway, currently positioned between T24 and T25. T25 is a young mature yew tree that is developing well and is likely to continue to develop for another 500 years. To achieve this location the yew tree would need to be coppiced and then allowed to regenerate. Trees regenerate faster from coppice stools than when planted T24 will be removed for the sub-station. Then replacement planting will offset the loss in the medium term.

A provisional landscape master plan has been submitted for the landscaping around the building BHSLA-54702.02.08 Rev 8. The primary species selected for offset planting are broadly acceptable being a mixture of evergreen and deciduous trees planted around the boundary of the site. Some minor amendments on species may be required along the back boundary to diversify the species range in the interests of climate change and resilience. 3 Details of the succession planting and long term management is need along the wooded strip along West Heath Road. The size of trees planted will mean that an intensive maintenance regime will be necessary to ensure establishment. These details will need to be submitted. The shrub and herbaceous planting lists are broadly acceptable and final details of locations and

densities will need to be provided. The proposal retains all the trees on the boundary except at the main entrance and removes trees growing in the core of the site. The applicant argues that in terms of visual amenity and impacts this is acceptable. In the view of the tree officer the scheme will result in the loss of existing mature trees and green spaces which make the local character of West Heath Road and surrounding areas. Comments have been provided throughout the design stages to the developer for the retention of additional trees.

The arboricultural method statement will ensure the trees retained for this proposal can be protected and retained in good health if strictly adhered to.

The planning application would be accompanied by Woodland Management Plan secured by legal agreement.

Planning officers acknowledged that the removal of a number of trees is likely to be needed in order to redevelop the site in any viable manner. The wider issue is weighed up in the conclusion of the report.

### **Highways Issues**

The site is moderately accessible by public transport and a travel plan will encourage the use of sustainable modes of travel to and from the site for staff and visitors, as well as supporting car free living for residents.

A mobility mini-bus will be available to take groups of residents to and from local services and facilities

The area is subject to a Controlled Parking Zone (CPZ) which limits potential for staff and visitors to park on-street.

The existing vehicular and pedestrian access to the site is will accommodate two-way vehicle and pedestrian movements. The existing site access is not sufficiently wide to accommodate HGV service vehicles. The proposed widening of the site access will ensure that service vehicles can now be accommodated within the site

### **Conditions:**

#### **Amend Conditions as follows:**

1 The development hereby permitted shall be carried out in accordance with the following approved plans: 500\_PL\_002, 500\_PL\_005, 500\_PL\_006, 500\_PL\_007, 500\_PL\_008, 500\_PL\_015, 500\_PL\_016, 500\_PL\_017, 500\_PL\_018, 500\_PL\_020, 500\_PL\_021, 500\_PL\_022, 500\_PL\_023, 500\_PL\_025, 500\_PL\_026, 500\_PL\_027, 500\_PL\_028, 500\_PL\_199, 500\_PL\_200, 500\_PL\_201, 500\_PL\_202, 500\_PL\_203, 500\_PL\_204, 500\_PL\_205, 500\_PL\_206, 500\_PL\_320, 500\_PL\_321, 500\_PL\_322, 500\_PL\_340, 500\_PL\_341, 500\_PL\_342, 500\_PL\_343, 500\_PL\_400, 500\_PL\_401, 500\_PL\_500, 500\_PL\_501, 500\_PL\_502, 500\_PL\_001, Planning Statement, 70015773-C-502 Rev A, 70015773-C-503 Rev A.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

3 a) No development **other than demolition** shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

4 a) No development other than demolition **and basement works** shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

5 a) No site works **or works in connection with the development hereby approved other than clearance works** shall be commenced until details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques has been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

6 The development shall be implemented in accordance with the submitted Construction Environment Management Plan.

~~6 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been 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.

~~7 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works and works to the basement shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.~~

7 a) The development shall be implemented **in accordance with the Waste Management Strategy** and the refuse and recycling facilities provided in full accordance with the **Waste Management Strategy before the development is first occupied** and the development shall

be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

**8 The development shall be implemented in accordance with the submitted recommendations in the Ground Investigation Report, Generic Quantative Risk Assessment and Environmental Desk Study.**

**Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.**

Part 4

~~Before development commences other than for investigative work:~~

~~a) A desktop study (Preliminary Risk Assessment) 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 (Preliminary Risk Assessment) 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 approved in writing by the Local Planning Authority.~~

~~b) 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.~~

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

## Part 2

~~d) 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 in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.~~

9 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced **apart from demolition and works to the basement.**

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme 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 in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

### **10 a) The development shall be implemented in accordance with the submitted Tree Protection Plan and a Method Statement**

~~10 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction – Recommendations) have been submitted to and approved in writing by the Local Planning Authority.~~

**b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on**

site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement. ~~as approved under this condition.~~

**Reason:** To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

**11 a) No development other than demolition and site clearance** ~~site works (including any temporary enabling works, site clearance and demolition) or development~~ shall be commenced until details of a Landscape Management Plan and Landscape and Ecological Management Plan (LEMP) (which incorporates the recommendations provided within the EP11 within the associated Bat Tree Survey), for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

**Reason:** To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

~~12 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.~~

12a) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features **set out in the Flood Risk Assessment and Outline Drainage Strategy** ~~approved under this condition~~ have been implemented in their entirety.

**Reason:** To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.13 and 5.14 of the London Plan 2015.

13 Before the development hereby permitted is occupied, car parking should be provided in accordance with drawing 500 PL\_100 and 500 PL\_199 and spaces shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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 polices 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.

14 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 8 of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 8 of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

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 2015.

15 The approved development shall make provision for cycle parking and cycle storage facilities in accordance **with the submitted Transport Statement** ~~London Plan Cycle Parking Standards~~. 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.

16 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

17 The premises shall be used for a extra care facility and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

18 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 8 am or after 10 p.m. on any other day.

Reason: To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

19 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) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with Policies DM01 and DM18 of the Development Management Policies DPD (adopted September 2012).

20 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

21 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

22 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the **new units (Class C2) new dwellinghouses** (~~Use Class C3~~) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design

which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

23 Prior to the first occupation of the new **units (Use Class C2) dwellinghouse(s)** ~~(Use Class C3)~~ hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

24 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures **in accordance with the submitted Energy Strategy** ~~which~~ **to** achieve an improvement of not less than 40 **35%** in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the **2013 Building Regulations** ~~2010 Building Regulations~~. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Polices document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

~~25 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority.~~

~~b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).~~

~~Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.~~

26 a) No development shall take place **apart from demolition and site clearance** until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015).

27 Prior to the commencement of the development, details of any works proposed on public highway including access arrangement for the site of the public highway shall be submitted to and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety 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.

28 The applicant shall provide further groundwater monitoring to inform temporary works design, as well as updating ground movement and damage impact assessments once demolition options are finalised and following discussions with the piling contractor. An appropriate monitoring plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development has an acceptability on the stability of the land and hydrogeology of the area in accordance with policy DM04 of the Development Management Policies 2012 and Sustainable Design and Construction SPD 2016.

**29 a) The development shall be implemented in accordance with the recommendations in the submitted Air Quality Assessment.**

~~29 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler / CHP Plant shall be submitted to and approved by the Local Planning Authority. The emissions for CHP and / or biomass boilers shall not exceed the standards listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document 2014. The report shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. It shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.~~

~~b) A scheme for air pollution mitigation measures based on the findings of the report~~

~~shall be submitted to and approved by the Local Planning Authority prior to development. Details of the plant and evidence to demonstrate compliance with the GLA's emissions standards will be required.~~

~~c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.~~

~~Reason: To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development in accordance with the Sustainable Design and Construction SPD (adopted April 2013). To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.~~

~~30 a) No development other than demolition works shall take place until a detailed assessment for the kitchen extraction unit, which assesses the likely impacts of odour and smoke on the neighbouring properties is carried out by an approved consultant. This fully detailed assessment shall indicate the measures to be used to control and minimise odour and smoke to address its findings and should include some or all of the following: grease filters, carbon filters, odour neutralization and electrostatic precipitators (ESP). The equipment shall be installed using anti-vibration mounts. It should clearly show the scheme in a scale diagram and shall be submitted to and approved in writing by the Local Planning Authority~~

~~30 The development shall be implemented in accordance with **submitted Ventilation Report** details approved under this condition before first occupation or the use is commenced and retained as such thereafter.~~

~~Reason: To ensure that the amenities of the neighbouring occupiers are not prejudiced odour and smoke in the immediate surroundings in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted 2012).~~

~~31 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>~~

~~Reasons: In the interests of good air quality with regard to London Plan policies 5.3 and 7.14~~

~~32 Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).~~

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

~~33 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.~~

**33 The development shall be implemented in accordance with the measures set out in the Environmental Noise Survey** the measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

35 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

36 Prior to **the** occupation of ~~the relevant phase~~ of the development hereby approved, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings as well as mitigate any impacts to species including bats. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to occupation of the relevant phase.

Reason: To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan and to mitigate the impact to species including bats in accordance with policies CS7 and DM16.

37 Before the development hereby permitted is occupied, the applicant shall provide a statement setting out how the development complies with Secure By Design principles. The development shall implemented in full accordance with these details.

Reason: To ensure that the development has an acceptable impact on security in the area.

38 The development shall be implemented in full accordance with the recommendations set out in the Preliminary Avoidance and Mitigation Measures sections 6.3.1 of the Extended Phase 1 Habitat Report. These works should be carried out by, overseen or advised by a suitably experienced ecologist and in strict adherence to the submitted CEMP.

Reason: To ensure that there are no adverse impacts upon protected species within the site or the neighbouring Hampstead Heath Site of Metropolitan Importance for Nature Conservation (SMINC) and associated Habitats of Principal Importance such as the Lowland Mixed Deciduous Woodland.

**39 No development in respect of 114 West Heath Road** shall commence until the LPA has been provided with the licence in relation to bats issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising that the works can go ahead.

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