

**MEETING**

**PLANNING COMMITTEE**

**DATE AND TIME**

**TUESDAY 13TH OCTOBER, 2020**

**AT 7.00 PM**

**VENUE**

**VIRTUAL MEETING**

**LINK TO VIRTUAL MEETING - <https://bit.ly/3jCeyUI>**

**TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)**

Chairman: Councillor Shimon Ryde  
Vice Chairman: Councillor Melvin Cohen

**Councillors**

Councillor Jess Brayne	Councillor Eva Greenspan	Councillor Tim Roberts
Councillor Claire Farrier	Councillor Nagus Narenthira	Councillor Mark Shooter
Councillor Stephen Sowerby	Councillor Julian Teare	Councillor Laurie Williams

**Substitute Members**

Cllr Gabriel Rozenberg	Cllr Gill Sargeant	Cllr Kathy Levine
Cllr Alison Cornelius	Cllr Daniel Thomas	Cllr Anne Hutton
Cllr John Marshall	Cllr Helene Richman	Cllr Sarah Wardle

**You are requested to attend the above meeting for which an agenda is attached.**

**Andrew Charlwood – Head of Governance**

Governance Services contact: [mainplanning.committee@barnet.gov.uk](mailto:mainplanning.committee@barnet.gov.uk)

Media Relations Contact: Tristan Garrick 020 8359 2454

**ASSURANCE GROUP**

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*Please note that the below agenda may not reflect the order in which items will be heard at the meeting.*

## ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 6
2.	Absence of Members	
3.	Declarations of Members' disclosable pecuniary interests and non-pecuniary interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Land Formerly Known As British Gas Works, Albert Road, New Barnet, Barnet, EN4 9SH - 20/1719/FUL	7 - 100
7.	Whalebones Wood Street Barnet EN5 4BZ - 19/3949/FUL	101 - 172
8.	Prospect Square London N2 8BP - 20/1545/S73	173 - 200
9.	Re-designation of West Finchley Neighbourhood Plan Area and Forum	201 - 244
10.	Any item(s) that the Chairman decides are urgent	





## Decisions of the Planning Committee

2 September 2020

Members Present:-

AGENDA ITEM 1

Councillor Shimon Ryde (Chairman)  
Councillor Melvin Cohen (Vice-Chairman)

Councillor Jess Brayne	Councillor Mark Shooter
Councillor Claire Farrier	Councillor Stephen Sowerby
Councillor Eva Greenspan	Councillor Julian Teare
Councillor Nagus Narenthira	Councillor Laurie Williams
Councillor Tim Roberts	

Apologies for Absence

Councillor Brian Gordon

### 1. MINUTES OF THE LAST MEETING

**RESOLVED** that the minutes of the meeting held on 22 July 2020, be agreed as a correct record.

### 2. ABSENCE OF MEMBERS

Apologies were received from Councillor Brian Gordon.

### 3. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

Councillor Julian Teare declared a non-pecuniary interest on Item 6, Land Formerly Known As British Gas Works, Albert Road, New Barnet, Barnet, EN4 9SH (East Barnet), in that he is a member of the Voluntary Customer Panel for One Housing Group, and noted that he is coming to the evening's debate with an open mind and has not made his judgement on the application.

### 4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

### 5. ADDENDUM (IF APPLICABLE)

Items contained within the addendum were dealt with under the individual agenda item.

### 6. LAND FORMERLY KNOWN AS BRITISH GAS WORKS, ALBERT ROAD, NEW BARNET, BARNET, EN4 9SH (EAST BARNET)

The report and addendum were introduced and slides presented by the Planning Officer. Verbal representations were heard from Mr Nick Hufton, Mr John Dix, Ward Councillor Felix Byers, Rt Hon Theresa Villiers MP and the Applicant's Agent, Mr Mark Jackson.

Members then had an opportunity to question the speakers and officers and discussed the application in length.

Having considered the report, the Chairman moved to VOTE on the Officer's recommendation for approval subject to legal agreement and conditions. The vote was recorded as follows:

For	0
Against	11
Abstention	0

The Committee voted unanimously AGAINST the Officer's recommendation for approval. The Chairman then moved a motion to DEFER the vote on the reasons for refusal, which had been outlined at the meeting, in order that he could prepare well-worded and detailed grounds for refusal in discussion with Planning Officers, to be agreed at the next meeting of the Committee. This was seconded by Councillor Greenspan. The vote was recorded as follows;

For (Deferral)	11
Against (Deferral)	0
Abstention	0

The Chairman agreed that the reasons would be circulated to Members of the Committee in advance of the meeting.

**It was therefore RESOLVED; that the vote to refuse the application be DEFERRED to the next meeting of the Planning Committee to allow time for detailed reasons to be drawn up.**

**7. ANY ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT**

None.

The meeting finished at 20.51

**LOCATION:** Land Formerly Known As British Gas Works, Albert Road, New Barnet, Barnet, EN4 9SH

**REFERENCE:** 20/1719/FUL

**Received:** 02 April 2020

**AGENDA ITEM 6**

**Accepted:** 02 April 2020

**WARD:** East Barnet

**Expiry:** 02 July 2020

**APPLICANT:** Citystyle Fairview VQ LLP

**PROPOSAL:** Redevelopment of the site to provide 652 residential units (Use Class C3) within 14 buildings ranging from 1 to 10 storeys and a single storey Plaza Kiosk building, with 327.6sqm of retail/commercial space and 111.3sqm of community space (Use Class A1/A2/A3/A4/B1/D1/D2) at ground floor; new public realm with communal landscaped amenity areas; alterations and additions to existing highways arrangements plus the removal of existing elevated footbridge and creation of new pedestrian routes; 392 car parking spaces (including car club and accessible provision) with basement and surface level provision; secure cycle parking; servicing and other associated development

## **APPLICATION SUMMARY**

Agenda Item 6 (Land Formerly Known as British Gas Works) of the Planning Committee meeting of the 2<sup>nd</sup> September 2020 was deferred by members in order that the reasons for refusal, in discussion with Planning Officers, could be prepared and agreed at the next meeting of the Committee.

The original officer planning report to the 2<sup>nd</sup> September 2020 Committee is included as Appendix A, along with the Addendum to this Committee which is included as Appendix B.

The proposed reasons for refusal are:

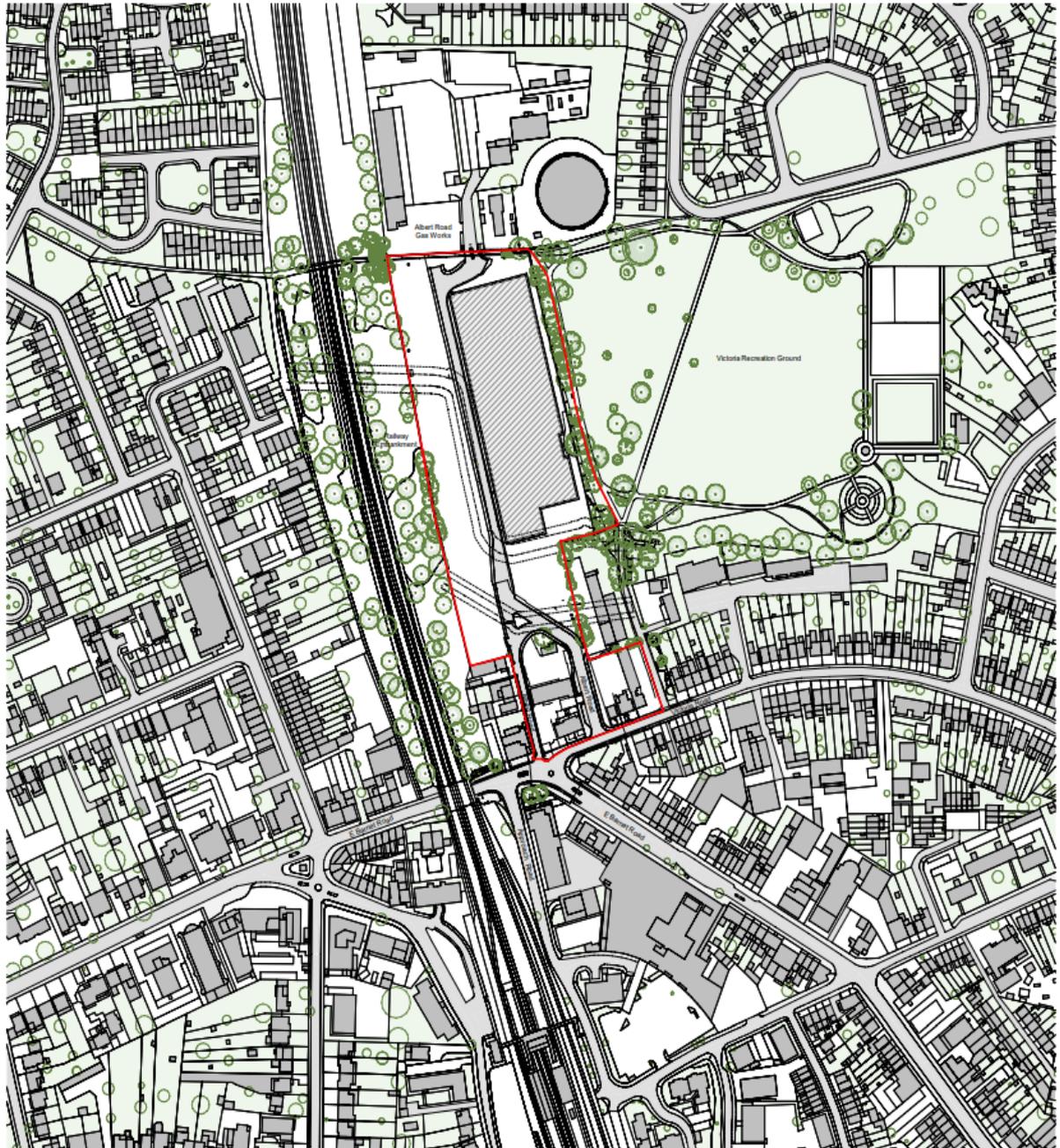
1. The proposed development, by virtue of its excessive height, scale, massing and density would represent an over development of the site resulting in a visually obtrusive form of development that would fail to respect its local context and the pattern of development in the area, to such an extent that it would be detrimental to the character and appearance of the area. The proposal would therefore not constitute a sustainable form of development and would be contrary to the provisions of the NPPF; Policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (2016); Policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (2012).
2. The proposed development by reason of its density, design and layout, would provide an unsatisfactory standard of residential accommodation due to the poor layout of some of the proposed flats, inadequate separation distances, poor outlook, limited natural light and poor quality courtyard amenity spaces. The proposal would therefore represent a poor form of development to the detriment of the amenity and living conditions of future occupiers. Therefore the proposal is contrary to the provisions of the NPPF; Policies 3.5, 7.4 and 7.6 of the London Plan (2016); Policy CS5 of the Local Plan Core Strategy (2012); Policy DM01 and DM02 of the Development

Management Policies (2012); the Council's Residential Design Guidance SPD (2016); and Sustainable Design and Construction SPD (2016).

3. The proposed development, by virtue of the unit mix being predominantly one and two bedroom units and with no provision of four bed family units, fails to provide a genuine choice for a growing and diverse population and thus fails to meet the identified housing need in Barnet, contrary to the requirements of the NPPF; Policy 3.8 of the London Plan (2016); and Policies CS4 and DM08 of the Barnet Local Plan Core Strategy (2012) and Development Management Policies (2012).
4. In the absence of a Section 106 Agreement, the application does not include a formal undertaking to enable an amendment to the Traffic Regulations Order and to secure the planning obligations which are necessary to make the application acceptable. The application is therefore contrary to the NPPF; London Plan Policies 3.6, 3.12, 3.13, 4.3, 4.12, 5.2, 6.3, 6.9, 6.10, 7.19, 7.21, 8.2; Policies DM02, DM04, DM10, DM14, DM16, DM17; and Policies CS4, CS7, CS8, CS9, CS15 of the Development Management Policies (2012); Barnet Local Plan Core Strategy (2012); the Barnet Planning Obligations (adopted April 2013); Affordable Housing (adopted February 2007 and August 2010) Supplementary Planning Document; the Barnet Supplementary Planning Document on Delivering Skills, Employment and Enterprise Training (SEET) (adopted October 2014); and the Mayor's Supplementary Planning Guidance on Affordable Housing and Viability (2017).

**SITE LOCATION PLAN:** Land Formerly Known as British Gas Works, Albert Road, New Barnet, Barnet, EN4 9SH

**Reference:** 20/1719/FUL



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#### **RECOMMENDATION 1:**

The application being of strategic importance to London, it must be referred to the Mayor of London. As such, any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Mayor of London.

#### **RECOMMENDATION 2:**

Subject to Recommendation 1 above, 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, subject to any changes as considered necessary by the Service Director or Head of Development Management:

a) Legal Professional Costs Recovery

Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;

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) Indexation

All financial contributions listed to be subject to indexation.

d) Affordable Housing

35% of habitable rooms to be provided as affordable with a tenure split of 59.8% Affordable Rent and 40.2% Shared Ownership. This equates to a total of 209 affordable units with the following mix:

London Affordable Rent (111 units)

20 x 1B 2P

50 x 2B 4P

41 x 3B 5P

Shared Ownership (98 units)

47 x 1B 2P

19 x 2B 3P

13 x 2B 4P

19 x 3B 5P

All affordable housing to be secured in perpetuity and an early stage review mechanism is to be secured and to be triggered if scheme not implemented within agreed timescale. The formula for this is set out within the Mayor's Affordable Housing SPG.

e) Employment and Enterprise

i) The applicant would be required to enter into a Local Employment Agreement with the Council in order to provide an appropriate number of employment outcomes for local residents, as follows:

- Progression into Employment (<6 months) – 10
- Progression into Employment (>6 months) – 5
- Apprenticeships – 7
- Work Experience – 22
- Site Visits – 204
- Site / School Workshops – 112
- Local Labour – 15%
- Local Supplier – 2
- Number of End Use Jobs – 15

Alternatively, the applicant may wish to make a financial contribution in lieu of the employment outcomes outlined above. Such a contribution would be commensurate with the number of outcomes secured and in line with the Barnet Delivering Skills, Employment, Enterprise and Training SPD guidance.

ii) Owner to provide a dedicated workplace coordinator responsible for the Local Employment Agreement (LEA) implementation, coordination and delivery of LEA activities, during the development phase. If unable to provide a dedicated Workplace Coordinator, the Council will require payment of an equivalent cost to support alternative E&S activities.

iii) Owners to pay a financial contribution of a) £20,000 per apprenticeship and b) 5,340 per other employment outcomes if not delivered as per agreement.

iv) Employment and Training Contribution means the sum of £210,680 (Two Hundred and Ten Thousand Six Hundred and Eighty Pounds) (Index Linked) to be paid by the Owner to the Council and to be applied by the Council To support local economic development initiatives including but not limited to Employment and Skills training and Business Support, in the administrative area of the borough of Barnet.

f) Off Site Highways Improvement Works

The applicant shall, at its own expense, implement the following off-site highways improvement works (including but not limited to) to mitigate the impact of the development, with agreement of the Highways Authority. These works shall be undertaken under S278 of the Highways Act 1980.

- 1) The removal of an existing elevated pedestrian bridge and replacement with improved access and public realm and further improvements to the west of site i.e. resurfacing Network Rail land including the pedestrian tunnel resurfacing and vegetation clearance
- 2) Pedestrian improvements to consist of improved signing, and lighting under the railway bridge on East Barnet Road
- 3) Provision of new zebra pedestrian crossing facility on Victoria Road (north east of mini roundabout junction)
- 4) Replacement of an existing Zebra Crossing on East Barnet Road to Puffin Pedestrian Crossing south east of East Barnet Road and Lytton Road junction
- 5) Junction Improvements to Victoria Road and East Barnet Road including carriageway and footway widening and all associated highway works
- 6) Review existing Traffic Regulation Orders and any new restrictions for Albert Road East and West, Victoria Road, East Barnet Road in the vicinity of Lytton Road
- 7) Financial contribution towards CCTV monitoring of the pedestrian link - only under s106 and not also required under s278

g) Highway Improvements

- i) The details of the highway works will consist but not limited to cover the access points off Victoria Road; the realignment of the Albert Road (East and West); Improvements to Albert Road West; Improvements to the Albert Road East and Victoria Road Priority Junction; proposed development block entrances; the proposed car parking laybys throughout the development and proposed footways/cycle ways including new footpaths (adopted, unadopted and proposed for adoption).
- ii) Albert Road East and Albert Road West:  
All drawings relating to the highway layouts for Albert Road West and the adopted section of Albert Road East are for indicative purposes only. Detailed design of any improvements to the footway and carriageway as well as parking/traffic restrictions to be introduced in these areas are to be agreed as part of the s278 process.
- iii) Due to the scope of works proposed on the section of Victoria Road fronted by the development, suitable reinstatement works including resurfacing of the highways (including footways) should be undertaken and implemented by the developer at their own costs, but approved and supervised by Local Highway Authority. The approved works shall be completed at the applicant's expense based on an agreed layout with the Council, following the formation of a combined agreement under S38 and S278 of the Highways Act 1980 between the London Borough of Barnet and the Developer.

- iv) The proposals will require the stopping-up of areas of adopted highway under s247 of the Town and Country Planning Act, 1990 and road adoption under s38 of Highways Act, 1980. Details of the areas to be stopped up or adopted as highway will be subject to approval of the Highway Authority.
- v) All proposed designs and improvements must be accompanied by acceptable Road Safety Audits statements.
- h) Feasibility Study  
Financial Contribution of £25,000 towards a Feasibility Study on improvements to the Pedestrian and Cycling Environment surrounding the site, including upgrades to crossing facilities. To include all reasonably accessible Public Transport (PT) stops (Bus/Rail/LUL, and including New Barnet, Cockfosters and High Barnet stations) within a 20 minute walk or 10 minute cycle ride. The study to be based on TfL's Healthy Streets toolkit and principles.
- i) Feasibility Study Outcomes  
Financial Contribution towards the implementation of the outcomes of the Feasibility Study to a capped ceiling of £100,000 and triggered for delivery prior to occupation of any unit on the site.
- j) Provision of a crossing facility in the form of a Toucan Crossing at Victoria Road north east of mini roundabout junction near Albert Road (West). This scheme should be a combination of the two schemes described above under the existing S106 requirements in order to provide and deliver a compact improved junction which has appropriate pedestrian and cycling crossing facilities. Details of the scheme should be discussed and agreed with the Local Highway Authority and implemented thereafter by the developer in accordance with the approved scheme. Trigger for delivery is prior to occupation of the 28th residential unit on the site.
- k) Section 278 Highway Works  
All necessary works to the public highway under section 278 of the Highways Act to facilitate the implementation of the development in agreement with the Local Highways Authority.
- l) Travel Plan  
The applicant shall enter into a strategic level Travel Plan for the residential and commercial uses on the site that seeks to reduce reliance on the use of the private car and to ensure the sustainability of the development. The Travel Plan shall include the following obligations to facilitate modal shift in the choice of transport mode available to occupiers of the residential and commercial units as follows:
- i) Residential Travel Plan (RTP):
- Residential TP Statement (RTPS) that meets the requirements of the 2013 TFL TP guidance and is ATTrBuTE and iTRACEs compliant and contains targets to be submitted and approved by Council at least 6 months prior to 1st occupation.
  - iTRACE compliant monitoring to be completed within 5 months of 1<sup>st</sup> occupation and updated RTPS to be submitted for approval within 6 months of occupation.
  - iTRACE compliant monitoring to be completed in years 1,3,5 and then every other year until 5 years after the 1st occupation of the final unit.
  - RTPS to be revised and RTPS Review submitted for approval within 2 months of monitoring being completed.

- RTPS to be re-submitted for approval prior to each phase.
- RTPS Champion to be in place at least 3 months prior to occupation and for lifespan of RTP.
- At least 4 car club space to be provided.
- Welcome pack for all first occupants.
- 2x a year for 5 years Dr Bike maintenance sessions for residents.

ii) Commercial Travel Plan (CTP):

Should the non-residential uses have more than 20 staff then the following would be required:

- CTP that meets the requirements of the 2013 TFL TP guidance and is ATTrBuTE and iTRACE compliant to be submitted and approved by the Council within 6 months of 1<sup>st</sup> occupation of any commercial unit.
- CTP to cover any travel movements by staff, users and visitors to any commercial unit.
- iTRACE compliant monitoring to be completed in years 1, 3 and 5 and a revised CTP Review to be submitted for approval.
- CTP Champion to be in place within 3 months of occupation and for the lifespan of the CTP.
- Each commercial unit to have a Travel Plan Ambassador.

If non-residential uses have less than 20 staff then the following would be required as part of the CTP:

- CTP to include travel movements to and from the commercial units and targets, measures and actions for the commercial units.
- Each commercial unit to have a Travel Plan Ambassador.

m) Residential Travel Plan Incentives Fund

£300 per unit Residential Travel Plan Incentive Fund to be used by 1st occupiers to get 2 of the 3 TP incentives of the following:

- Oyster card with £150 credit
- Cycle shop voucher to the value of £150
- Car club credit/membership to the value of £150

n) Travel Plan Monitoring Contribution

Payment of a financial contribution of £15,000 to the Council towards its costs in promoting more sustainable modes of transport and monitoring both the residential and commercial travel plans that will be submitted for the development within twenty (20) working days of commencement of development.

o) Control Parking Zone (CPZ)

Financial contribution towards Local CPZ monitoring, consultation and implementation, final sum to be agreed.

p) Traffic Management Order

A contribution of £5,000 (per phase if applicable) towards the amendment of Traffic Management Order (TMO) to ensure that the new occupants are prevented from purchasing parking permits in local CPZs.

- q) Bus Service Contribution  
A financial contribution to provide an additional bus service in the vicinity of the site. Amount to be agreed with TfL.
- r) Tree Planting and Landscaping  
The applicant shall submit a detailed landscaping and management scheme for the site; including tree planting, this will be subject to a Landscape Management Plan to be submitted to the Council prior to first occupation of a unit on the site. The strategy shall include:
- (i) The provision of a mix of indigenous species and tree sizes (including semi-mature species) in suitable locations including in public open spaces provided within the site to be agreed with the local planning authority.
  - (ii) The maintenance of trees planted along any roads to be adopted by the Council for a period of 5 years by the applicant landowner/ successor in title or nominated management company.
  - (iii) A financial contribution to maintain the trees on the adopted public highway thereafter shall be provided by the applicant. This figure shall be calculated in accordance with guidance from LoTAMB Commuted sums for Highway Adoption A Guidance Note 2015 as revised.
- s) Greenspaces  
Parks and Open Spaces contribution sum of £283,721.90 index linked towards the improvement and enhancement of Victoria Recreation Ground.
- t) Carbon Offset Contribution  
Payment of £485,712 index linked as a contribution to ensure that the Development achieves net zero carbon dioxide emissions, in accordance with the Mayor of London's Zero Carbon target for new developments.
- u) Monitoring Fee  
A contribution of £5,000 towards the monitoring of the S106 agreement.

### **RECOMMENDATION 3:**

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Service Director of Planning and Building Control or Head of Strategic Planning to approve the planning application reference 20/1719/FUL under delegated powers, subject to the conditions as set out within this report.

That the Committee also grants delegated authority to the Service Director of Planning and Building Control or the Head of Development Management to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

## **CONDITION(S)**

Conditions and Informatives will be reported in full in the Addendum.

### **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 be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this 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.

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

##### National Planning Policy Framework (February 2019)

The 2019 NPPF was adopted in February 2019 replacing the 2012 NPPF and includes minor clarifications to the revised version published in July 2018. The NPPF sets out the Government's planning policies for England and how these should be applied<sup>1</sup>. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that, "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF also states that the purpose of the planning system is to contribute to the achievement of sustainable development. In addition the NPPF retains a 'presumption in favour of sustainable development', unless any adverse

impacts of a development would "significantly and demonstrably" outweigh the benefits.

## The London Plan 2016

The London Plan 2016 (Consolidated with Alterations since 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:

2.2 (London and the Wider Metropolitan Area)

2.7 (Outer London Economy)

2.8 (Outer London Transport)

2.13 (Opportunity Areas and Intensification Areas)

2.15 (Town Centres)

2.18 (Green Infrastructure: The Multi-Functional Network of Green and Open 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)

### London's Economy:

4.1 (Developing London's Economy)

4.3 (Mixed Use Development and Offices)

4.7 (Retail and Town Centre Development)

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)

5.5 (Decentralised Energy Networks)

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)
- 5.21 (Contaminated land)

London's Transport:

- 6.1 (Strategic Approach)
- 6.2 (Promoting 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)
- 6.12 (Road Network Capacity)
- 6.13 (Parking)

London's Living Spaces and Places:

- 7.1 (Lifetime Neighbourhoods)
- 7.2 (An inclusive Environment)
- 7.3 (Designing Out Crime)
- 7.4 (Local Character)
- 7.6 (Architecture)
- 7.7 (Location of Tall and Large Buildings)
- 7.13 (Safety, Security and Resilience to Emergency)
- 7.14 (Improving Air Quality)
- 7.15 (Reducing and Managing Noise)
- 7.18 (Protecting Local Open Space and Addressing Local Deficiency)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and Woodland)

Implementation and Monitoring Review:

- 8.2 (Planning Obligations)
- 8.3 (Community Infrastructure Levy)

Draft Replacement London Plan 2017

The Draft London Plan (DLP) published November 2017 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

The Inspector Panel Report following the Examination in Public was published in October 2019. The Inspector Panel was broadly supportive of the majority of the DLP, subject to several changes being made. The Mayor has subsequently declared in December 2019 it's 'intention to publish', accepting some but not all of the Inspector's recommendations. As not all of the Inspector's recommendations have been accepted. It is for the Secretary of State to decide whether the DLP can proceed to adoption.

Due to the advanced nature of the DLP increasing weight should be attached to those policies which the Inspector's report considered sound. Nevertheless the London Plan 2016 remains the statutory development plan until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2016 London Plan, while noting that account needs to be taken of emerging policies.

### 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 Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

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)
- CS6 (Promoting Barnet's Town Centres)
- 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 integrated community facilities and uses)
- CS11 (Improving health and wellbeing 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)
- DM05 (Tall Buildings)
- DM08 (Ensuring a variety of sizes of new homes to meet housing need)
- DM10 (Affordable housing contributions)
- DM11 (Development Principles for Barnet's Town Centres)

DM13 (Community and education uses)  
DM14 (New and existing employment space)  
DM15 (Green belt and open spaces)  
DM16 (Biodiversity)  
DM17 (Travel impact and parking standards)

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

Local Supplementary Planning Documents:

New Barnet Town Centre Framework (2010)  
Planning Obligations (April 2013)  
Residential Design Guidance (April 2013)  
Sustainable Design and Construction (April 2013)  
Delivery Skills, Employment, Enterprise and Training from Development through S106 (October 2014)

Strategic Supplementary Planning Documents and Guidance:

Barnet Housing Strategy 2015-2025  
Accessible London: Achieving an Inclusive Environment (April 2004)  
Sustainable Design and Construction (May 2006)  
Wheelchair Accessible Housing (September 2007)  
Planning for Equality and Diversity in London (October 2007)  
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)  
All London Green Grid (March 2012)  
Housing (March 2016)  
Affordable Housing and Viability (August 2017)  
The Control of Dust and Emissions during Construction and Demolition (July 2014)  
Mayor's Transport Strategy (2018)

### Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's Emerging Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

### The Community Infrastructure Levy Regulations 2010

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development.

## **2. PLANNING CONSIDERATIONS**

### **2.1 Site Description**

- 2.1.1 The application site is located to the north of Victoria Road comprising of land formerly part of the British Gas Works site. The site is 3.03ha and currently vacant with the former buildings, structures and hard surfacing removed. The site has also been decontaminated and the basement car park dug out in accordance with the extant Planning Permission ref: B/04834/14, which is one of three permissions granted for the site.
- 2.1.2 The site is located on the edge of New Barnet town centre which is to the immediate south along East Barnet Road. Adjoining the site to the east is Victoria Park (aka Victoria Recreation Ground) with the New Barnet Leisure Centre located on the eastern side of the park. The Albert Road Gas Works is located to the north with a right of access provided from Albert Road running through the site. The wooded embankment to the railway line runs along much of the western boundary, with the railway line raised 10m above the site. In the south west corner are a number of two storey buildings including the Buildings Arms and The Railway Bell PH. A range of two and occasionally three storey semi-detached and terrace houses are located to the south east of the site.
- 2.1.3 Between the cleared application site and the Gas Works site to the north is an elevated, caged pedestrian walkway (approx 3-4m above ground level) which crosses the site from east to west and provides a pedestrian route via a tunnel beneath the network rail track between Victoria Park (to the east) and Cromer Road (to the west). This is a public right of way.
- 2.1.4 The site is accessed via Albert Road which in turn is accessed off East Barnet Road/Victoria Road. The present access arrangements require that vehicles entering the site use the eastern arm of Albert Road whilst those exiting may use either arm.
- 2.1.5 The site is located approximately 200m to the north east of New Barnet Station with Great Northern and Thameslink providing regular services to Kings Cross and Luton Airport. There are a range of bus services from nearby bus stops located on East Barnet Road with services to various transport hubs. Further and circa 1.6km to the east is Cockfosters Station on the Piccadilly Line and 1.4km to the west is High Barnet on the Northern Line. The majority of the site has a Public Transport Accessibility Level (PTAL) score of 3 however this drops to 1b for a section at the northern end of the site.
- 2.1.6 Within the town centre on East Barnet Road, building heights generally range from 2 to 4 storeys with the exception being the Sainsbury's store. Beyond the railway embankment is a mixture of office, retail and residential buildings varying in height from 2 to 8 storeys around the district centre. To the west of the railway bridge on Station Road the height and massing increases with a number of large blocks extending up to 11/12 storeys in height.
- 2.1.7 The site is not within a conservation area and there are no statutory or locally listed buildings on site. The application site is located within Flood Zone 1 (less than 1 in 1,000 annual probability of river or sea flooding).

## 2.2 Relevant Planning History

2.2.1 The majority of the planning history comprises of historic applications relating to the use of the site by National Grid, which are of little relevance to this current application. However there a number of planning applications which have been granted which are relevant to this proposal. These are detailed below.

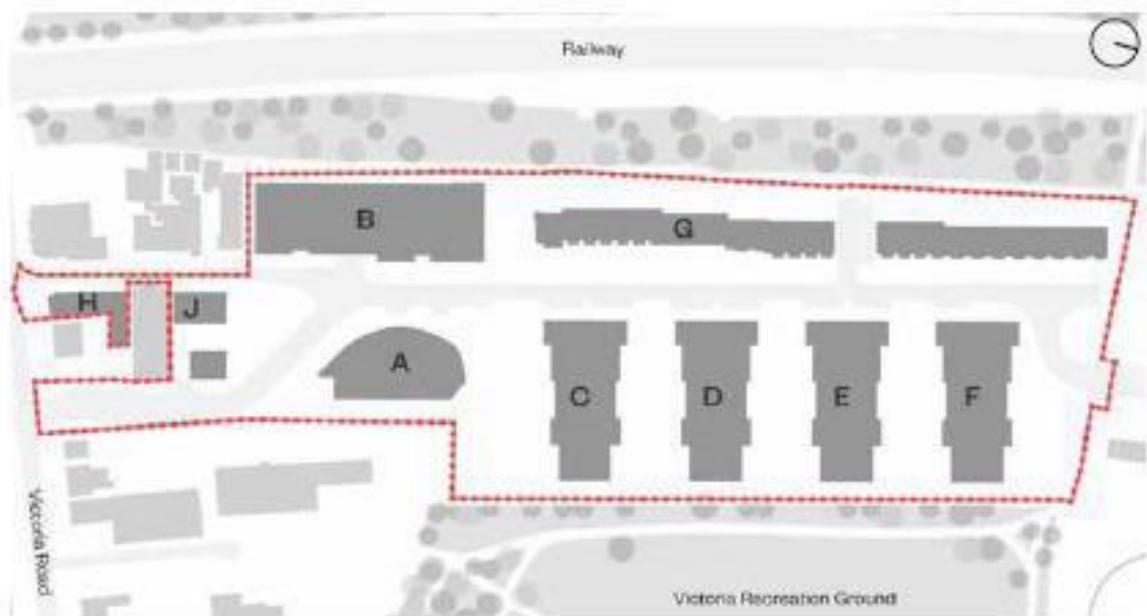
Adjoining site:

- Application Ref: 17/6422/FUL, 9 Albert Road - Redevelopment of the site to provide a five storey building comprising 9no. self-contained flats with associated basement parking, refuse and recycling store, amenity space, cycle storage. Refused 5<sup>th</sup> December 2017, reason for refusal – insufficient evidence provided to indicate that the existing employment site has been effectively marketed for at least 12 months. Allowed at Appeal, dated 20<sup>th</sup> March 2019.

Application site:

- Application Ref: B/04834/14 - The first permission was granted in May 2015 (following completion of the legal agreement) for 305 residential units including 15% affordable, 674sqm mixed use commercial space. This included creation of new public open space; alteration and additions to the existing highways arrangements, the removal of the existing elevated footbridge and creation of new pedestrian routes together with associated works including landscaping, provision of basement and surface car parking, servicing and plant area.

The site boundary for this application is provided below:



The permission has been formally implemented and the following conditions relating to the site clearance, demolition and remediation discharged:

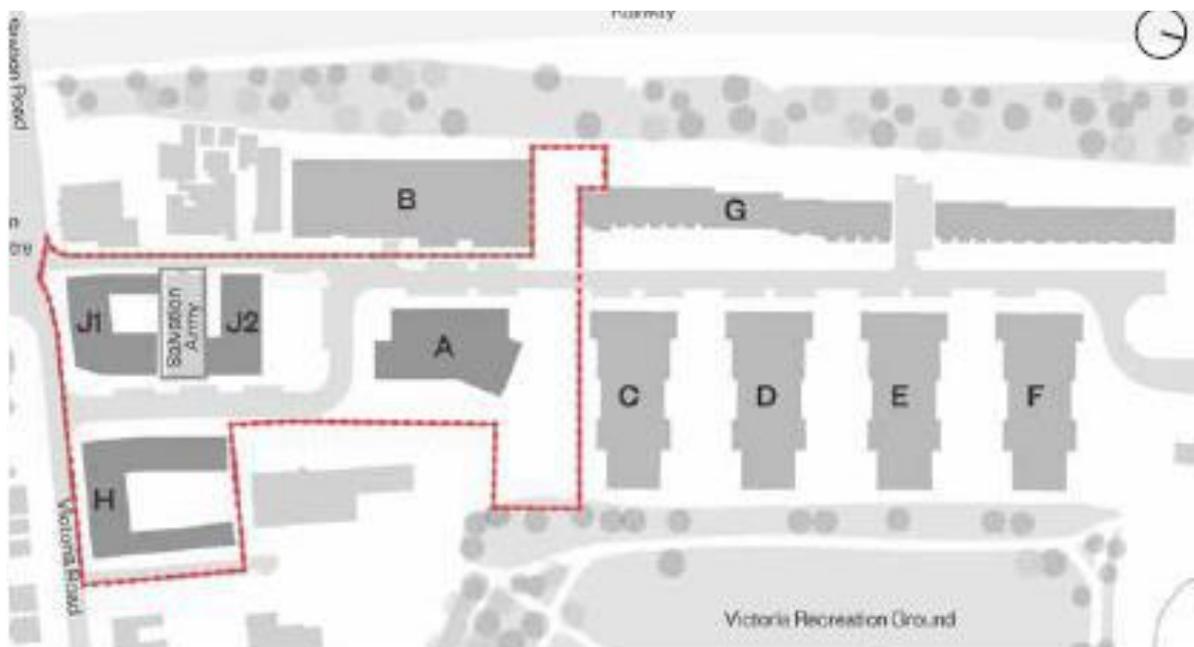
Condition 4 – Water Course (17/1476/CON)

- Condition 5 – Hazardous Substance Revocation (16/2195/CON)
- Condition 7 – Construction and Management (17/7160/CON)
- Condition 27 – Site Waste Management plan (16/4311/CON)
- Condition 38 – Drainage (16/3626/CON & 17/3583/CON )
- Condition 40 – Demolition & Construction Method Statement (16/4336/CON)
- Condition 41 – Remediation and Verification Strategy (16/2785/CON, 17/1476/CON & 18/3278/CON)
- Condition 57 – Air Quality Assessment (16/4887/CON)
- Condition 59 – Tree Protection (16/3459/CON & 17/2053/CON)
- Condition 60 – Tree Method Statement (16/3459/CON)
- Condition 61 – Tree Excavations (16/3459/CON, 17/2053/CON & 17/7160/CON)
- Condition 62 – Ecology Mitigation Measures (16/2193/CON)
- Condition 63 – Site Clearance Works (16/2193/CON)
- Condition 69 – Bat Boxes (16/3565/CON)
- Condition 74 – Excavations and Earthworks (16/3894/CON)

Associated works including demolition, site remediation, sewer diversion, drainage and excavation of the basement areas for the proposed car park having commenced.

- Application Ref 16/7601/FUL: Second permission was granted in July 2020 (following completion of legal agreement) to cover an additional piece of land to the front of the site as well as part of the existing site (southern part of the site). This was for an additional 104 residential units (net increase of 52 units), 623sqm of mix use commercial floorspace (A1/B1/D1/D2), the creation of new publically accessible open spaces, pedestrian routes and car parking, cycle parking and landscaping.

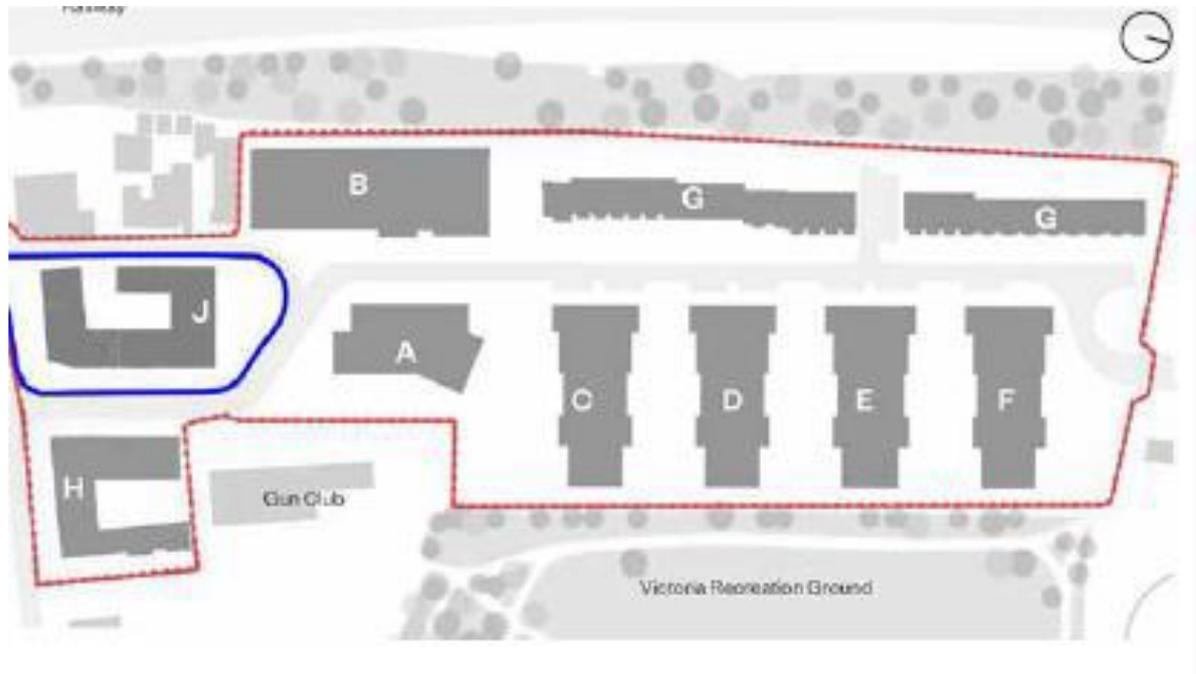
The site boundary for this application is provided below:



- Application Ref 17/5522/FUL: The third application was granted in July 2020 (following completion of legal agreement) relates to the southern area (front part – Block J) of the site to construct 39 residential units and 265sqm of

commercial/retail/office floorspace (Use Class A1 – A4/B1/D1/D2), the creation of new publicly accessible open spaces and pedestrian routes together with associated access, servicing, car parking, cycle parking and landscaping.

The site boundary for this application is shown in blue below:

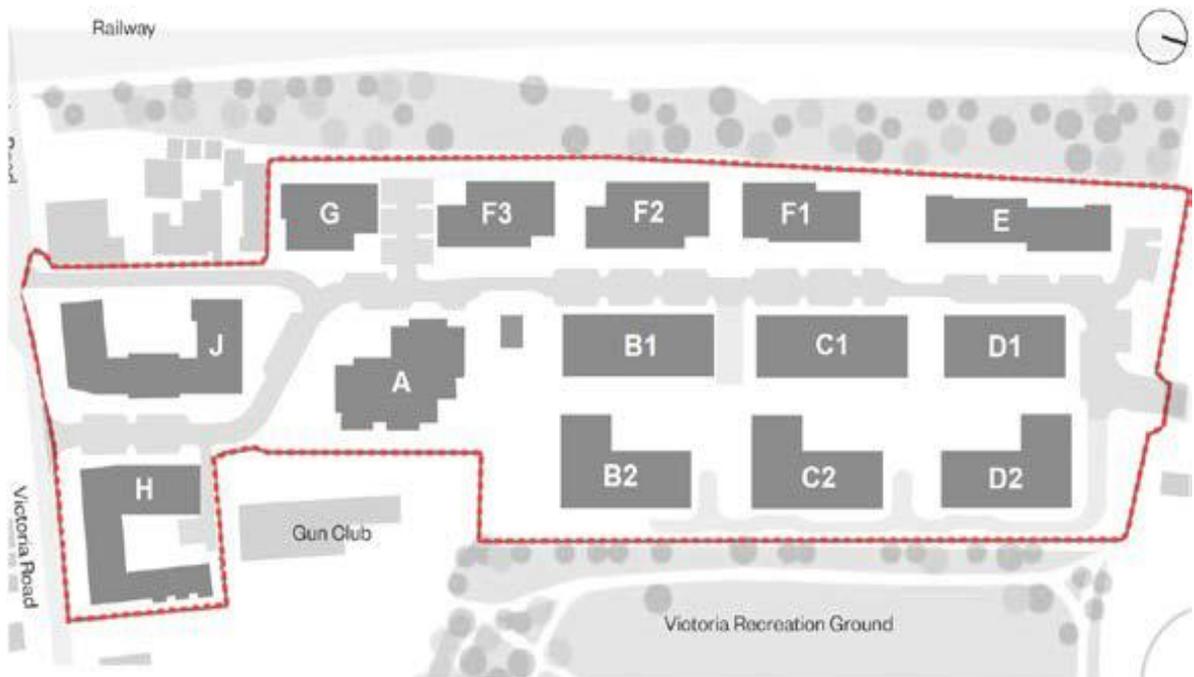


2.2.2 The extant planning permissions result in a combined scheme which provides a total of 371 units; 18% affordable by habitable rooms; 618m<sup>2</sup> of mix use commercial floorspace; and 396 car parking spaces along with the other improvements to the surrounding area secured via legal agreement.

### 2.3 **Proposed Development**

2.3.1 This application seeks planning permission for the redevelopment of the entire site to provide 652 residential units (Use Class C3) within 14 buildings ranging from 1 to 10 storeys; and a single storey Plaza Kiosk building, with 327.6sqm of retail/commercial space and 111.3sqm of community space (Use Class A1/A2/A3/A4/B1/D1/D2) at ground floor; new public realm with communal landscaped amenity areas; alterations and additions to existing highways arrangements plus the removal of existing elevated footbridge and creation of new pedestrian routes; 392 car parking spaces (including car club and accessible provision) with basement and surface level provision; secure cycle parking; servicing and other associated development.

The site boundary for this application is provided below:



2.3.2 The proposal would provide a total of 652 units with 35% as affordable housing by habitable room equating to 209 units of both London Affordable Rented and Shared Ownership. The scheme seeks to optimise the provision of residential development on the site, providing high quality accommodation and positively responding to the site constraints.

2.3.3 The site has been laid out in a series of blocks arranged with regard to the locational characteristics and constraints including the network rail line and embankment land, Victoria Park, the National Grid depot including its right of access, culverted watercourse and surrounding trees and topography. A central spine road serves the site and National Grid depot, connecting to the existing Albert Road East and West alignment. The 14 blocks would vary in height and are set out below:

Building	Height (Storeys)
Block A	10
Block B1	9
Block B2	7
Block C1	9
Block C2	7
Block D1	8
Block D2	7
Block E	7
Block F1	7
Block F2	5
Block F3	7
Block G	5
Block H	5
Block J	4

- 2.3.5 The development has 4 main character areas; The Gateway; The Plaza Building; The Pavillion Blocks & Spine Road; and The Courted Blocks. The Gateway buildings (Blocks H & J) along Victoria Road would connect the Town Centre to the new development with new active frontage provided at ground floor level. A wide variety of landscaping is provided across the site. The main vehicular route would have widened landscape space to provide a green defensive space and a residential active frontage. Public amenity space will be provided between the blocks, with natural surveillance provided by the surrounding residential units.
- 2.3.6 The landmark 'Plaza Building' (Block A) is located slightly to the south of the centre of the site and would act as a visual marker providing a way-finder for pedestrian movement from the gateway into the site and through to the proposed new access to Victoria Park.
- 2.3.7 The natural surveillance of Victoria Park would be enhanced by the active frontage of the Courted Blocks (B1+2, C1+2, D1+2) facing this space. Soft landscaping will integrate the west edge of Victoria Park with clear permeability between the proposed development and the park.
- 2.3.8 The Pavillion Blocks (E, F1-3, G) back along the wooded railway embankment and front the spine road. The widened landscape space in front of the Pavilion Buildings provides a green defensive space for the residential active frontage. The areas between the buildings allow for pocket play areas.
- 2.3.9 The scheme provides a total of 3,953 sqm of public open space on site and 3,383 sqm of communal amenity space as well as 5,699.4 private space in the form of terraces and balconies. The open space is provided in three areas around Block A/B1/B2 and between B1/B2, C1/C2 and D1/D2. Additionally, 1372.8 sqm of play space is proposed to be provided for children ages 0-4 across the site in accordance with the GLA calculations.
- 2.3.10 The scheme would provide a total of 392 car parking spaces at a ratio of 0.6 with the majority within the basement along with some surface level parking. There would also be 1,254 secure cycle parking spaces.
- 2.3.11 As with the extant planning permissions, further connectivity improvement is proposed by removing the elevated caged pedestrian link and re-providing at surface level with a new staircase up to the network rail foot tunnel.

#### Revisions and additional information

- 2.3.12 In the course of the assessment, additional details and clarification were provided in respect of various detailed aspects of the scheme e.g. boundary treatments, drainage, energy, green spaces, park pathway realigned, and additional tree planting along the eastern boundary adjoining the park. In addition amendments have been submitted for Albert Road West to provide enhanced facilities for pedestrians and cyclists. Therefore, there has been no significant or material change to the proposed scheme.

## 2.4 Public Consultations

2.4.1 As part of the consultation exercise, 1194 letters were sent to neighbouring properties and residents. In addition the application was advertised in the local press and site notices were posted around the site. The original consultation process was extended to 6 weeks and there was a further 21 day re-consultation from the 29<sup>th</sup> July following minor revisions which were submitted. At the time of preparing this report a total of 1054 objections have been received with 148 objections submitted during the second consultation period however these are generally all related to the same issues as previously raised with the scheme. In addition 25 letters in support have also been received.

### 2.4.2 Public Objections:

The letters of objection received can be summarised as follows:

- Blocks of 7 to 10 storeys would be totally out of place in a suburban neighbourhood, most homes are just one or two storeys. These plans would be a massive over-development.
- The height, density, massing and bulk of the buildings would all be inconsistent with the character of the surrounding neighbourhood. This would conflict with local planning policy that new developments should protect and enhance local character and that density should be optimised rather than maximised.
- Four of the blocks of flats are over 7 storeys, contravening policies in the Barnet Plan that new tall buildings should be confined to certain designated locations.
- The development would overlook the adjoining park and existing housing. These blocks would reduce many residents' amenity and enjoyment of a landscape populated largely by low-rise semi-detached and terraced family housing. They would also damage the protected local view looking down from Hadley Green through New Barnet to central London.
- Over 80% of the units proposed would be one and two bedroom flats. This is inconsistent with local planning policies which give priority to three and four bedroom flats as the type of home which is most needed locally. There is insufficient provision of gardens and outdoor space, as required by local planning principles.
- Public transport access (PTAL) has been overstated in the planning application. The developers have used the PTAL score of 3 for their calculations when this applies only to some dwellings at one end of the site. More than half of the proposed units have a PTAL score of just 1a. The nearest tube stations are some distance away and, although closer to reach, national rail services have only limited capacity.
- The proposed decrease in car parking provision per dwelling from 107% to 58%, as compared to the 2017 previously consented plans, would leave almost half of households without any on-site parking. This would increase overspill parking in nearby streets which are already crowded with cars.
- Impact on local infrastructure and services such as GPs surgeries, dentists, and schools.
- The 2017 planning application for 371 new homes on the site was extensively discussed with local groups and represented a carefully balanced compromise

which would deliver a significant number of new homes, but without excessive pressure on local services. The planning committee should turn down this new application, leaving One Housing and Fairview to build the 2017 scheme for which they already have permission.

- As a result of Covid-19 the local community were deprived of a face to face consultation with the developers to listen to their concerns in public.
- Equalities obligations have not been met by Fairview New Homes and One Housing.
- The applicant has failed to carry out any meaningful public consultation.
- Impact on the protected view from King George Playing Fields, Hadley Green, Monken Hadley.
- The local residents will have no benefit from this development.
- Should be no left turn onto Victoria Road from site as road is impassable now during peak times due to Aldi rat run and New Barnet Leisure Centre.
- Fails to meet the GLA Guidelines for Play Space providing only for 0-4-year-old.
- This development together with what is planned at Cockfoster and High Barnet stations will turn the area in an 'overcrowded slum' at the outskirts of London.
- New Barnet Station becoming stretched, overcrowded platforms and trains.
- Would generate huge number of vehicle movements in this area which is already at capacity.
- Missed opportunity to make public realm inspiring, could use 'wall' art similar to that in Euston Tower.
- Courtyard gardens would be overshadowed.
- Overlooking to the park and housing.
- The 384 bus route is been rerouted by TFL and would increase traffic during busy times of the day.
- The site was flooded earlier in the year and therefore drainage is a concern.
- Routes for construction traffic to and from the site inappropriate and unacceptable.

### Officer Comment

All of the above representations have been taken into account in the relevant sections of the report, which form part of the assessment below.

#### 2.4.3 In Support

The letters of support received can be summarised as follows:

- Opportunity to rejuvenate the New Barnet area
- Give better access those wishing to move to London's suburbs
- Provide much needed housing in an area with excellent public transport links, mainline railway station and frequent bus services.
- Should be approved subject to s106 commitments in relation to health, public realm and transport.
- Location use and density all consistent with NPPF, high density residential led project near stations should be supported.
- Vacant disused site is idea for this kind of development.

- Edge of park site means there is ample access to green spaces, hugely beneficial during this crisis.
- Fits objectives of London Plan, supports young families with viable transport network
- Height, bulk, massing and density appropriate to the local area given changes in demand and population across London.
- Visually unobtrusive with little meaningful impact over Victoria Recreation Ground, and nearby homes. Little or no damage to the locally protected view from Hadley Green
- 8 to 10 storeys are not 'tall'
- inclusion of new trees, planted areas, green roofs and bat/bird boxes will enhance the wildlife value of the site.

#### 2.4.4 Elected Representatives:

- This application has been "called in" by Cllr L Williams who wishes the matter to be considered by Planning Committee for the following reasons:  
"If the officers are minded to approve this application I would like to call it in, on the grounds of height and density."
- A letter of objection was received from Rt Hon Theresa Villiers MP and Cllr Felix Byers. The letter states:

We strongly oppose this planning application, as do many of the people we represent, and we urge the planning committee to reject it.

In this letter, the term 'Barnet Local Plan' is used to refer to the existing plan first published in 2012; and 'Draft Barnet Local Plan' refers to the 2020 document recently published for consultation.

#### Process

We believe that, because of the Covid emergency, when the local democratic process is limited, free association is curtailed, and so many residents are understandably distracted by serious health and economic concerns, the determination of this application should be delayed. This will enable the cancelled consultation organised by the developers to take place, and One Housing and Fairview can take into consideration and respond to legitimate concerns about their proposals for this sensitive site. Letting highly controversial applications like this one go ahead now will mean residents are deprived of their full right to engage with the planning process.

Whilst electronic means of taking part in planning hearings may be feasible, much of the campaign activity that would normally take place (and has done regarding this site over a period dating back several years) is impossible, for example public meetings. Moreover, planning officers and councillors need to be publicly accountable for their recommendations and decisions, in a meaningful way and this is not achievable through virtual meetings.

#### The 2016 and 2017 planning applications

We recognise the need for more housing and we support the principle that new homes should be built on this site. But we strongly believe that One Housing should build in accordance with the plans for which it already has permission under planning permissions granted in 2016 and 2017.

Even those earlier plans were controversial, dividing opinion because of the bulk and height of the buildings and the number of units permitted. But after much engagement in good faith between the previous owners of the site and residents, they were adopted as a compromise and received considerable local acceptance. At the time, this appeared to be a successful conclusion to over 10 years of debates and campaigns on the future of the land. Abandoning this compromise is a betrayal of trust.

#### Over-development: height, massing and density

It is deeply worrying that this latest application by One Housing, in partnership with Fairview New Homes, nearly doubles the proposed size of the development. The number of units would go up by 76% from 371 to 652, including buildings of seven to ten storeys – rendering the proposals, not a revision of the 2016/17 plans, but entirely new and inconsistent with them.

The plans would involve ten new buildings in excess of six storeys, which would be totally out of place in our suburban neighbourhood where most homes are just one or two storeys and for which height, with the sole exception of the lone-standing Desmond House, there is no precedent anywhere in East Barnet ward.

The new plans would be a massive over-development of the site. They would have a significant negative impact on the surrounding neighbourhood because of the height, density, massing and bulk of the buildings.

The blocks proposed would contravene policies in the Barnet Local Plan on tall buildings. Policy CS5 on page 69 of the Local Plan, on “Protecting and enhancing, Barnet’s character to create high quality places,” states that tall buildings (defined as eight storeys or more) will only be approved for certain parts of the borough. The list of strategic sites and local town centres identified as suitable for tall buildings does not include New Barnet Town Centre nor the Victoria Quarter site. This approach is replicated in the new Draft Barnet Local Plan (CDH04 page 111).

Furthermore, Paragraph 8.1.3 of Barnet’s Core Strategy states:

“Current national planning guidance on housing set out in Planning Policy Statement 3 – Housing, advises that high quality housing should aim to create places that meet the needs of people, maintain and improve local character.”

Paragraph 6.8.1 in the Draft Barnet Local Plan states that:

“Proposals that significantly harm the amenity of neighbouring occupiers will not be acceptable. Protecting amenity helps to protect residents’ wellbeing and privacy. It is important to ensure that development does not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook.”

We would argue that in no way would the development maintain and improve local character. In fact, the proposals would be inconsistent with, and permanently damage, the character of the surrounding neighbourhood.

The proposed scheme has a housing density to 625 habitable rooms per hectare. This breaches current Development Management Policy DM02, and Draft Barnet Local Plan Policy CDH01 which seeks to optimise, rather than maximise, housing density. The Victoria Quarter site is not identified as either an Opportunity Area or Area of Intensification in the current London Plan.

The plans would also be inconsistent with Development Management Policy DM01(g) and DM02 that provide that developments should include outdoor amenity space including sufficient play space for children and young people.

#### Visual impact and overlooking

If this application is allowed, the blocks of flats would overlook the adjoining park and existing housing. The detriment to the landscape, particularly in Victoria Recreation Ground, resulting from these proposals would reduce many residents' amenity and enjoyment of what has long been, and remains, a landscape populated by largely by low-rise semi-detached and terraced family housing. This is reflected in the majority opposition by local residents acknowledged in both the developers' own consultations in 2020 and in objections submitted in relation to this planning application.

We would highlight Policy ECC05 of the 2020 Draft Barnet Local Plan which provides that:

"Development within or adjacent to Metropolitan Open Land should minimise any adverse impact on the openness of the MOL and respect the character of its surroundings".

Whilst it is not clear that Victoria Recreation Ground is Metropolitan Open Land, we believe similar principles should apply given the importance of this open space to the local community.

The new blocks would also be clearly visible in the locally important local view D, looking down from Hadley Green and King George's Fields through New Barnet to central London and Canary Wharf, and the east-west view between the summits of High Barnet and Cockfosters. This application would therefore be inconsistent with planning policy to safeguard such views, as set out in Paragraphs 10.6.4-5 of the Core Strategy.

Policy CS5 of the Barnet Local Plan dictates that developments should both 'respect and enhance the distinctive natural landscapes of Barnet' and 'protect important local views from places within Barnet'. These proposals do neither.

#### Housing mix

The application is inconsistent with the Barnet Local Plan which states in Policy CS3 9.2.13 to 14 that priority will be given to three and four bedroom homes (see also Development Management Policy DM08). The development here proposes predominantly one and two bedroom units, with three bedroom units constituting just 18.6% of the total. The 2020 Draft Barnet Local Plan also emphasises that priority will be given to three-bedroom homes (HOU02).

#### Public transport access level (PTAL)

The application overstates the public transport access for the site.

A PTAL score rates a location based on how close it is to public transport and how frequent services are in the area, and ranges from 0 (poor) to 6 (excellent). It is claimed that the site has "good transport connections". The report uses a PTAL score of 3 in all of the calculations and assumptions used to justify the development. The local campaign group, Save New Barnet have pointed out that more than half of the proposed units will actually have a PTAL score of 1a.

The site is some considerable distance from the nearest tube stations. Although the closest national rail station is quicker to get to, services there have limited capacity and are already very crowded at peak travel time.

Since submission of this application, Transport for London have published a decision on 24th April 2020 to withdraw the 384 Bus service from local roads including East

Barnet Road and Crescent Road, further reducing public transport capacity and connectivity in East Barnet ward. This comes after reductions in the frequency of the service which have already taken place.

#### Parking, traffic congestion, and infrastructure

The proposed decrease in car parking provision per unit, as compared to the 2016/17 consented plans, sees this decrease from 107% to 58%. That would leave almost half of households without any on-site parking at all, despite the predominance of travel by car and multi-car households in this part of London.

As acknowledged in the 2020 Draft Barnet Local Plan, there continues to be high car usage in this borough. This site is some considerable distance from Tube stations. Although a national rail station is closer, services there are limited, both geographically and in scheduling. The comparatively poor public transport options nearby mean that people living in this new development will inevitably be dependent on car travel.

There would therefore be a considerable impact on local roads both in terms of traffic congestion and parking. Overspill parking will occur in streets which are narrow and are already filled with the cars of residents whose homes cannot accommodate off-street parking.

A CPZ in the vicinity is neither wanted, nor will it be acceptable to a majority of local residents and local elected representatives. It is wrong for the developers to presume that their willingness to fund consultation and implementation of a CPZ in any way mitigates the traffic concerns arising from their proposals. Their attitude on this point illustrates the developers' failure to listen to the local community.

A particular location of concern is the junction of Victoria Road, Albert Road and East Barnet Road, which is already under pressure because of existing traffic problems. Transport for London's intention to reroute the 384 Bus across this junction down the already narrow and heavily parked Victoria Road through Park Road will exacerbate existing problems.

Residents have raised concerns about safety issues at the junction of Victoria Road, Albert Road and East Barnet Road and the junction was the focus of considerable controversy during previous consideration of the future of the gasworks site. This application would see hundreds more cars using this problem junction every day, with no mitigating adaptation of the junction, with negative impacts for congestion, air pollution, and safety. We are especially concerned about the safety of cyclists using this junction.

#### Impact on local services

We note the comments made by nearby residents about the pressure on local infrastructure such as GP surgeries, dentists, schools and other essential local services. The scheme is expected to accommodate between 1,395 and 1,485 new residents including between 137 and 174 under 5s, and between 98 and 120 primary school children.

The scheme is outside Cromer Road School catchment area and Livingstone is only a one form entry, so it is hard to see how such a big increase in pupil numbers could be accommodated in nearby schools.

There is already a need to expand local GP services because of increasing healthcare needs, and a significant increase in the local population would see pressure on local NHS practices increase still further.

Having asked repeatedly for reassurance that the developers engage with the CCG and local authority on these matters, we have yet to receive any.

## Conclusion

We believe that the application should be refused because it contravenes a number of planning rules and would damage the quality of life and local environment for New Barnet residents. It would also set a dangerous precedent for similarly damaging development in the constituency. Any merits this application might have are demonstrably outweighed by its adverse impacts. In our view, the developers should be advised to revert to the original plans for which planning permission has been granted.

We would be grateful if you could ensure that our views, and those of our constituents, are brought to the attention of the planning committee. We also wish to notify you that we would both like to address the planning committee when this application is considered.

- A letter of objection was received from Cllr.R.Weeden-Sanz, this can be summarised as follows:
  - Given the global pandemic the new plans for high rise blocks are not suitable in the current climate and should not be progressed.
  - Height, bulk and density are an atrocity to the long-established character of New Barnet and its environs. Will be an eyesore from Victoria Park and damaging to the protected views from Hadley Green.
  - Extremely disappointed with the mainly 1-2B flats proposed in an area which needs more family homes. Offers little to the local community and has little outdoor space provision.
  - Increase population add to the pressure on local infrastructure.
  
- A letter of objection was received from Cllr Laithe Jajeh, this can be summarised as follows:
  - determination of this application should be delayed due to Covid-19 when the local democratic process is limited. This will allow the cancelled consultations to be undertaken and allow developer to consider and respond to legitimate concerns.
  - Scheme should be built in accordance with the extant planning permissions.
  - Overdevelopment, excessive in height, massing and density
  - Development would not maintain or improve the local character
  - Visual Impact and overlooking the adjoining park and existing housing.
  - Housing mix, predominantly 1B and 2B not enough 3B and family homes.
  - PTAL, application overstates the access, local group assert that more than half of the proposed units would have a PTAL score of just 1a. In addition the 384 bus service has been withdrawn by TFL, reducing transport capacity.
  - Parking, traffic congestion will have considerable impact on local roads, resulting in overspill parking. CPZ neither wanted or acceptable to residents and local elected representatives.
  - Impact on infrastructure and local services.
  
- Two letters of objection were received from Andrew Dismore AM (London Assembly Member for Barnet and Camden) objecting to the proposed development. These can be summarised as follows:
  - Questioning accuracy of D&A statement, shows a number of local rail stations but with London Underground roundels, which is misleading
  - Disappointing a completely new scheme submitted after the extensive public consultation work to draw up the first plan, which had public support.
  - Should be aiming for 50% affordable housing

- Height is unacceptable and out of keeping with the area. 10 storey would set unwelcome precedent for buildings along Station Road
- Density is unacceptable and impact on local infrastructure
- Design, completely out of keeping with the area

#### 2.4.5 Neighbouring/Residents Associations & Local Amenity Groups

##### **New Barnet Community Association & Save New Barnet Campaign**

Two responses were received the first on 11<sup>th</sup> June followed by the second on 17<sup>th</sup> June. These were detailed responses however the main objections are summarised below.

11<sup>th</sup> June Objection:

- Housing Mix, the scheme is in breach of Council Planning Policy DM08.
- Tall Buildings, the scheme is in breach of Council Planning Policy DM05 and Core Strategy CS5.
- Fails to preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.
- Housing Density, the scheme is in breach of Barnet's Core Strategy Policy CS3.
- Amenity/ Play Space, the scheme fails to provide the required private amenity space and play space for children 5 years or older.
- Poor Quality Design, a detailed design review is attached which sets out our evidence, a summary of which includes:
  - o Monolithic, rectilinear massing of high rise blocks
  - o Uniform and repetitive building typologies
  - o Flat facades create a 'wall' of building with little visual relief which dominates and overshadows surrounding open spaces
  - o Generic grid overlaid on the site, resulting in uniform footprints and massing and repetitive building typologies and a lack of visual amenity
  - o 7 storey blocks are orientated with the longer elevation addressing the park, creating a wall of high rise building which dominates the park
  - o 8 and 9 storey blocks behind block views into the site.
  - o Generic approach and lack of visual amenity.
  - o Individual blocks allow train noise to penetrate
  - o 110 flats with habitable rooms directly facing the railway.
  - o Tall buildings either side of the new spine road has been created a 'noise canyon' with noise pollution levels that are severe enough to require mitigating.
  - o Closely spaced, high rise blocks overshadow habitable rooms, particularly on lower floors.
  - o Daylight levels fall below the recommended level in living/kitchen/dining rooms, particularly on the lower floors in the middle row blocks.
  - o Distances between blocks appear likely to be well below 21 metres compromising privacy in habitable rooms.
  - o 30% of rooms do not meet BRE guidelines in achieving recommended level of sunlight.
  - o Eleven of the twelve blocks significantly exceed the LHDG recommended limit of 25 dwellings per core - 521 dwellings in all.
  - o One block (Block A) has 67 dwellings per core, almost 3 times the LHDG recommended safe maximum.

- Flats in Blocks B1 and C1 are a distance of 31 metres between entrance door and lift/stair, breaching recommendations of the Smoke Control Association guidance (2015 revision).
- In some flats the kitchen area is immediately adjacent to the door, posing a considerable risk of blocking the residents' sole means of escape – critical in a 'flat of origin'.
- Some flats in Block A show open plan arrangements which do not comply with standard building regulations arrangements.
- The use of uPVC windows, which are flammable, has been implicated in the spread of flat fires including Lakanal House.
- Poor quality supporting reports, a number of supporting evidence reports appear to be rushed, with factually incorrect or misleading information.
- Failure of official consultees to respond, we have tried to contact a number of these consultees however many are struggling to respond with staff either working from home or furloughed.

#### 17<sup>th</sup> June Objection:

Application should be refused on the basis that the developer has ignored critical pre application advice on building height, design, articulation of buildings including the following:

- The applicant was told that “Where buildings breach the (building height) policy threshold, we would require justification not only on townscape views, but also on the quality and function of these structures. The applicant has failed to provide any justification on the quality and function of these structures.
- The applicant was told that LBB “would require the articulation of buildings to assist in the perception of height and character variation. This is due to the limited height variations currently proposed when viewed from ground level”. Based on the proposed application, that articulation has not been fulfilled.
- The applicant was told that “The exaggerated vertical order is good for fronting a square to instil a more civic character, but this is not a civic square. It is a relaxing space that connects to the park and the architectural form should reflect this character and function”. Unfortunately the applicant appears to have ignored that advice as we still have an exaggerated vertical order.
- The pre-app advice notes that there is “A general acknowledgement that improvements could be made to how movement patterns, active frontages and the quality of public realm could be improved”. However this has not been adequately addressed (if at all) in the application.
- The pre-app advice notes that “Officers would like to see the results of the updated Daylight /Sunlight Assessment to ensure the optimal performance of the internal floor plans”. Given that the daylight assessment shows many habitable rooms failing to meet the minimum daylight levels and that 30% of properties fail to meet the BRE guideline on sunlight how can officers approve such poor standards.
- The pre-app advice notes that “A greater understanding of how landscaping both within and adjacent to the site can assist in softening the proposed height and massing of the scheme”. We would challenge whether any softening has taken place and that no end of landscaping will reduce significant overshadowing created by the height and massing.
- The pre-app advice notes that “Officers... consider the proposed height strategy is more appropriate in respect of the local character and ‘political’ context”. It is not clear, under any circumstances, that this scheme could be said to respect the local character given that the area is characterised by low

- level suburban housing. It is also not clear what is meant by 'political' context but that certainly has not been articulated in any aspects of the design.
- The pre-app advice notes that "It is appreciated that the building form and elevational detailing shown within the highlighted document, is at this point more conceptual than proposed" and that "more detailed design discussions should be the focus of the next meeting, once the building form and elevations have been developed further. However by Pre App Meeting Four, it was recorded that final elevations still needed further work. This work does not appear to have been completed, ignoring Officers' advice.
  - The pre-app advice notes that "the proposed building heights, massing, siting and materiality should clearly demonstrate how it has optimised the spatial quality of the site's public realm". However in this scheme, landscaped spaces are the 'left-over' spaces between buildings. The spaces are not designed as 'positive' spaces – they are not seen as a generator for the layout (unlike the 'green fingers' in the previous scheme). The density means that it is the footprints of buildings which dominate.
  - The applicant was told that "Officers would like to better understand how building form and articulation and site landscaping responds to the site's open space and desired movement corridors". We agree and note that this is still missing in the current application.
  - In addition applicant had refused to engage with the community who sent several emails requesting a dialogue and who have a track record of collaboration on the previous consented scheme.
  - It appears that the public consultation undertaken by the developer in January 2020 was a complete sham in that they showed the public plans which had been superseded by the time the pre application notes were written in September 2019.
  - This invalidates any assertions they make in their Statement of Community Involvement as they failed to provide the community with a genuine opportunity to provide comments and feedback on the plans.

## **Barnet Society**

Accept the principles of redevelopment of brownfield land and higher density near transport hubs, where appropriate. Supported the previous scheme with the inclusion of terraced family houses with gardens. This proposal by contrast is poor response and massive overdevelopment with poor design quality. Reasons for objecting are:

- Over-development
- Density
- Bulk and massing
- Height, 4 blocks exceed policy on tall buildings
- Character, design and response to context, urban formula applied to a suburban site, not a response to context or local character
- Housing mix, 81% of the homes are 1-2 beds flats, not the 3-4 bed homes which are needed locally
- Parking, 392 spaces is unnecessarily large number for a site so close to a railway station
- Traffic, substantial increase in residents and car-use will put additional pressure on an already strained network of streets, in particular, the mini-roundabout at the main exit of the site
- Cycling, storage inconveniently located at the northern end of the site
- Impact on local services

- Views, neither Tudor Park, Monken Hadley Common nor Hadley Woods are included in the analysis of local green areas.
- Indoor space, cramped and poor-quality, only 5% of the dwellings have a kitchen separate to the living space.
- Outdoor space, falls a long way short (by 40%) of the required amount of private outdoor amenity space
- Energy use, communal air source heat pumps are proposed with substantial rooftop technical areas on blocks G & J, but the noise impact of these is not considered.
- Sustainability, only achieves zero-carbon by making an offset payment.
- Fire, no account of new regulations requiring all buildings over 11m to have sprinklers.
- Management, no evidence is provided to assure us that the buildings and landscape will be managed and maintained adequately in the long term.

### **East Barnet Residents' Association**

The proposal does nothing to enhance or preserve the quality of life for residents in East Barnet and New Barnet. Objections can be summarised as follows:

- The proposed tower blocks are far too tall
- The proposed development is too dense
- There are no proposals to increase the infrastructure
- Public transport already overcrowded

### **Clerk to the Trustees of Monken Hadley Common:**

Objection to the vehicle construction route. Hadley Road, Hadley Common Road, Clifford Road and Camlet Way are wholly inappropriate for the proposed vehicle routing.

Gates at the Common and The Crescent have already been repaired after damage caused by drivers in the past. Iron bollards by the Hadley Road gate are damaged and concern that additional HGV usage would cause further damage to structures along the proposed route.

Road widths are too narrow, parked vehicles along the carriageway and there are existing signage stating that the identified roads are unsuitable for HGVs.

Schools on Camlet Way which result in large numbers of children in the vicinity twice a day crossing the road with no traffic/speed calming obstacles in place.

### **Barnet Cycling Campaign**

Object on grounds of highway safety and traffic generation. Disabled persons' access in the area is also problematic.

- The active travel links to High Barnet and Cockfosters stations are not safe for cycling
- the improvements to the railway foot tunnel as key to benefit the increasing population as well as users of local schools, businesses, shops and leisure facilities in an area where road safety is already a major concern.

- Connectivity for cycling, London Cycling Design Standards (LCDS1) recommended that a cycle route quality criteria assessment should be performed against the existing and planned layouts based on six criteria.
- No assertions can be made about cycling unless safe cycling routes are provided, such as provision of segregated cycle tracks along the A110 and A1000 and a well-designed Low Traffic Neighbourhood in Victoria Road and the Bevan Estate towards Cockfosters.
- Active Travel Zones:
  - o Route 1 - resurfacing will not make this a safe route. Need to rationalise parking and introduce dedicated bus lanes and cycle lanes to link it to the strategic A1000 route.
  - o Route 2 - pedestrian, cycling and bus routes serving New Barnet Station are unwelcoming and inefficient. The limited and insecure cycle parking needs to be expanded and upgraded. Traffic calming and pavement widening is needed to improve cycling and pedestrian access around the junction of Station Road and Lyonsdown Road.
  - o Route 3 - mini roundabout is dangerous for cyclists, especially after dark. Consideration should be given to replacing the mini-roundabout with traffic lights to improve road safety at this junction.
  - o Route 4 - suggest a raised platform instead of dropped kerbs. A raised platform and tightening the corner radii at Lawton Road / Baring Road. The access and safety improvements around the railway tunnel, Victoria Road and New Barnet station will increase the proportion of all residents and visitors to the area using active travel.
  - o Route 5 - PROW under the railway line be given step free access suitable for disabled, child buggies and cycles. This will make it the preferred, more direct route for active travel to schools in Cromer Road.
  - o Route 6 - the entire residential area east of the site, including the Bevan Estate to Cockfosters Road, needs to benefit from a Low Traffic Neighbourhood scheme.
  - o Route 7 - The A1000 has been identified by TfL and Barnet Council as a strategic cycle route and the entire route needs to have dedicated cycling infrastructure before this planning application can claim to be anywhere near a cycle network.
- Albert Road West, should be two-way for cycling and access-only southbound for motor vehicles.
- The need for 392 car parking spaces seems hard to justify, particularly when compared to car-free developments at High Barnet and Cockfosters.
- The proximity to New Barnet railway station, good east-west bus routes, greater use of car clubs and provision of cycle routes should mean a greater reduction in the need for car ownership.

#### Officer Comment

All of the above representations have been taken into account and are considered within the relevant sections of this report, which form part of the assessment set out below.

## 2.4.6 Responses from External Consultees

### **Greater London Authority (GLA)**

#### Strategic Issues Summary

*Principle of development:* The proposed scheme would deliver an optimised residential-led mixed use scheme and is strongly supported. (paragraphs 20 – 22)

*Housing:* The scheme would deliver 35% affordable housing (60.5% London Affordable Rent: 39.5% shared ownership) and would qualify for the Fast Track Route. The affordability levels must be confirmed and secured. An early stage review must also be secured. Further clarification on the habitable rooms of LAR units is required. (paragraphs 23 – 38)

*Urban design and heritage:* The proposal seeks to optimise the site and there are no strategic concerns raised in respect of the height and massing of the proposed development. The council should ensure that courtyard open space is accessible to all residents of the development. There would be no harm caused to the setting of the nearby heritage asset. (paragraphs 39 – 51)

*Environment:* Further information is required in relation to the non-domestic Be Lean target, overheating, future-proofing for connection to district heating, PV and heat pumps. A payment to the borough's offset fund is required and should be secured in the Section 106 agreement. Further information on urban greening and drainage strategy is required. (paragraphs 55 – 61)

*Transport:* A revised trip generation assessment should be provided. Walking and cycling improvements should be made to the junction of East Barnet Road, Victoria Road and Albert Road West; and contributions to public transport enhancement should be agreed with the GLA and the borough. Cycle parking should be redesigned to ensure easy access for all with a variety of cycles. Car parking should be reduced or further justified. (paragraphs 62 – 82)

The GLAs Stage 1 response included the following recommendation:

That Barnet Council be advised that whilst the principle of development is strongly supported the application does not yet fully comply with the London Plan and Mayor's intend to publish London Plan for the reasons set out in paragraph 86 of this report. However, the resolution of these issues could lead to the application becoming compliant with the London Plan and Mayor's intend to publish London Plan.

### **London Fire Brigade**

No objections to the proposal

### **Environment Agency**

We have no objections to this proposal from a flood risk perspective as the main river, the Victoria Watercourse, runs off the site to the east.

## **Historic England**

The site does not lie within an archaeological priority area and an archaeological assessment carried out as part of a previous application identified the site as having a low archaeological potential.

No further assessment or conditions are therefore necessary.

## **Network Rail**

No objection in principle to the development, however there are some requirements which must be met given the close proximity to the development of an electrified railway.

Officer Comment: These can be secured by compliance conditions and informatives.

## **Highways England**

The applicant provided a Technical Note and associated Appendices, which responded to the initial queries raised by Highways England in relation to the planning application consultation.

Upon review of the response received by the applicant, Highways England are content that the queries raised in our response on 19th May 2020 have been addressed. On this basis, Highways England are content that the 11 trips and nine trips forecast by the proposals to use Junction 23 of the M25 in the AM and PM peaks respectively, and the 4 trips forecast to use Junction 24 of the M25 in both the AM and PM peaks are unlikely to have an adverse impact on the SRN.

However, given the size of the development, Highways England recommend that a Construction Management Plan (CMP) is conditioned to consider the impact of construction on the SRN and strategies to reduce the impact. This should include details of the number and frequency of construction trips, vehicle types, proposed routing, timings and how these will be managed to reduce impacts on the SRN, notably during network peak hours.

*Officer Comment:* Although draft CMP and CLP have been submitted these are not considered acceptable, e.g. construction route, and therefore will not form part of any approved documents. Accordingly appropriate conditions would be added.

## **Metropolitan Police – Designing Out Crime**

Through effective environmental design and physical security via Secured by Design, it will help to enhance community safety for the end-users of the development. Therefore, an overall planning condition for the development to achieve SBD accreditation, prior to occupation, will ensure that the most appropriate security measures can be recommended and implemented.

I do not object to this proposal but due to the reported issues affecting the ward, overall crime levels and size of the development, I would respectfully request that a

planning condition is attached to any approval, whereby each phase/development must achieve Secured By Design accreditation, prior to occupation.

In addition, further recommendations have been provided:

- Boundary treatment: SBD recommendations will vary throughout the development. It is recommended that an enhanced rear boundary height of 2.1m is incorporated for blocks E, F1-3 and G, as these abut the railway embankment. This area does not appear to benefit from any other levels of natural or formal surveillance other than those naturally afforded by the new units proposed for the site. A development abutting railway property is considered to be more vulnerable, hence the enhanced recommendation of boundary treatment to be above 1.8m. (SBD Homes 2019 – Part 1 - 10.7-10.8). Research has proven that most burglaries will occur at the side or rear of a property, with the borough of Barnet suffering from high levels of residential burglary (see appendix). In the absence of an increase in the height of the fence from 1.8m, defensive planting could be incorporated along the boundary in some format to present an additional natural defensive barrier. With graffiti also being problematic to boundaries next to railway lines, it may be prudent for the agent to incorporate 'narrow weld mesh fencing' as opposed to timber close board fencing.
- In general, SBD recommends that front boundaries should be no more than 1m high to both demarcate and increase natural surveillance, with side and rear boundaries to be at least 1.8m high.
- 'Green break-glass boxes' are not suitable for this development due to potential misuse and requirement to manually reset if activated, legitimately or not. Ensure fire egress is available with green break-glass boxes substituted by dual pole (self-resetting) exit/emergency buttons. The self-resetting element will allow the re-activation of communal fob-controlled doors following an incident, to help maintain security integrity. Compliance with fire strategy is required.
- Compartmentation: Residential units: as the number of residential units for each lift/stair-core is greater than 25 (other than Block G – 22 units), compartmentation is recommended for each block. This can be easily achieved by incorporating destination control via 'smart' lifts and fob-controlling specific door-sets for residential stair-cores. This crime prevention measure is required to prevent unrestricted access around each residential block, as this could lead to incidents of crime and disorder such as trespass, vagrancy, drug use/supply, burglary and so on. Each resident must only be allowed access to their block and shared communal areas eg. Car park, ground floor, corridor leading to their flat and so on. Although the agent has incorporated a secure postal lobby which is highly commendable, by controlling the lift and stair-cores it would remove the need to install the secondary door for the postal lobby. This will help to protect against tailgating and deterring unrestricted access throughout the building.

## **Natural England**

No comments to make on this application.

## 2.4.7 Responses from Internal Consultees

### **Ecology**

The applicant identified no European statutory sites within 5 km of the survey area. However, the site is located in close proximity to Covert Way Local Nature Reserve (LNR) at 700m from the site and the closest non-statutory site is Pymmes Brook located 400m east of the site. The survey area does fall within a SSSI Impact Risk Zone for Redwell Woods SSSI, which is located c. 7.5 km north-west of the site. However, the development does not fall into any of the categories listed by Natural England that would require consultation with them.

We are satisfied that the evidence provided by the applicant is sufficient to address potential impacts and implications on biodiversity receptors. We propose that the following issues can be addressed through suitably worded planning conditions.

#### Lighting

Please attach a condition on lighting strategy that it must be designed and used to minimise impacts on bats and their insect food. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) advice is at <http://www.bats.org.uk/>. The lighting strategy should be submitted to the LPA for approval prior to commencement.

#### Nesting birds

Trees and scrub are likely to support nesting birds between 1st March and 31st August inclusive. Under the Wildlife & Countryside Act 1981 (as amended) it is an offence to damage active nests. Therefore to ensure no offences are committed a suitably worded condition requiring the applicant to have habitats checked by a competent ecologist to assess if active nests are present and if so suitable zones are set up to avoid damage or disturbance to nesting birds during site clearance and construction.

#### Bats

Building B7 and west of building B6, which was previously reported to support a summer roost used by a single, or small number of common pipistrelle bats, was subject to a licence which facilitated the demolition of the building in line with the permitted position. We would state that although the buildings are no longer present the development should provide additional suitable compensatory measures with the inclusion of at least three appropriate integrated bat roosting opportunities be incorporated into new buildings in close proximity to the previous roost as part of the current proposals.

#### Reptiles

A reptile survey was undertaken in 2014 of suitable habitats within the proposed development site. Reptiles are confirmed as being present on the immediate area and the site clearance and construction will need to be managed to avoid killing or injuring all reptile species. All contractors should be made aware of the legislation protecting these species and the required methods that will be required. This should be outlined in an informative toolbox talk and we would recommend this is submitted to the LPA for approval prior to commencement. In addition to provide a sustainable development and net gain to this species, landscape design should aim to increase suitable foraging and dispersal of slow worm across the site. It is therefore

recommended that the applicant is conditioned to develop a landscape and ecological management plan to facilitate sustainable development and management for these and other species for the next five years onwards and that this is submitted for approval prior to commencement.

#### Biodiversity Enhancement Recommendations

In line with the National Planning Policy Framework (NPPF) 2019 in aiming to achieve sustainable development and the obligations on public bodies to conserve and enhance biodiversity as required by the Natural Environment and Rural Communities (NERC) Act 2006.

The following habitat creation is proposed for the site and the locations of suitable areas for biodiversity enhancement within a local context as no landscape scheme has been provided it is suggested that the following measures for enhancements are include:

- Installation of three integrated bat boxes;
- 1 no. Schwegler 1B bird box with 26 mm hole (suitable for blue tits etc.);
- 1 no. Schwegler 1B bird box with 32 mm hole (suitable be great tits etc.); and,
- 6 no. Schwegler 1SP Sparrow Terraces: made of woodcrete, they may also occasionally attract tits Paridae Sp., but are designed to accommodate three separate pairs of House Sparrow *Passer domesticus*. They are suitable for mounting on an exterior wall or fitted integral to the brickwork.
- 6 no. Schwegler 17A Swift Nest Box: Triple Cavity Swift Terraces made of woodcrete mix, suitable for mounting on an exterior wall or fitted integral to the brickwork. These boxes can each support up to three nest pairs of swifts *Apus apus*.
- Use of native and wildlife attracting perennials /shrubs;
- Planting of native and wildlife attracting trees;
- Consideration of rough grassland areas adjacent to boundaries; and creation of habitat piles where possible,
- Proposals and future management should be included as part of condition to produce a site specific Landscape and Ecological Management plan, or Biodiversity Enhancement Strategy Report.

#### Environmental Health

The proposed development has been reviewed and is considered acceptable subject to a number of standard conditions.

- There is are commercial areas, substation and energy store so recommend *C440 Noise from Plant*.
- The Syntegra noise report has background noise level targets however specific details of plant are needed when installed to see if meet these targets.
- The Syntegra noise report does contain proposed air quality mitigation for glazing and ventilation, these recommendations could be conditioned using *C242 Impact of Noise on Development*, as a basis though the noise report is done.
- In commercial areas any premises with amplified or impact noise including Gym will need to be isolated from structure of attached residential premises with own noise report. Recommend *C245 #Insulation against Internally/Externally Generated Noise*.
- Any restaurants/ licenced premises will need *C251 Odour and Smoke Control from Kitchen Extraction Systems* and *C440 for Plant Noise/ Impact of Noise from Ventilation and Extraction Plant on Development* including proposed new residents.

- Recommend condition C246A Air Quality Neutral / C247 Air Quality Mitigation Measures, for transport as the building emissions are satisfactory.
- Recommend condition C246A NRMM for construction phase.

## Arboriculturalist

There are no arboricultural reasons to object to this application, recommend a number of conditions relating to:

- Levels
- Hard & Soft landscaping
- Excavation for services
- Pre-commencement tree protection and method statement
- Green roof
- Landscaping details to frontage to ensure synergy with surrounding properties

In addition a Landscape Management Plan will be agreed for the long-term maintenance and management of the shared spaces, as part of the s106 legal agreement. Financial contribution to maintain the trees on the adopted public highway will also be secured.

## Green Spaces

No objections.

### Play Provision

	m <sup>2</sup> per child
Play space requirement	10

Play Calculations – PTAL Rating 3-4						
	Market & Inter (No; Children)	Social (No; Children)	Total (No; Children)	Required Provision (m2)	Scheme Provison (m2)	Shortfall in Provision (m2)
Age 0-4	82.91	54.37	137.28	1,372.80	1,377.00	-4.20
Age 5-11	55.06	43.01	98.07	980.68		980.68
Age 12-15	13.52	21.50	35.02	350.24		350.24
Age 16 & 17	7.14	11.36	18.50	185.02		185.02
<b>TOTAL</b>	<b>158.63</b>	<b>130.24</b>	<b>288.87</b>	<b>2,888.73</b>	<b>1,377.00</b>	<b>1,511.73</b>

i - Provision calculated using the GLA Population Yield Calculator v3.2

ii - Overprovision is shown as a negative number

Bases on the above figures, the development has a shortfall of 1,511.73sqm of play provision for older children, based on the council's charge rate, this equates to a s106 contribution of £283,721.90 for Victoria Recreation Ground. This has been agreed with by the applicant.

### Amenity Open Space Provision

	m <sup>2</sup> per Room	Public Spaces	Communal Spaces	Private Spaces	Total Provision
Amenity Open Space requirement	5				
Amenity Open Space Provided		3,953.00	3,383.00	5,669.40	13,005.40

Amenity Open Space			
	Required Sqm Amenity	Scheme Provison	Shortfall in Provision
<b>TOTAL</b>	9,475.00	13,005.40	<b>-3,530.40</b>

iii - Overprovision is shown as a negative number

The above calculations confirm the development provides sufficient quantum and quality of amenity space.

Details regarding the boundary treatments and materials for the pathway network joining the development to the park, to be secured by conditions.

### Affordable Housing

No objections. Following minor revisions to the tenure, all proposed London Affordable Rented units would now be 2B 4P. The proposal is acceptable.

### Transport and Regeneration

No objections subject to appropriate conditions and heads of terms. Detailed comments incorporated in officer comments below.

### Drainage/SuDs

No objections to the scheme following submission of additional information and subject to conditions.

### Urban Design

No objections raised detailed comments incorporated in the relevant sections of the report below.

### Employment and Skills

No objections subject to the agreement outlined within the heads of terms. Detailed comments incorporated in officer comments below.

### **3. PLANNING ASSESSMENT**

#### **3.1 Principle of development**

- 3.1.1 The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that that accords with an up-to-date Local Plan should be approved.
- 3.1.2 Policy 3.3 of the London Plan recognises the pressing need for more homes in London and seeks to increase housing supply to in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.
- 3.1.3 Furthermore the principle of a residential led mixed use development at the site has already been established by the three extant planning permissions granted, B/04834/14; 16/7601/FUL; and 17/5522/FUL. The original permission (B/04834/14) has been implemented and the associated works including site remediation, drainage and excavation of the basement has already commenced.

#### **Residential density**

- 3.1.4 London Plan policy 3.4 seeks to optimise the housing output of sites. This considers local context and character, the design principles outlined within chapter 7 of the London Plan (2016) and public transport capacity. Table 3.2 of the London Plan (2016) sets out a density matrix which serves as guidance for appropriate densities in different locations and with varying levels of accessibility.
- 3.1.5 It should be noted that the Draft London Plan, takes a less prescriptive approach with Policy D6 stating inter alia, that the density of a development should result from a design-led approach to determine the capacity of the site. This again should consider site context, its connectivity and accessibility by walking and cycling, existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D6 goes on to state that proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.
- 3.1.6 Given the location of the site on the edge of the town centre, its proximity to New Barnet Station and GLA's advice for this and the extant permissions; the site setting for the purposes of PTAL can be regarded as 'urban' (Table 3.2). This has been defined as an area "with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes." For sites such as these, the London Plan density matrix suggests a residential density of between 70 and 170 units per hectare and 200-450 hr/ha.

3.1.7 The density of the proposed development would equate to 214 units per hectare or 621 hr/ha, which is over the maximum range. However it is noted that the Council's New Barnet Framework does not suggest a density range for 'Victoria Quarter'; and the original extant permission was also above the suggested range. Notwithstanding, Chapter 11 of the NPPF (Revised 2019) states that:

*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.*

3.1.8 This strategic objective to optimise redevelopment opportunities within sustainable locations is reinforced within both the existing and draft London Plan. Indeed, Policy 3.4 of the London Plan (2016) advocates a more flexible approach to density and should not be applied mechanistically, stating:

*A rigorous appreciation of housing density is crucial to realising the optimum potential of sites, but it is only the start of planning housing development, not the end. It is not appropriate to apply Table 3.2 (Density Matrix) mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential - local context, design and transport capacity are particularly important, as well as social infrastructure.*

3.1.9 The numerical application of the density matrix needs also to be balanced against design and the quality of residential environment created. The application site has been subject to a design-led approach to optimise the potential of the site. In this instance it is not considered to result in any overdevelopment symptoms. Officers consider that the density of the scheme is suitably expressed through development of a height and scale that is appropriate for the site and in accordance with Policy 3.4 of the London Plan.

3.1.10 Furthermore, The GLA Stage 1 advice reaffirms this view, stating the proposed scheme would deliver a residential development on a brownfield site, which has the benefit of an implemented extant planning permission for residential-led development. The principle of residential development, and the further optimisation of the site, is therefore strongly supported in strategic planning terms in view of its contribution towards the strategic functions of brownfield land and Town Centre in line with London Plan Policies.

#### Environmental Impact Assessment Regulations (2017)

3.1.11 The EIA Regulations 2017 requires that for certain planning applications, an EIA must be undertaken to assess the likely environmental effects (alongside social and economic factors) resulting from a proposed development. This is to ensure that when deciding whether to grant planning permission for a project, the LPA does so in the full knowledge of the likely significant effects and can therefore account for these within the decision making process. This assessment is reported in a document called an Environmental Statement ('ES').

3.1.12 A formal screening opinion for EIA was sought at pre-application stage with the council advising the proposal does not constitute EIA development. Following

submission, the council has re-screened the proposal to confirm that no EIA is required. It should be further noted that in pursuance to the Regulations, the proposed development does not fall within 'Schedule 1' development. Instead, the development is considered to constitute the Schedule 2 development namely, an 'urban development project' in accordance with Section 10(b) of Schedule 2 of the Regulations. The site is not located in a sensitive area as defined in the regulations.

3.1.13 In summary, it is considered that the proposals do not constitute an EIA development and as such an Environmental Statement is not required to be submitted with the application. Nevertheless, a full range of technical reports and assessment have been submitted in support of the application in accordance with the national and local guidance.

### 3.2 **Housing Quality**

3.2.1 A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch 3 'London's People', and Ch 7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD and CAAP policy 5.2.

#### Unit Mix

3.2.2 Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan Policy 3.8, and Barnet Development Management Policies DPD policy DM08). 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. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

3.2.3 The proposed development proposes the following unit mix across the application site:

<b>Tenure</b>	<b>Studio &amp; 1B2P</b>	<b>2B 3P</b>	<b>2B 4P</b>	<b>3B 5P</b>	<b>Total Units</b>
London Affordable Rent (LAR)	20		50	41	111
Shared Ownership (SO)	47	19	13	19	98
Private	153	86	142	62	443
<b>Total</b>	<b>220</b>	<b>105</b>	<b>205</b>	<b>122</b>	<b>652</b>

3.2.4 In terms of dwellings types which constitute family accommodation provision, the London Housing Design Guide classifies family housing as all units upwards of 2

bedroom 3 person units. Based on this definition the proposal would provide a total of 327 family units equating to 50.1% of the total number of units on site. Given the application site's edge of town centre location and urban character, it is considered that the proposed mix is acceptable and consistent with the highlighted policy approach. Indeed, half of the overall number of proposed units are large two-bed, or three-bed units, with 123 of these provided as affordable housing units.

3.2.5 Overall it is considered that the proposed scheme comprises a good mix of housing types and sizes to address the housing preference and need. Officers therefore consider the proposed dwelling mix to be acceptable and in accordance with Policy DM08 of the Local Plan. Furthermore the GLA has confirmed, in strategic planning terms the mix is acceptable and note the provision of family housing has been appropriately provided within the affordable component of the mix of which 28% of units are 3 bedroom properties (41.7% by habitable room).

#### Affordable Housing

3.2.6 London Plan 2016 Policy 3.12 seeks the maximum reasonable amount of affordable housing to be negotiated. The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings. Council policies seek a tenure split of 60% social rented and 40% intermediate housing.

3.2.7 The Mayor of London has published the affordable housing and viability SPG, which effectively accepts schemes under a 'fast track' process which propose a minimum level of 35% onsite affordable housing by habitable room without the need to submit a viability assessment. Schemes which provide less than this level need to be accompanied by a viability assessment. In those circumstances where the outcome of a viability review indicate that a scheme cannot viably provide more affordable housing, then a scheme can be approved with a lower level of affordable housing subject to the attachment of early and late stage viability reviews.

3.2.8 The proposal would provide 35% affordable housing by habitable rooms with a tenure split of 59.8% Affordable Rent and 40.2% Shared Ownership. The proposed mix is therefore in line with LB Barnet's Local Plan and the Mayor's Homes for Londoners Supplementary Planning Guidance. Following review by the Council's Affordable Housing Officers and in view of local market conditions, the proposed unit mix and tenure split is considered acceptable. In addition, as the GLA have noted, the provision of 35% affordable housing is a marked improvement from the implemented permission of c.15% affordable housing contribution, as well as the combined offer of c.18% affordable housing contribution as part of the extant planning permissions.

#### Residential Internal Space Standards

3.2.9 Table 3.3 in the London Plan (2016) outlines the minimum gross internal floor area required for different dwelling sizes. The table below shows the relevant minimum floorspace standards for the unit sizes proposed:

	Dwelling Type (bedrooms/persons)	Storeys	Minimum Floorspace (m <sup>2</sup> )	Internal
Flats	1 bed (2 persons)	1	50	
	2 bed (3 persons)	1	61	

	2 bed (4 persons)	1	70
Duplex	2 bed (4 persons)	2	79
	3 bed (5 persons)	1	86
Duplex	3 bed (5 persons)	2	93

Following a review of all proposed units, it is confirmed that they meet the minimum internal space standards outlined above.

### Wheelchair Accessible Housing

3.2.10 Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst Policy DM02 sets out further specific considerations. All units should have 10% wheelchair home compliance, as per London Plan Policy 3.8.

3.2.11 The planning submission sets out that 10% of the residential units would be provided as wheelchair adaptable in line with aforementioned policy context and in accordance with Part M4(3) of the Building Regulations. This is considered to be acceptable and a condition is attached which would secure these wheelchair units. The table below sets out the revised schedule of accessible units.

#### Wheelchair units

Tenure	Unit Reference	Unit Type	Submitted units	Revised Units	Difference
Private	1 BED WC	1B2P WC	20	26	6
	2 BED WC	2B3P WC	17	17	0
<b>Private Total</b>			<b>37</b>	<b>43</b>	<b>6</b>
LAR	1 BED WC	1B2P WC	1	8	7
	2 BED WC	2B3P WC	14	3	-11
<b>LAR Total</b>			<b>15</b>	<b>11</b>	<b>-4</b>
SO	1 BED WC	1B2P WC	6	3	-3
	2 BED WC	2B3P WC	7	7	0
		2B4P WC	1	0	-1
<b>SO Total</b>			<b>14</b>	<b>10</b>	<b>-4</b>
<b>Total</b>			<b>66</b>	<b>64</b>	<b>-2</b>

3.2.12 The revisions set out in the above schedule show that the WC units would now be shared more evenly across all tenures, rather than being skewed to the affordable housing, as was previously the case. As a result there is also now 10% WC units in each tenure.

### Amenity space

3.2.13 Barnet's Sustainable Design and Construction SPD Table 2.3 outlines the minimum external amenity space standards required for new residential developments. For flats, the SPD requires 5sqm of space per habitable room for all minor, major and large-scale developments. Kitchens over 13sqm are counted as a habitable room

and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space compliance. The minimum requirements are set out in the table below:

<b>Outdoor Amenity Space Requirements</b>	<b>Development Scale</b>
For Flats: 5m <sup>2</sup> of space per habitable room	Minor, major and large scale
For Houses: 40m <sup>2</sup> of space for up to four habitable rooms 55m <sup>2</sup> of space for up to five habitable rooms 70m <sup>2</sup> of space for up to six habitable rooms 85m <sup>2</sup> of space for up to seven or more habitable rooms	Minor, major and large scale
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

- 3.2.14 The Mayor’s housing SPG sets out a requirement of 5 sqm of private amenity space for 1 and 2 person dwellings with a further 1 sqm per additional person. The proposed development is required to provide 9,430 sqm of private external space.
- 3.2.15 All proposed units would have private amenity in the form of either balconies or terraces, totalling 5,699.4 sqm. In addition the scheme also provides a total of 3,953 sqm of public open space on site and 3,383 sqm of communal amenity space. The open space is provided in three areas around Block A/B1/B2 and between B1/B2, C1/C2 and D1/D2. Together this is a total provision of 13,005.40 sqm. In addition the previously dedicated private courtyards would now be fully accessible to all residents. The proposed communal amenity space areas will be hard and soft landscaped and will also include a children’s play space as discussed below. Full details including landscaping plans will be secured via conditions.
- 3.2.16 The public amenity strategy seeks to complement the adjacent Victoria Park by providing high quality transition space and a public square within the site. Given the location next to Victoria Park and the improved access created by the development ensures that the future occupiers of the development will have sufficient access to the public open space they require. There will also be benefits to the wider population with better connectivity to the park and s106 contributions to improvements to Victoria Park. Based on the above, it is considered that sufficient onsite external amenity space has been provided in compliance with the highlighted standards.

#### Children’s Play Space

- 3.2.17 London Plan Policy 3.6 of the London Plan requires housing development to make provisions for play and informal recreation based on child yield, referring to the Mayor’s SPG Shaping Neighbourhoods: Play and Informal Recreation 2012. London Borough of Barnet Core Strategy Policy CS7 requires improved access the children’s play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan.
- 3.2.18 The submission confirms that 1,377 sqm of playspace for children from 0 to 4 years olds would be provided throughout the development, which meets the requirements according to the GLA’s population yield calculator. The location of the play space in

the centre of the development provides for good levels of surveillance from surrounding residential units and access from the main plaza square. Exact details of the play space, including materials, play facilities providing increasing levels of challenge and associated landscaping, will be secured via condition to ensure the play space aligns with the objectives outlined within the Shaping neighbourhoods: Play and informal recreation SPG (2012).

3.2.19 The development however has a shortfall of 1,511.73sqm of play provision for older children, based on the council's charge rate, this equates to a s106 contribution of £283,721.90. The applicant has agreed to provide this contribution towards improvements to Victoria Park, to enable play space for all other play age ranges as required by the Play and Informal Recreation SPG. In view of the location of the site adjacent to a recreation ground, which is suitable to provide playspace for older children, the GLA have confirmed that this is an acceptable approach in this case. Furthermore the applicant has also confirmed that the private courtyards of B1 – D1 would now be fully accessible to all residents. Again all matters would be secured through conditions.

#### Privacy / Overlooking

3.2.20 Policy DM01 of the Local Plan requires that development have regard to the amenity of residential occupiers. In this regard it is necessary to consider the design of the scheme and the privacy that would be afforded to future occupiers of the development. The Barnet Residential Design Guidance SPD states there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

3.2.21 The design proposes a minimum distance of 20m between the main façades of the buildings facing the primary route along Albert Road East and Spine Road. There are only two narrow points of 19m on the east façades of Block J, due to the projection of enclosed balconies and 18m due to the step of the façade on Block E.

3.2.22 For the Courtyard between Blocks B1-C1-D1 and B2-C2-D2 20m is achieved. Large distances of 20.5-21m between B2-C2-D2 open the Courtyard toward Victoria Recreation Ground. The separation does drop to 10m between the rear portion of the Mansion Blocks B2-C2-D2 and Blocks B1-C1-D1. Larger separation distances of 20.5-21m between B2-C2-D2 open the Courtyard towards Victoria Recreation Ground.

3.2.23 The separation among the Pavilion Blocks E-F-G vary to accommodate different functions. 21.5m for the communal soft play area between Block E and F1, 10m for two intimate garden areas between Blocks F1, F2, F3, and 18m for the communal car parking spaces between Block F3 and G.

3.2.24 A key design principle of Victoria Quarter is the maximisation of façade opening and active frontage with an appropriate window-to-wall ratio. This principle, together with the achievement of 70% dual aspect units across the scheme, introduces a large number of windows that have been organised in all the façades of the buildings. Separation of 18-20m on the long side of the buildings is considered an appropriate distance to provide a good level of privacy with no issues of overlooking windows. In

a few locations where separation of 10-12m occurs, windows are offset from each other to mitigate direct sightlines and reduce overlooking. In a small number of areas where there are facing habitable windows, they are in most cases a secondary window, (as these units are dual aspect) and their living rooms would have alternative uncompromised views. Where there are bedroom facing windows which cannot be obscured glazed, alternative measures can be introduced such as oblique oriel windows to mitigate any potential issue.

3.2.25 It is considered that in the context of the development and the design-led approach to optimising the site, these separation distances would not result in unacceptable harm for future occupiers. Indeed such separation distances are common in established, higher density urban areas within London and indeed in this case the facing windows do not both consist of primary outlooks with some of the windows in question forming secondary bedroom windows – lessening the extent to which potential overlooking may occur. Furthermore full details of the openings in the relevant blocks will be agreed. Thus subject to a condition securing the implementation of mitigation measures to include for example oblique oriel windows or screens/fins, officers are satisfied that there would be no detrimental overlooking as to justify a refusal within the proposal.

#### Outlook and Daylight

3.2.26 The application is accompanied by a Daylight/Sunlight report prepared by CHP Surveyors Limited which provides an assessment of the potential impact of the development on sunlight, daylight and overshadowing to neighbouring residential properties and the proposed units and amenity space. This is based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide'.

3.2.27 Daylight has been assessed in terms of Vertical Sky Component (VSC), No Sky Line (NSL) and Average Daylight Factor (ADF). Sunlight has been assessed in terms of Annual Probable Sunlight Hours (APSH) and overshadowing has been assessed against the above BRE guidelines. The methodology used within the report is considered to be robust and appropriate.

3.2.28 The BRE guidelines explain that the BRE guidelines are not mandatory and that the guide should not be seen as an instrument of planning policy; its aim to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstance the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. It should also be noted that the London Plan guidance states that in view of London's context accepting VSC reductions exceeding 20% is acceptable. A reduction of under 30% is classified as minor adverse, under 40% moderate adverse and over 40% substantial adverse.

3.2.29 In regard to the proposed accommodation, the report states despite the orientation of the scheme and the provision of private amenity space, in the form of terraces and balconies, over 90% of the proposed habitable rooms will achieve or exceed the recommended level of daylight and over 70% of those flats with principal windows

facing within 90° of due south will achieve or exceeded the recommended level of sunlight. In addition, all communal amenity areas will have access to the recommended level of direct sunlight. It is therefore considered that this demonstrates that the proposals will provide the proposed accommodation with good access to daylight and sunlight.

3.2.30 The setting out of the buildings within the masterplan and the separating distances between the blocks are essential parts of the design intent to maximise natural day light penetration from sunlight throughout the day. In respect of outlook, the proposal also provides a total of 456 dual aspect units (70%) and there are no north facing single aspect units. On balance, and considering the site constraints and context, it is considered that the development would achieve acceptable levels of daylight and sunlight compliance.

### Noise

3.2.31 In relation to the noise impacts on the proposed development, the application is accompanied by a Noise Impact Assessment by Syntegra Consulting Ltd. The report states the part of the site closest to Victoria Road has a medium risk in terms of noise during the both the daytime and at night. The majority of the site, however, has a low risk in terms of noise during the daytime and a low-medium risk in terms of noise at night.

3.2.32 Good acoustic design has been shown by the site layout in that only a very small number of flats (within Blocks H and J) are directly facing the dominant noise source at the site, Victoria Road/A110 East Barnet Road. Additionally, there are a number of communal amenity areas around the proposed development site located within courtyards between buildings where they be significantly shielded from noise.

3.2.33 The submitted Noise Impact Assessment has been reviewed by the Council's Environmental Health team and satisfied with the information provided, subject to conditions relating to the proposed extraction and ventilation equipment and associated noise mitigation measures.

3.2.34 The development also comprises of a mix of uses with some flexible use commercial space at ground floor level. There would therefore be scope for increased noise generation from a use falling within the range of approved uses, such as a gym. With this in mind, a condition would also be attached which would require the submission of a scheme of noise insulation for any proposed use of the floorspace under the D use class prior to the occupation of that unit.

### Air Quality

3.2.35 An Air Quality Assessment including an Air Quality Neutral Assessment have been submitted in support of the application. The report concludes that the resulting air quality effect of the proposed development is considered to be 'not significant' overall. The Proposed Development does not, in air quality terms, conflict with national or local policies, or with measures set out in the London Borough of Barnet's Air Quality Action Plan. There are no constraints to the development in the context of air quality.

3.2.36 The submitted documents were reviewed by the Council's Environmental Health team who have advised that the proposed development is acceptable in view of Air

Quality and Air Quality Neutral requirements. Consequently, a condition would be attached to any permission ensuring the mitigation scheme proposed in the highlighted documents are fully implemented.

### Secured by Design

3.2.37 Policy DM01 requires that the principles set out in the national Police initiative, 'Secured by Design' should be considered in development proposals. The proposed development was subject to consultation with the Met Police who have raised no objections subject to the standard condition. Therefore a condition would be attached to any permission requiring the proposed development and design to achieve Secured by Design accreditation.

## **3.3 Design**

3.3.1 The National Planning Policy Framework (published 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.

3.3.2 The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. 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. Architectural design criteria are set out at Policy 7.6.

3.3.3 Policy CS5 of Barnet Council's policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard Policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive

environment that also encourages high quality distinctive developments. The above policies form the basis for the assessment on design.

- 3.3.4 The proposed development and design has drawn from the original concepts established through the extant planning permissions and have evolved through detailed discussions with both LBB and the GLA. The site has been laid out in a series of 14 blocks arranged with regard to the locational characteristics and constraints. The scale of the proposal is designed to respond to its surrounding context, paying close attention to the particular adjacent threshold of each block:
- Blocks H and J respond to the domestic scale of the adjacent Victoria Road.
  - Medium height buildings such as the pavilion blocks are screened by the railway embankment.
  - The mansion blocks, adjacent to Victoria Recreation Ground, use their height to strengthen the edge condition of the park whilst interfacing with the existing tree line.
- 3.3.5 The buildings range from 1 to 10 storeys with the majority at 7 storeys and under, however four would be over 8 storeys. These are the Blocks A (10 storey) and Blocks B1, C1, D1 (9 storey). These taller buildings are nestled in the centre of the site utilising both the railway embankment as well as the natural slope of the site to minimise their impact to neighbours.

#### Tall Building Assessment

- 3.3.6 London Plan Policy 7.7 sets out the approach to tall buildings in London requiring that appropriate locations are identified in Local Plan's. The policy sets out design criteria that tall buildings should comply with. Further to this, London Plan paragraph 7.25 defines a tall building as one that is substantially taller than its surroundings, or significantly changes the skyline.
- 3.3.7 Core Strategy Policy CS5 of the Barnet Core Strategy identifies tall buildings of 26 metres or 8 storeys or more and those areas of the borough where tall buildings will be suitable. These include the Regeneration Areas at Brent Cross and Colindale, but not the application site. Policy DM05 of the Local Plan also identifies certain criteria which tall buildings would need to adhere to. The application therefore represents a departure from development plan policy. Notwithstanding, Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 state that all applications must be determined in accordance with the development plan, unless material planning considerations dictate otherwise. The key consideration is therefore whether material planning considerations exist which justify the tall buildings in this location. In this case, officers consider that the principle of tall buildings at this location is acceptable.
- 3.3.8 The massing strategy for the site has been carefully considered in line with the above policies. The proposals would position the tallest building within the centre of the site and flanked with buildings of lower height. The topography of the site ensures the height of these four buildings and the wider views are suitably mitigated, given the raised wooded embankment of the railway line. This sits 10m above the development site to the immediate west.
- 3.3.9 It is also important to note that to the immediate north of the site is the disused gas holder in the National Grid site. This structure sits well above the heights of the proposed buildings at around 39m in total height. By way of comparison the 9 storey

courtyard blocks would be around 23.7m and Block A would be circa 33.5m. Furthermore within the wider context the proposed building heights would also be subservient to the taller 12 storey buildings to the west of the railway bridge along Station Road. These matters are best illustrated by the site wide long section drawings submitted.

- 3.3.10 The bulk, scale and massing of the scheme is broken down into a series of blocks responding to the surrounding context, including the neighbouring properties on Victoria Road, Victoria Recreation Ground and Network Rail land. It strikes a balance of optimising the density whilst providing a scheme that is appropriate in respect of character and appearance as well as achieving high quality accommodation for occupiers and maintaining amenity for neighbours. The townscape analysis demonstrates that the proposal has little impact on the neighbouring surroundings.
- 3.3.11 The blocks facing directly onto Victoria Road form the 'gateway' into the masterplan. They provide active frontages through either commercial uses which book end East Barnet Road or residential entrances further along Victoria Road at ground floor. Across the site sees the maximisation of active frontages with dedicated private access to ground floor units improves the visitor and residents experience for the site. The variety in heights, massing and visual gaps also ensure a less monolithic form which is considered to be of benefit to the surrounding urban fabric. There are no local viewing corridors or locally important views which would be adversely impacted by the development.
- 3.3.12 There are no heritage assets within the vicinity of the site. The proposed development is not considered to adversely affect its surroundings in terms of micro climate, wind turbulence and glare and would not impact the important local views. This is considered consistent with London Plan (2016) Policy 7.7 D.
- 3.3.13 The scheme has also been reviewed by the GLA and have confirmed through the formal stage 1 process that the proposed heights and massing are acceptable. The GLA states, that the proposed massing alongside the park boundary creates a frame for the park, while other frontages and adjusted massing along the high street and the spine road complements the high street character of Victoria Road. The variation in heights across the development, which has developed since the pre-application stage, is welcomed and the massing of the development is supported.
- 3.3.14 Having regard to the above, it is considered that on balance, the principle of a tall building in this location is acceptable. Whilst the application site is not identified as a strategic tall buildings location within Policy CS5, there are material circumstances which justify a departure from policy in this regard. The proposed scale and massing of the development is acceptable and would ensure integration into the surrounding urban fabric, in accordance with DM05. Officers also consider that the scheme is of a high design quality and is in general accordance with London Plan Policy 7.7 and Barnet Policy DM01. Notwithstanding, whilst there are no outright in principle objections to the overall proposed massing and height, it is considered that this is at the very limit of what the site could appropriately accommodate.

#### Character/Appearance

- 3.3.14 The proposed buildings are contemporary in style, employing a limited pallet of durable materials and finishes with an emphasis on brickwork and detailing. Within

the contemporary interpretation, the classical approach of breaking buildings down into base, middle and top and using repeated fenestration elements of window/door way openings provides a balance between a consistency, differentiation and interest in the architecture.

- 3.3.15 The council's urban design team note that the main landmark in the area remains the Gasholder structure. Overall views are not seen as detrimental. The existing buffer is considered so is the local topographic changes. The development also acts successfully as a gateway with clear views into the site from the pedestrian perspective. The development is visible from the recreation ground but is a positive edge to the park. The proposal also provides another opportunity to reach the park without detracting footfall from the town centre. A robust wayfinding strategy will be agreed through the formal legal agreement and conditions where appropriate.
- 3.3.16 The development relates well to the character of the area and does not detract from the high street but provides additional retail and leisure space and publicly accessible environments, which will enhance quality of life, the local economy and complement the existing Town centre. The width of streets and open spaces respond to the human scale, such as the proposed Plaza, which is an intimate green public space at the heart of the development. Significant improvements are also proposed to Albert Road which would provide a more welcoming and accommodating environment for all.
- 3.3.17 The GLA also confirm that proposed development would create a link with Victoria Recreation Ground and create a permeable and useful open space connection through to the park for residents. The creation of a Park Plaza and direct access routes between the development and the park are supported. The public space around Block A incorporating the Park Plaza creates a welcoming public realm and accessibility from the park.
- 3.3.18 The proposed buildings would have breathing space between each block and the central courtyard space between Blocks B1 – D1 provides a north-south route through the development. Following comments received by the GLA these private courtyards would now be fully accessible to all residents. These matters would be secured through appropriate conditions and legal agreement.
- 3.3.19 In terms of the materiality of the scheme, the palette is considered to be complementary across all of the plots and would provide subtle variation on site to relate to the architecture of buildings and landscape. The material palette is informed where possible from local analysis of materials used; and applied appropriately. The range of proposed materials is considered to be acceptable however appropriate conditions requiring the submission of the final external materials and details for approval by the LPA would be required.
- 3.3.20 The architecture presents a consistent and high quality appearance which responds to its surroundings. It is considered that the scheme provides an attractive development which is contemporary in appearance yet employs devices of classical architecture and traditional London housing forms, creating a new character for the site that is considered appropriate and acceptable.

### **3.4 Amenity Impact on Neighbouring Properties**

- 3.4.1 Part of the 'Sustainable development' imperative of the NPPF 2012 is pursuing

improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2011 policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces'. In addition Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD provide further requirements and guidance.

- 3.4.2 The Barnet Residential Design Guidance SPD states there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

#### Privacy/Overlooking and Outlook

- 3.4.3 Given the location and siting of the development the separation distances from any sensitive receptors are significant and more than adequate. Indeed there are no residential properties within the vicinity which would be adversely affected by the proposal.

#### Daylight and Sunlight

- 3.4.4 The application is accompanied by a Daylight/Sunlight report prepared by CHP Surveyors Ltd which provides an assessment of the potential impact of the development on sunlight and daylight to neighbouring residential properties and the proposed units based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide'.
- 3.4.5 Daylight has been assessed in terms of Vertical Sky Component (VSC), NO Sky Line (NSL) and Average Daylight Factor (ADF) and sunlight has been assessed in terms of Annual Probable Sunlight Hours (APSH) and has been assessed against the above BRE guidelines. The BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:
- The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or
  - The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value; or
  - The daylight distribution, as assessed by the Average Daylight Factor (ADF) calculation which assesses the actual level of light received by a room rather than potential light. The ADF requires the achievement of values of 1% in bedrooms, 1.5% in living rooms and 2% in kitchens.
- 3.4.6 The BRE guidelines explain that the guidelines are not mandatory and that the guide should not be seen as an instrument of planning policy; its aim to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstance the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new

developments are to match the height and proportions of existing buildings. It should also be noted that the London Plan guidance states that in view of London's context accepting VSC reductions exceeding 20% is acceptable. A reduction of under 30% is classified as minor adverse, under 40% moderate adverse and over 40% substantial adverse.

- 3.4.7 In regards to the proposal the assessment with regard to the daylight and sunlight enjoyed by the neighbouring properties, demonstrates that in all instances the numerical values set out in the BRE guidelines, will be achieved. Where they are not, the levels would be improved when compared to the consented schemes. Accordingly, it is concluded that the proposals will not therefore have a significant effect on the daylight and sunlight enjoyed by the neighbouring residential properties.

#### Noise and general disturbance

- 3.4.8 No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. Whilst there is an increase in the intensity of use of the site and extending to an increased use of Victoria Recreation Ground and local streets for example, the use is consistent with the residential character of the wider area and is also appropriate in the context of the edge of town centre location. Nor is the additional non-residential floorspace considered to pose any impact to warrant refusal given the uses are appropriate and acceptable in this edge of town centre location.
- 3.4.9 However as a major development, the construction phase would involve large-scale operations. As there is the potential for significant adverse environmental effects during this phase, a Construction Logistics Plan and an Environmental Management Plan would be therefore be secured via condition. Subject to the above Officers do not consider that the development would have any significant impact on the existing residential amenity in the immediate or surrounding area.

#### Air quality

- 3.4.10 In respect of air pollution, no impacts are identified by the Council's Environmental Health Team. It is noted that any extraction that may be required for food premises (Class A3) would be controlled by an appropriately worded condition. In respect of traffic and parking impacts on air quality, the levels of parking are controlled and the green travel plan which will be secured as part of planning obligations will encourage transport by other modes. In respect of the design, the scheme contributed towards overall reductions in CO2 production, having regard to energy and sustainability policies.

### **3.5 Transport / Highways**

- 3.5.1 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 and more environmentally friendly transport networks, require 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.

### Residential Car Parking

3.5.2 The London Plan sets out maximum parking standards which are outlined in Table 1.4 below. Explanatory text provided in the parking addendum sets out that all developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit.

Suburban	150–200 hr/ha	Parking provision	150–250 hr/ha	Parking provision	200–350 hr/ha	Parking provision
Parking for residential development						
3.1–3.7 hr/unit	40–65 u/ha	Up to 2 spaces per unit	35–65 u/ha	Up to 1.5 spaces per unit	45–90 u/ha	Up to one space per unit
2.7–3.0 hr/unit	50–75 u/ha		40–80 u/ha		55–115 u/ha	
<b>Urban</b>	<b>150–250 hr/ha</b>	Up to 1.5 spaces per unit	<b>200–450 hr/ha</b>	Up to 1.5 spaces per unit	<b>200–700 hr/ha</b>	Up to one space per unit
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	Up to one space per unit	70–260 u/ha	
<b>Central</b>	<b>150–300 hr/ha</b>	Up to 1.5 spaces per unit	<b>300–650 hr/ha</b>	Up to one space per unit	<b>650–1100 hr/ha</b>	Up to one space per unit
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	Up to one space per unit	100–240 u/ha		215–405 u/ha	

3.5.3 Car parking standards for residential development are also set out in the Barnet Local Plan and recommend a range of parking provision for new dwellings based on the on a sites Public Transport Accessibility Level (PTAL) and the type of unit proposed. Policy DM17 of the Local Plan sets out the parking requirements for different types of units with the range of provision is as follows:

- four or more bedroom units - 2.0 to 1.5 parking spaces per unit
- two and three-bedroom units - 1.5 to 1.0 parking spaces per unit
- one-bedroom units - 1.0 to less than 1.0 parking space per unit

3.5.4 The development proposes a total of 392 parking spaces across the site at a ratio of 0.60 spaces per unit. The level of parking provided is therefore below what would be expected through local planning policy. The Transport Assessment (TA) submitted in support of the application sets out justification in respect of the reduced levels of parking. It considered that the site is readily accessible by non-car modes of transport and is suitable for high density residential development. The TA states the site has a good level of access to public transport modes and on this basis a relatively low car parking provision has been proposed.

3.5.5 The London Plan outlines maximum car parking standards for residential developments. It sets out that developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit based on the majority of the development being one and two bedroom flats. With 80% of the flats being developed as either studio, one or two bedroom flats, this process is consistent with applying a lower parking ratio. Indeed in the Stage 1 response from the GLA – TfL officers were requesting an even lower ratio of 0.5 spaces per unit ratio.

- 3.5.6 This has been reviewed by the LBB highways team and the parking provision ratio of 0.6 is considered acceptable in principle, given wider London policy framework, TfL's Healthy Streets Policy, current and emerging Borough Policy, and previous LBB approvals for schemes with similar accessibility levels. This is also on the basis of the significant improvements to the site and surrounding area which would be secured through the s106 and 278 works. With regards to the official PTAL rating for this site, it should be noted that the proximity to the gasworks skews the levels and is somewhat misleading. This is due to inherent limitations in the PTAL calculation methodology itself. However they confirm that a further reduction to 0.5 would not be acceptable.
- 3.5.7 The TA states that the Transport Classification of Londoners (TCOL) assessment revealed that Barnet residents largely fall into the categories of 'Detached Retirement' and 'Suburban Moderation', both of which are groups which rely heavily on car use. It has been determined that it is likely that these are unlikely to be the classifications which are most likely to inhabit the development, instead 'Urban Mobility', 'Students and Graduates' and 'City Living' are anticipated to be the most common future resident types. All of which are less likely to rely on private car. Travel trends particularly amongst younger generations are showing a greater tendency to utilise active and shared travel modes. It is therefore anticipated the future residents would be less car reliant than existing residents in Barnet (based upon the TCOL assessment) and thus a high proportion of commuters would travel using sustainable modes.
- 3.5.8 In evaluating the impacts of the scheme and considering future cumulative effects, a package of s106/s278 highway improvements have been established through the extant planning permissions and formally secured through the completion of their respective legal agreements. This suite of highway works and improvements will also be secured with this scheme. The details of the highway works will cover the access points off Victoria Road; the realignment of the Albert Road (East and West); Improvements to Albert Road West; Improvements to the Albert Road East and Victoria Road Priority Junction. Improvements to both the footway and carriageway Albert Road (East and West) as well as parking/traffic restrictions to be introduced and would be agreed as part of the s278 process.
- 3.5.9 Furthermore off-site improvement works which would help mitigate the impact of the development, improve the public realm and encourage sustainable modes of transport will also be secured. These include:
- The removal of an existing elevated pedestrian bridge and replacement with improved access and public realm and further improvements to the west of site i.e. resurfacing Network Rail land including the pedestrian tunnel resurfacing and vegetation clearance;
  - Pedestrian improvements to consist of improved signing, and lighting under the railway bridge on East Barnet Road;
  - Provision of new zebra pedestrian crossing facility on Victoria Road (north east of mini roundabout junction);
  - Replacement of an existing Zebra Crossing on East Barnet Road to Puffin Pedestrian Crossing south east of East Barnet Road and Lytton Road junction;
  - Junction Improvements to Victoria Road and East Barnet Road including carriageway and footway widening and all associated highway works; and
  - Review existing Traffic Regulation Orders and any new restrictions for Albert Road East and West, Victoria Road, East Barnet Road in the vicinity of Lytton Road.

- 3.5.10 With the proposed improvements associated with the development, which will further encourage sustainable mode use, it is anticipated that the development will have a sustainable mode share which exceeds the 75% target set out by the Mayor. In addition to the above the applicant has also agreed to provide a financial contribution towards a feasibility study and the outcomes of that study, to improvements to the Pedestrian and Cycling Environment surrounding the site, including upgrades to crossing facilities. Furthermore additional measures would also be secured such as the travel plan, provision of car club spaces and contributions towards the consultation and implementation of a local CPZ.
- 3.5.11 The agreed highways improvements listed above and detailed within the Heads of Terms ensures that the Healthy Streets approach is adopted. As the GLA have noted a permeable internal street network is proposed, offering new active travel routes through the site and into Victoria Park. These streets and access routes to Victoria Park will be available at all times throughout the year.
- 3.5.12 It is agreed that Albert Road West provides a key desire line for pedestrians and cyclists. Vehicular access needs to be retained in order to facilitate access to the existing properties along its length. This will be maintained as one way exit only for vehicular traffic and the wider movements to and from the development can be taken via Albert Road East. As such, whilst vehicular access needs to be retained, the volume of movements is low.
- 3.5.13 The TA shows expected demand for bus services. TfL have noted that while there are several bus routes in the area, demand will be concentrated on a small number of routes. Route 384 is expected to require a capacity uplift to cater for additional demand and have requested a financial contribution from the applicant to help provide for the capacity uplift. The applicant has agreed to provide a contribution which will be secured through the legal agreement.

#### Cycle parking

- 3.5.14 Taking both the residential units and the commercial/community space requirements a total of 1,240 cycle parking spaces are currently proposed across the site, this provision exceeds the requirements for cycle parking standards. Following comments received from the GLA at Stage 1, minor revisions have been made to the cycle stores and layouts across the site. Full details would be secured through appropriate conditions.

#### Construction Management/Logistics Plans

- 3.5.15 These plans should include limits on times of operation for the lorries and identify a designated safe route for lorries to ensure minimal impact on the public highway and to demonstrate how the operation and construction can be done safely. Draft plans have been submitted, however these do not provide all the required information and certain elements, such as the vehicle routes are not considered acceptable. Therefore these would not form part of any approved documents under this permission and thus details will be confirmed with agreement with LBB and secured through appropriate conditions.

## Delivery and Servicing

- 3.5.16 Each building of the scheme is provided with a refuse store at ground floor which have been sized and located in respect of the Barnet Council's guide for Architects & Developers Provision of Household Recycling and Waste Service. Refuse/recycling vehicles will require regular access upon occupation of the dwellings and for other existing users along Albert Road West. The submitted details confirm that the residential and commercial elements would be separate to avoid any conflict. Full details of the collection provision and collection point will be secured via condition.

## **3.6 Energy/Sustainability**

- 3.6.1 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
- 3.6.2 London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve zero carbon on new residential developments post 2016. 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. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).
- 3.6.3 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 Mayors 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.
- 3.6.4 The proposed development is accompanied by an Energy Statement prepared by LEC Ltd. The Energy Strategy follows the London Plan Energy Hierarchy: Be Lean, Be Clean and Be Green. The overriding objective in the formulation of the strategy is to maximise the reductions in total CO<sub>2</sub> emissions through the application of the hierarchy with a technically appropriate and cost-effective approach, and to minimise the emission of other pollutants. The development site will be constructed to comply with Part L 2013 (with 2016 amendments) of the Building Regulations and in line with the London Plan target to achieve a minimum 35% CO<sub>2</sub> reduction over the Part L baseline using the new draft SAP10 carbon factors.

- 3.6.5 The development will reduce regulated CO2 emissions by incorporating a range of passive design and energy efficiency measures for all buildings, including improved building fabric standards beyond the requirements of Part L of the Building Regulations and energy efficient mechanical and electrical plants. After reduction of the energy demand, the strategy proposes implementation of an Air Source Heat Pump (ASHP) system connected to a site-wide district heating network which will supply hot water and space heating to all residential units.
- 3.6.6 The regulated CO2 savings for the residential development are expressed in terms of actual and percentage reduction after each stage of the energy hierarchy are presented in the table below. The table below shows that the proposed strategy can achieve regulated CO2 savings of circa 328 tCO2 which is equivalent to circa 55% reduction when compared to the baseline. To achieve the zero carbon homes standard, an off-set payment will be made for the outstanding regulated CO2 emissions. The estimated outstanding regulated CO2 emissions for the 30-year period is 8,095 tonnes which equates to circa £485,712 of carbon offset payment based on carbon offset price of £60 per tonne.

	Regulated Energy CO <sub>2</sub> savings	
	Tonnes per annum	%
Savings from energy demand reduction	20	3%
Savings from heat network	0	0%
Savings from renewable energy	309	52%
<b>Total cumulative savings</b>	<b>328</b>	<b>55%</b>
<b>Carbon shortfall</b>	270	-
	Tonnes CO <sub>2</sub>	
<b>Cumulative savings for off-set payment</b>	<b>8,095</b>	
<b>Cash-in-lieu contribution</b>	<b>485,712</b>	

- 3.6.7 The final calculation for the carbon offset payment will be based on the final carbon calculations of all units following completion. Therefore, this indicative carbon offset figure is likely to change once the as-built results have been calculated. This will be secured via the s106 agreement.
- 3.6.8 The GLA have confirmed in their stage 1 response that the energy strategy is considered broadly acceptable however further information is required in relation to the Be Lean target, overheating, mechanical cooling, future-proofing for connection to district heating, PV and heat pumps. Therefore these matters will be clarified and agreed in accordance with the GLA's requirements.

### BREEAM

- 3.6.9 As the development is characterised as a "major" development, it is required under SPA Sustainable Design and Construction, that BREEAM standards be met. Under

Council policies DM01 and DM02 and the London Plan Policy 5.2 it is required that non-residential developments meet a target of BREEAM 'Very Good'. This would be conditioned accordingly.

### **3.7 Flood Risk / SUDS**

- 3.7.1 Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".
- 3.7.2 A flood risk assessment (FRA) has been prepared by Stantec in support of the proposal. The site is located within Flood Zone 1 'Low Probability' less than a 1 in 1000 (0.1%) Annual Probability of flooding from rivers. In accordance with the fundamental objectives of the National Planning Policy Framework (NPPF), the FRA demonstrates that: the development is safe through appropriate management of flood risk; does not increase flood risk; and does not detrimentally affect third parties.
- 3.7.3 Surface water from the development is proposed to be attenuated in geo-cellular crate within the site and then discharged to the Shirebourne/Pymme's Brook via the existing adopted surface water network. The scheme proposes an intensification, whilst maintaining the previously agreed discharge rates for surface water into the existing culvert. The surface water management strategy will incorporate Sustainable Drainage Systems (SuDS) measures such as permeable paving, attenuation crates and green/blue roofs to provide water quality and surface water attenuation benefits.
- 3.7.4 The applicant has submitted a Drainage Strategy that has been reviewed by all parties concerned. The council's drainage team have confirmed that the proposed details are broadly acceptable. However insufficient details have been submitted in relation to some aspects of drainage. Therefore further details are required. These details will be secured via condition.

### **3.8 Landscaping, Trees and biodiversity**

- 3.8.1 The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2016 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.
- 3.8.2 The proposed development has been reviewed by the council's arboriculturist team and additional information was requested and revisions subsequently applied to the scheme. These include realignment of the main connection to park pathway, additional tree planting added to Eastern Boundary, recommendations on tree species; and minor changes to the pathways further along the Eastern Boundary. The

submitted tree impact assessment confirms that the proposed development results in the loss of one moderate quality tree that is offset by extensive new tree planting throughout the site. To achieve access to the new site layout it is necessary to remove tree T23, a lime. The tree is of moderate quality but is not an exceptional specimen that warrants retention as a constraint to the scheme. Its loss is more than offset by the planting of new trees throughout the residential community. The development proposes extensive new planting throughout the site to result in a substantial gain of trees in the area and, as a result, a significant contribution to the amenity of the area.

- 3.8.3 The full proposal involving the detailed landscaping and management scheme for the site; including tree planting, will be subject to a Landscape Management Plan to be submitted to the Council for their review and approval and secured through the formal s106 agreement. As detailed within the head of terms. The strategy would ensure a provision of a mix of indigenous species and tree sizes (including semi-mature species) in suitable locations including in public open spaces are provided within the site. Furthermore, financial contribution to maintain the trees on the adopted public highway will also be secured.
- 3.8.4 Following a review by the council's greenspaces team, details regarding the boundary treatments and materials for the pathway network joining the development to the park, would be secured by conditions. In addition, it has been agreed that the development has a shortfall of 1,511.73sqm of play provision for older children. Based on the council's charge rate, this equates to a s106 contribution of £283,721.90 for Victoria Recreation Ground, which would be secured through the s106 agreement to enhance further improvements to the park.
- 3.8.5 The proposal has also been reviewed by the council's ecology team. They confirm the applicant has identified no European statutory sites within 5 km of the survey area. However, the site is located in close proximity to Covert Way Local Nature Reserve (LNR) at 700m from the site and the closest non-statutory site is Pymmes Brook located 400m east of the site. The survey area does fall within a SSSI Impact Risk Zone for Redwell Woods SSSI, which is located c. 7.5 km north-west of the site. However, the development does not fall into any of the categories listed by Natural England that would require consultation with them. On review, the council's ecologist are satisfied that the evidence provided by the applicant is sufficient to address potential impacts and implications on biodiversity receptors. Therefore the points raised can be appropriately addressed through suitably worded planning conditions.

## **4 Planning Obligations & CIL**

### Planning Obligations

- 4.1 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.
- 4.2 In accordance with development plan policies the list of obligations as set out in the heads of terms at the beginning of this report; are required to be secured through a legal agreement with the developer. If permission were granted it is considered that the package of planning obligations and conditions recommended would, when

considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure that is necessary to support the scheme.

### Community Infrastructure Levy (CIL)

- 4.3 The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) at a rate of £135 per square metre. As noted in SPD para 2.2.11, the purpose of Barnet's CIL is to secure capital funding to help address the gap in funding for local infrastructure. The money raised by Barnet's CIL will be used to pay for infrastructure required to mitigate the impact of development across the Borough.
- 4.4 Pursuant to the Table 3: Mayoral CIL Charging Rates of the Mayor's April 2013 SPG 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy', a flat rate charge of £35 applies to the application.
- 4.5 Given the nature of the way in which CIL is calculated it is only possible to estimate the contribution which will finally be made at the time planning applications are determined. At this stage from the information available it is estimated that the combined CIL total without affordable relief would be £15,844,100 (Mayoral CIL: £4,045,398 and LBB CIL: £11,798,702). With the affordable relief applied, the total CIL sum would be £11,359,517 (Mayoral CIL: £3,012,457 and LBB CIL: £8,347,060).

## **5 Equality and Diversity Issues**

- 5.1 Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:
- (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
  - (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

For the purposes of this obligation the term "protected characteristic" includes:

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

- 5.2 In considering this application and preparing this report, Officers have 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 site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site. The site will provide 10% wheelchair adaptable units.

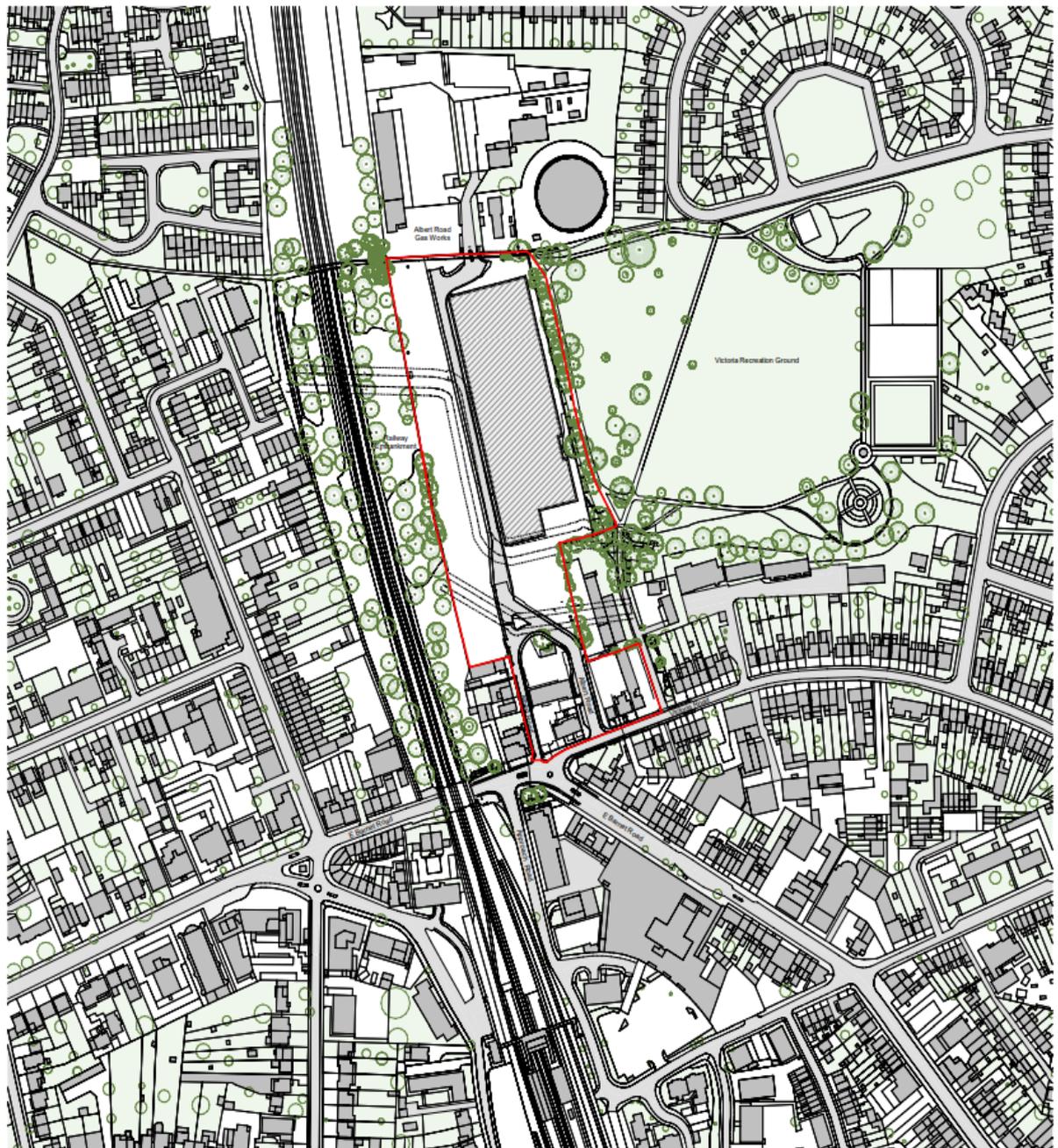
- 5.3 The development includes level, step-free pedestrian approaches into the building to ensure that all occupiers and visitors of the development can move freely in and around the public communal spaces. Lifts are provided to provide step-free access between the lower ground, ground and the upper levels. Dedicated parking spaces for people with a disability will be provided in locations in close proximity to the lift areas.
- 5.4 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 supports the council in meeting its statutory equality responsibilities.

## **6 Conclusion**

- 6.1 In conclusion officers consider that, on balance, the development is acceptable having regard to the relevant local, regional and national policies. The principle of the redevelopment of the site and the provision of a residential-led mixed use scheme is acceptable.
- 6.2 The proposed scheme would deliver an optimised residential-led mixed use scheme which is supported. Furthermore, the scheme would deliver a good level of onsite private and communal amenity, whilst providing sufficient safeguards to protect neighbouring occupier amenity. It is considered that the significant public and wider regenerative benefits of the proposed development would on balance, outweigh any concerns relating to building height and density. The scheme provides 35% affordable housing which is a significant uplift from the extant planning permissions.
- 6.3 In summary, a high-quality, residential-led redevelopment of the site will bring a disused and formerly contaminated brownfield site back into active use, supplying housing which is a key strategic priority in London, as well as helping to support and revitalise the town centre with complimentary uses and improving the linkages to and from it and Victoria Recreation Ground. No significant impacts are identified to neighbours and future occupiers and to the environment. Where there are impacts such as to the functioning of the highway network, the scheme includes a comprehensive set of improvements to maintain the functioning of the network, secured through s106/s278 planning obligations. This is part of full range of planning contributions to mitigate the scheme as well as CIL charging to address infrastructure impacts. Accordingly for these reasons and on balance, the scheme is considered acceptable.
- 6.4 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 a Stage 2 referral to the Mayor of London and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.

**SITE LOCATION PLAN – Reference: 20/1719/FUL**



## PLANNING COMMITTEE

2<sup>nd</sup> September 2020

### ADDENDUM TO SERVICE DIRECTOR OF DEVELOPMENT MANAGEMENT AND BUILDING CONTROL'S REPORT

#### AGENDA ITEM 6

Application: 20/1719/FUL

VICTORIA QUARTER (FORMER GAS WORKS) ALBERT ROAD, NEW BARNET

#### CONDITIONS AND INFORMATIVES

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

11049-EPR-00-00-DR-A-02-1000 P11 Tenure Plan - Ground Floor  
11049-EPR-00-00-DR-A-03-1001 P10 Ground Floor Plan - Part 1  
11049-EPR-00-00-DR-A-03-1002 P8 Ground Floor Plan - Part 2  
11049-EPR-00-00-DR-A-28-0001 Park Plaza - Cafe Kiosk General Arrangement  
11049-EPR-00-01-DR-A-02-1010 P8 Tenure Plan - First Floor  
11049-EPR-00-01-DR-A-03-1011 First Floor Plan - Part 1  
11049-EPR-00-01-DR-A-03-1012 First Floor Plan - Part 2  
11049-EPR-00-02-DR-A-02-1020 P8 Tenure Plan - Second Floor  
11049-EPR-00-02-DR-A-03-1021 Second Floor Plan - Part 1  
11049-EPR-00-02-DR-A-03-1022 Second Floor Plan - Part 2  
11049-EPR-00-03-DR-A-02-1030 P8 Tenure Plan - Third Floor  
11049-EPR-00-03-DR-A-03-1031 Third Floor - Part 1  
11049-EPR-00-03-DR-A-03-1032 Third Floor - Part 2  
11049-EPR-00-04-DR-A-02-1040 P8 Tenure Plan - Fourth Floor  
11049-EPR-00-04-DR-A-03-1041 Fourth Floor - Part 1  
11049-EPR-00-04-DR-A-03-1042 Fourth Floor - Part 2  
11049-EPR-00-05-DR-A-02-1050 P8 Tenure Plan - Fifth Floor  
11049-EPR-00-05-DR-A-03-1051 Fifth Floor - Part 1  
11049-EPR-00-05-DR-A-03-1052 Fifth Floor - Part 2  
11049-EPR-00-06-DR-A-02-1060 P8 Tenure Plan - Sixth Floor  
11049-EPR-00-06-DR-A-03-1061 Sixth Floor - Part 1  
11049-EPR-00-06-DR-A-03-1062 Sixth Floor - Part 2  
11049-EPR-00-07-DR-A-02-1070 P8 Tenure Plan - Seventh Floor  
11049-EPR-00-07-DR-A-03-1071 Seventh Floor - Part 1

11049-EPR-00-07-DR-A-03-1072 Seventh Floor - Part 2  
11049-EPR-00-08-DR-A-02-1080 P8 Tenure Plan - Eighth Floor  
11049-EPR-00-08-DR-A-03-1081 Eighth Floor - Part 1  
11049-EPR-00-08-DR-A-03-1082 Eighth Floor - Part 2  
11049-EPR-00-09-DR-A-02-1090 P8 Tenure Plan - Ninth Floor  
11049-EPR-00-09-DR-A-03-1091 Ninth Floor - Part 1  
11049-EPR-00-09-DR-A-03-1092 Ninth Floor - Part 2  
11049-EPR-00-B1-DR-A-03-0011 P8 Basement Floor Plan  
11049-EPR-00-EL-DR-A-04-0001 Sitewide Elevations 1  
11049-EPR-00-EL-DR-A-04-0002 Sitewide Elevations 2  
11049-EPR-00-EL-DR-A-04-0003 Sitewide Elevations 3  
11049-EPR-00-EL-DR-A-04-1001 Existing Elevations  
11049-EPR-00-RF-DR-A-03-2001 P4 Roof Plan - Part 1  
11049-EPR-00-RF-DR-A-03-2002 P4 Roof Plan - Part 2  
11049-EPR-00-SE-DR-A-05-0001 Sitewide Sections 1  
11049-EPR-00-SE-DR-A-05-0002 Sitewide Sections 2  
11049-EPR-00-SE-DR-A-05-0003 Sitewide Sections 3  
11049-EPR-00-SE-DR-A-05-1000 Site Wide Long Sections - Height Analysis  
11049-EPR-00-XX-DR-A-01-0010 Existing Site Location Plan  
11049-EPR-00-XX-DR-A-01-0100 Existing Site Plan  
11049-EPR-00-XX-DR-A-01-1010 Proposed Site Location Plan  
11049-EPR-00-XX-DR-A-01-1100 P10 Proposed Site Plan – Roof  
11049-EPR-AA-EL-DR-A-04-0004 Block A Elevations  
11049-EPR-EE-EL-DR-A-04-0008 Block E Elevations  
11049-EPR-FF-EL-DR-A-04-0009 Block F1, F2, F3 Elevations  
11049-EPR-GG-EL-DR-A-04-0010 Block G Elevations  
11049-EPR-HJ-EL-DR-A-04-0011 Block H & J Elevations  
11049-EPR-XX-EL-DR-A-04-0005 Block B1, C1, D1 West, South and North Elevations  
11049-EPR-XX-EL-DR-A-04-0006 Blocks B, C, D Courtyard Elevations  
11049-EPR-XX-EL-DR-A-04-0007 Blocks B2, C2, D2 Elevations  
FNH438-1201 Phasing Plan

Landscape:

ExA\_1961\_P\_100 GENERAL ARRANGEMENT ILLUSTRATIVE MASTERPLAN  
ExA\_1961\_P\_101 GENERAL ARRANGEMENT PLAN  
ExA\_1961\_P\_110 GENERAL ARRANGEMENT LEGEND and KEY PLAN  
ExA\_1961\_P\_111 LANDSCAPE PLAN SHEET 1 OF 6 Rev C  
ExA\_1961\_P\_112 LANDSCAPE PLAN SHEET 2 OF 6 Rev C  
ExA\_1961\_P\_113 LANDSCAPE PLAN SHEET 3 OF 6 Rev C  
ExA\_1961\_P\_114 LANDSCAPE PLAN SHEET 4 OF 6 Rev C  
ExA\_1961\_P\_115 LANDSCAPE PLAN SHEET 5 OF 6 Rev C  
ExA\_1961\_P\_116 LANDSCAPE PLAN SHEET 6 OF 6 Rev C  
ExA\_1961\_P\_200 PLANTING SCHEDULE and KEY PLAN Rev A  
ExA\_1961\_P\_201 PLANTING PLAN SHEET 1 OF 6 Rev A  
ExA\_1961\_P\_202 PLANTING PLAN SHEET 2 OF 6 Rev A  
ExA\_1961\_P\_203 PLANTING PLAN SHEET 3 OF 6 Rev A  
ExA\_1961\_P\_204 PLANTING PLAN SHEET 4 OF 6 Rev A  
ExA\_1961\_P\_205 PLANTING PLAN SHEET 5 OF 6 Rev A  
ExA\_1961\_P\_206 PLANTING PLAN SHEET 6 OF 6 Rev A

ExA\_1961\_P\_500 SECTIONS 01  
ExA\_1961\_P\_501 SECTIONS 02  
ExA\_1961\_P\_502 SECTIONS 03  
ExA\_1961\_P\_504 SECTIONS PLAN - EASTERN BOUNDARY  
ExA\_1961\_P\_505 SECTIONS EE and GG - EASTERN BOUNDARY  
ExA\_1961\_P\_506 SECTIONS HH - EASTERN BOUNDARY  
ExA\_1961\_P\_507 SECTIONS KK and LL- EASTERN BOUNDARY  
ExA\_1961\_P\_123 STAND PIPE LOCATION PLAN Rev A  
ExA\_1961\_P\_130 EASTERN BOUNDARY PLAN  
ExA\_1961\_P\_510 SECTION TYPICAL PRIVATE TERRACE WITH RAILING AND  
RAISED PLANTER  
ExA\_1961\_P\_511 SECTION TYPICAL COURTYARD PATHS ON PODIUM AND  
RAISED PLANTER  
ExA\_1961\_P\_512 SECTION TYPICAL TREE PLANTER BUILD UP ON PODIUM  
ExA\_1961\_P\_620 PODIUM SURFACE TYPES 01 & 02 Rev A  
ExA\_1961\_P\_621 PODIUM SURFACE TYPES 03 & 04 Rev A  
ExA\_1961\_P\_622 PODIUM SURFACE TYPES 05 & 06 Rev A

Trees and Lighting:

1399-KC-XX-YTREE-ImpactAssessment-RevA  
1399-KC-XX-YTREE-MethodStatement-Rev0  
1399-KC-XX-YTREE-TreeProtectionPlan01RevB  
ExA\_General Arrangement Plan\_Lighting Main-A0 Landscape  
FNH423 VQ External lighting report  
FNH438 - Lighting Planning Report  
FNH438-SL001-1 ISOLUX SITE LAYOUT  
FNH438-SL002 ISOLUX COLOUR SITE LAYOUT  
FNH438-SL101-1 LIGHTING ARRANGEMENT SITE LAYOUT

Supporting Documents:

Planning Statement Rev A, prepared by Fairview New Homes;  
Design and Access Statement, prepared by EPR Architects;  
Verified Views Methodology; prepared by The Visualiser  
CGI Views, prepared by The Visualiser;  
Daylight/Sunlight Assessment, prepared by CHP Surveyors;  
Statement of Community Involvement, prepared by BECG;  
Health Impact Assessment, prepared by Icen Projects;  
Ecological Appraisal, prepared by Aspect Ecology;  
Air Quality Assessment, prepared by Syntergra Consulting;  
Fire Strategy, prepared by BB7;  
Noise Impact Assessment, prepared by Syntergra Consulting;  
Flood Risk Statement, prepared by Stantec  
Energy Statement, prepared by Low Carbon Energy Consultancy Ltd;  
Sustainability Statement, prepared by Low Carbon Energy Consultancy Ltd;  
Foul and Surface Water Drainage Strategy Layout Report Issue 2, prepared by IDL;  
Land Contamination Assessment, prepared by CGL;  
Transport Assessment and Travel Plan, prepared by Vectos;  
Viability Assessment, prepared by Fairview Homes Limited; and  
Utilities Assessment, prepared by Fairview Homes Limited  
Updated submitted documents

Response to Highways England Comments 184234/N03 200612  
Victoria Quarter Gateway Culvert Flood Risk Note  
Victoria Quarter 20/1719/FUL (Sustainable Drainage Review)  
Victoria Quarter, New Barnet - Response to Noise Objection 19.08.2020  
Victoria Quarter- Response to Save New Barnet comments  
Covering Letter GLA Stage 1 response 21 07 2020:  
- 20200709\_Cycle Schedule VQ  
- ExA\_1961 Victoria Quarter Urban Greening Factor\_200702  
- Fire Strategy Reports 1st July 2020  
- Response to GLA Transport Comments N04-SM- 200723  
- Victoria Quarter Overheating Risk Analysis Report Rev1.  
- LEC 3094 200320 VQ SAP10 Calculation (GLA)  
- PL1 Be Lean and Be Clean  
- PL2 Be Green  
- DT00180Rev00\_QT Black HT EVO\_ENERBLUE  
- FNH 438 Victoria Qtr\_GLA Domestic Overheating Checklist\_Jul20  
- FNH438 - Owl load profiles  
- FNH438-PLANNING-100 - Site Layout Showing DHN Protected Route  
- FNH438-Planning-101 - Plantroom Layout  
- Pure Thermal - 7C DT. 35 to 70 operation Black 180  
- Subcooler-Defrost Overview

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.

3. All applications for approval of details shall be submitted for the entirety of the relevant phase in which they fall according to the phasing plan Ref FNH438-1201 Phasing Plan hereby approved or in accordance with any revised phasing plan agreed in writing in pursuance to this condition.

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.

4. Notwithstanding the details submitted in the drawings otherwise hereby approved the development is not to commence (other than for Demolition, Groundwork's and Site Preparation Works) unless and until details of the levels of the proposed buildings, roads, footpaths, courtyards 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.

5. Notwithstanding the details shown on the plans hereby approved the development shall not commence (other than for site preparatory or demolition purposes) until details of samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas (including bricks, balconies, external gates and external doors) 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 Policy CS5 of the Barnet Local Plan Core Strategy (adopted) September 2012 and DM01 of the Development Management Policies (adopted) September 2012 and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan (2016).

6. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence (other than for Demolition, Groundwork's and Site Preparation Works) unless and until details (necessary details specified in brackets) of the following features and elements of the works have been submitted to the Local Planning Authority and approved in writing:

Brick bonding (annotated plans at a scale of not less than 1:10).

External windows, winter gardens and doors (annotated plans at a scale of not less than 1:10).

Balustrading to balconies (annotated plans at a scale of not less than 1:10).

Door canopies (annotated plans at a scale of not less than 1:10).

Brick detailing including arches, recessed panels, blind windows, brick aprons and window heads (annotated plans at a scale of not less than 1:10).

Rainwater goods (annotated plans at a scale of not less than 1:10).

Privacy screens (annotated plans at a scale of not less than 1:10).

Boiler flues and other external air extraction, intake and ventilation points (annotated plans at a scale of not less than 1:10).

Any roller shutters to the commercial areas (annotated plans at a scale of not less than 1:10).

Gates at the site vehicular access points (annotated plans at a scale of not less than 1:10).

The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the development is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

7. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the residential blocks hereby permitted shall not be occupied until details are submitted to the Local Planning Authority and approved in writing which specify the details of the privacy screens to be installed to address privacy impacts between balconies, courtyards, amenity spaces and terraces respectively.

The development shall be implemented in full accordance with the approved details and specifications prior to the occupation of the relevant part of the development and shall be permanently retained as such thereafter.

Reason:

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

8. Notwithstanding the details shown on the plans submitted and otherwise hereby approved Blocks H,F1,F2,F3, B1, B2, C1, C2, D1, D2 and E hereby permitted shall not 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 or provided with only a fanlight opening and the manner and design in which these windows are to be implemented.

Prior to the occupation of each building, the development shall be implemented in full accordance with the approved details and specifications and shall be permanently retained as such thereafter.

Reason:

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

9. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the relevant phase of the development shall not be occupied until details are submitted to the Local Planning Authority and approved in writing which specify the details of boundary treatments to be installed as part of the development. These details shall include materials, type and siting of all boundary treatments. 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 and in the interests of the appearance of the development, in accordance with polices DM01 and DM02 of the Barnet Local Plan.

10. Notwithstanding the details submitted with the application, prior to commencement of the relevant phase, details shall be submitted to and approved in writing by the Local Planning Authority:

- 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

The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the relevant part of the development is occupied and the development shall be managed in accordance with the approved details.

Reason:

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

11. Notwithstanding the details hereby approved, before the relevant phase of the permitted development commences details of the refuse and recycling collection arrangements including swept paths for refuse collection vehicles shall be submitted to and agreed by the Local Planning Authority.

Reason:

In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012

12. Upon their first occupation of the relevant development phase, the commercial units on the ground floor of the buildings hereby approved shall be occupied for uses in locations specified in the details approved under condition 2 and falling within Class A1, A2, A3, A4, D1 and D2 (sports and recreational use) of the Town and Country Planning (Use Classes) Order 1987 and for no other purpose.

Reason:

To enable flexibility for the first occupation of the commercial units hereby approved, in accordance with policies DM12 and DM13 of the Barnet Local Plan.

13. Notwithstanding the potential initial uses that are permitted to occupy the commercial units on the ground floor of the buildings hereby approved as specified under condition 12 of this consent, following the first occupation and commencement of a use within each commercial unit, any subsequent change to an alternative use within those specified by this consent shall require the submission of a full planning application to the Local Planning Authority for express planning permission.

Reason:

To enable the Local Planning Authority to exercise control over future potential uses within the development to safeguard the amenities of occupiers of adjoining residential properties, in accordance with policy DM01 of the Barnet Local Plan.

14. The 111.3m<sup>2</sup> of floorspace in the ground floor of Block A hereby approved for purposes falling within Class D1 for crèche and D2 for gymnasium, once each of those uses commences, the floorspace will henceforth be occupied for that use only and shall not be used for any other purpose, including any other purpose within Use Class D1 and D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory

instrument revoking and re-enacting that Order, with or without modification, unless otherwise agreed in writing by the council.

Reason:

To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises is for community use only and does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

15. The approved A3 and A4 Use Classes shall not be used outside of the hours of Monday to Saturday 08:00-23:00 and Sunday and Bank Holidays 10:00-18:00.

Reason:

To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

16. The approved Classes A1, A2 and D1,D2 shall not be used outside of the hours of Monday to Saturday 07:00-23:00 and Sunday and Bank Holidays 10:00- 18:00.

Reason:

To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

17. 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 on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

18. Access to National Grid land across the site will be maintained at all times unless otherwise agreed in writing by NG and/or its successors in title.

Reason:

To ensure access is maintained in accordance LB Barnet policies CS9 and DM17.

19. Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement (notwithstanding demolition and preparatory works) of the relevant phase of development, 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:

a. The position of any existing trees and hedges to be retained or removed

- b. 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 reflecting a majority of Mosaic species
- c. Means of planting, staking and tying of trees, including tree guards, planter depths and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use
- d. Existing site contours and any proposed alterations to these such as earth mounding
- e. Details of all proposed hard landscape, including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings
- f. Timing of planting
- g. Details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site
- h. The ecological mitigations measures to be submitted and agreed.
- i. Details of lighting to be submitted agreed.

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. Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement (notwithstanding demolition and preparatory works) of the relevant phase of development, 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.

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 prior to the occupation of the hereby approved development.

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 October 2016) and 7.21 of the London Plan 2016.

21. No development shall take place 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 2016).

22. Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement of the relevant phase of development or any site works:

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 2016.

23. Prior to the first occupation of the hereby approved development, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the relevant part of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason:

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

24. Prior to occupation a Landscape and Ecological Management Plan, including a tree planting scheme, green roof details, long-term design objectives, management responsibilities and maintenance schedules, including replanting, for all landscaped areas within the application site boundary, ecological trends and constraints on site that might influence management, ongoing monitoring and remedial measures, outline the measures taken to minimise impacts on bats and their insect food, shall be submitted to and approved in writing by the local planning authority.

Reason:

This condition is necessary to ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site in line with Policy DM16 of the Development Management Policies (adopted) September 2012.

25. No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- 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.

The Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason:

In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

26. No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings 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

The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the relevant part of the development and retained as such thereafter.

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

27. The level of noise emitted from the plant machinery 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.

28. 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.

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.

29. No development shall take place until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the ^IN; as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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.

The mitigation measures as approved under 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 amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and 7.15 of the London Plan 2015.

30. Before development commences, an air quality neutral assessment report shall be written in accordance with the relevant current guidance. This report shall be submitted to and approved 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.

a) If the report shows that the site does not conform to the air quality neutral benchmark requirements then a scheme of offset measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

b) The approved measures shall be implemented in its entirety in accordance with details approved under this condition before the relevant part of the development is first occupied or the use commences and retained as such thereafter.

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 3.2, 5.3 and 7.14 of the London Plan 2016.

31. Development shall not begin until a scheme for protecting the proposed development from vibration, has been submitted to and approved in writing by the Local Planning Authority.

The vibration protection scheme shall include such combination of land separation, vibration control techniques and other measures, as may be approved by the Local Planning Authority, in the light of current guidance on vibration levels. The said scheme shall include such secure provision as will ensure that it endures for so long as the development is available for use and that any and all constituents parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

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.

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 occupiers are not prejudiced by rail and/or road traffic vibration in the immediate surroundings.

32. No development other than demolition works shall take place until a detailed assessment for the 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.

The development shall be implemented in accordance with 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).

33. Before development of the relevant phase commences, a report shall be carried out by a competent acoustic consultant and submitted to the LPA for approval that assesses the likely noise impacts from the proposed community use in Block A. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

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 contents and recommendations. The approved measures shall be implemented in their entirety before the use commences.

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

34. No development of the relevant phase 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 for the Residential Blocks 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.

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 2011.

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.

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 2011.

35. No site works or works in connection with the development hereby approved shall be commenced until the protective measures as identified in the Ecological Appraisal, Aspect Ecology and further studies those documents may require as approved in condition 2 are implemented for the wildlife species protected by law and the details of any mitigation measures including the timing of works and details of any special techniques has been submitted to and agreed in writing by the council. The mitigation and techniques hereby permitted shall be implemented and maintained thereafter.

Reason:

To ensure that any protected species present are not affected by the development.

36. Prior to the commencement of the development or the carrying out of any site clearance works, details comprising a scheme of measures to be put in place to ensure that the clearance of the site and construction of the development hereby approved is compliant with development plan policy and legislation on the protection of breeding

birds, common toads and reptiles shall be submitted the Local Planning Authority and approved in writing. The site clearance works and construction of the approved development shall be carried out in full accordance with the scheme of measures approved under this condition.

Reason:

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

37. Notwithstanding the details hereby approved in Condition 2, prior to commencement of the relevant phase of the development, details and location of bat and bird boxes shall be submitted for approval in writing by the council.

Prior to occupation the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

Reason:

In the interests of protecting and enhancing biodiversity in accordance with policies CS7 and DM16.

38. Prior to the first occupation of the development, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. Calculations demonstrating the additional carbon emission reductions that would be achieved through the provision of additional panels shall also be submitted. The development shall be carried out and constructed in accordance with the approved details.

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 of the Barnet Local Plan Core Strategy (adopted) September 2012 and DM01 of the Development Management Policies (adopted) September 2012 and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan (2016).

39. Notwithstanding the details shown on the plans otherwise hereby approved, prior to the first occupation of the relevant phase of the development a scheme detailing all play equipment to be installed in the communal or public amenity space 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 details as approved prior to the first occupation of the relevant part of the development and the play space shall thereafter be retained.

Reason: To ensure that the development represents high quality design and to accord with policies DM01 and of Development Management Policies (Adopted) September 2012 and Policy 3.6 of the London Plan (2016).

40. Prior to the occupation of the site an External Lighting Assessment together with full details, specifications and plans of any proposed external lighting to be installed as part of the development shall be submitted and approved in writing to the Local

Planning Authority. The development shall be implemented in full accordance with the approved details prior to the first occupation of the relevant part 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 Development Management Policies (adopted) September 2012 and Policy 5.3 of the London Plan (2016).

41. No work to occur on Victoria Recreation Ground until the detailed design of connections and associated construction program and management and maintenance program are agreed in writing by the council.

Thereafter, the works shall be undertaken in accordance with the details hereby approved.

Reason:

To ensure there is no unacceptable impact to the council's asset and its continued use as well as to ensure appropriate connections and measures to protect trees and habitat, in accordance with policies LB Barnet policies CS9 and DM17.

41. Prior to the commencement of the relevant phase, details of the number, location and layout of car parking spaces within that phase shall be submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be provided in accordance with the approved details prior to occupation and 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 Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

42. Prior to the occupation of each of the phases hereby approved, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. Location and layout of car parking spaces,
- ii. The allocation of car parking spaces;
- iii. On site parking controls
- iv. The enforcement of unauthorised parking; and
- v. Disabled parking spaces
- vi. Electrical Vehicle Charging Points.

The Car Park Management Plan should include details of the proposed monitoring of EVCP and disabled parking spaces, to inform when additional spaces are required to be brought into operation.

The Car Parking Management Plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason:

To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety 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.

43. Prior to occupation of the relevant phase 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 in writing by the Local Planning Authority. Such spaces shall be permanently retained and made available for use 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.

44. Prior to commencement a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

Reason:

In the interest of highway safety 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.

45. No works on the public highway as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the Highways Authority and works shall only be carried out in accordance with the approved plans.

The applicant will be expected to enter into an agreement with the Highways Authority under Section 278 Agreement of the Highways Act, for works affecting the public highway including creation of new accesses, reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

Reason:

To ensure that the works on the public highway are carried out to the satisfaction of the Highway Authority in the interest of highway safety 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.

46. Prior to the commencement of the development, details of any roads within the development which are required to be stopped up to facilitate the development shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure that adequate public access is provided throughout the development.

47. Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the 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.

48. Prior to the occupation of the development, a Waiver of liability and indemnity agreement must be signed by the developer and 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.

49. Prior to carrying out above grade works of each building or part of any new building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such parts of a building can achieve full 'Secured by Design' Accreditation.

Prior to the first occupation of the residential building a 'Secured by Design' accreditation shall be obtained for the building.

The development shall only be carried out in accordance with the approved details.

Reason:

To protect the amenity of the area in accordance with Policies DM01 September 2012.

50. The commercial and non-residential unit(s) hereby approved (Use Classes A1, A2, A3, A4, B1, D1 and D2) shall be constructed to achieve not less than BREEAM 'Very Good'. Prior to occupation a Post Construction BREEAM Certificate shall be submitted to the Local Planning Authority to demonstrate that this has been achieved.

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 (2016).

51. The residential buildings shall not be occupied until formal post construction BREEAM Certification demonstrating that the development has achieved BREEAM 'Very Good' has been submitted and approved in writing by 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 (2016).

52. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

53. Prior to the commencement of the development hereby approved a strategy setting out how the phases of the development will connect to the Energy Centre shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the details as approved and each phase of the development shall not be occupied until it has demonstrated that the development has been connected to the Energy Centre, to be agreed in writing by the council.

Reason:

To ensure that the development is sustainable and complies with the requirements of London Plan policies 5.2 and 5.6.

54. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development of the relevant phase 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.

The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the relevant phase 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 2016.

55. 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.

56. Prior to the first occupation of the new 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.

57. No development other than demolition, site clearance and temporary enabling works, shall commence until a Sustainable 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 have been submitted to and approved in writing by the Local Planning Authority.

The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features 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 2016.

58. Prior to commencement of the development hereby permitted, a scheme for the provision of communal/centralised satellite and television reception equipment to be installed on all blocks hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the details approved and the equipment shall thereafter be retained and made available for use by all occupiers of the development.

Reason:

To ensure that the development makes appropriate provision for such equipment, so as to not impact adversely on the character of the area, in accordance with policies CS5 and DM01 Barnet Local Plan.

59. Prior to the commencement (apart from demolition and enabling works) of works on each building block, details of any roof level structures shall be submitted to and approved in writing by the Local Planning Authority for that phase. This shall include details of roof level plant, water tanks, ventilation/extraction equipment, flues, television reception equipment, solar photovoltaic panels, any other built structure. The details shall include a justification for the height and size of the roof level structures, their location, height above parapet level, specifications and associated enclosures, screening devices and cladding. The development shall be carried out in accordance with the approved details and no roof level structures shall be installed other than those approved.

Reason:

In the interests of good design and also to ensure that the Local Planning Authority is satisfied that any roof-level structures do not have a harmful impact on the character and appearance of the area, in accordance with Policies CS05 and DM05 of the Barnet Local Plan (2012) and Policies 3.5, 7.4, 7.6 and 7.8 of the London Plan (2016).

60. 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 following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

- The installation of any structures or apparatus for purposes relating to telecommunications on any part the development 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 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

Reason:

To ensure that the development does not impact adversely on the character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policies CS5 and DM01 Barnet Local Plan.

61. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and

associated scaffold/access for working at height within the footprint of their property boundary.

Reason:

To mitigate any potential impact and disruption to Network Rail land and its operation.

62. Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Reason:

To mitigate any potential impact and disruption to Network Rail land and its operation.

63. Prior to commencement of works, full details of excavations and earthworks to be carried out within 10 metres of the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with approved details.

Reason:

To mitigate any potential impact and disruption to Network Rail land and its operation.

## **INFORMATIVE(S):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'.  
This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).  
The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.  
The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which is also available from the Planning Portal website.

The CIL 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

Please visit

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

for further details on exemption and relief.

- 3 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

- 4 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.  
“An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine.”
- 5 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [ww.thameswater.co.uk/wastewaterquality](http://ww.thameswater.co.uk/wastewaterquality)
- 7 The applicant is advised that it is their responsibility 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. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0845 850 2777.  
The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
- 8 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel

are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle route on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement. Turning facilities for refuse collection vehicles must be provided within the site for vehicles entering the development.

## **Additional Correspondence**

### Thames Water:

#### Waste Comments

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

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**Location**                      **Whalebones Wood Street Barnet EN5 4BZ**

**Reference:**                      **19/3949/FUL**

Received: 17th July 2019

Accepted: 17th July 2019

Ward:                              High Barnet

Expiry 16th October 2019

AGENDA ITEM 7

Applicant:                      Hill Residential Ltd  
Trustees of the Gwyneth Cowing Will Trust  
Trustees of the Gwyneth Cowing 1968 Settlement

Proposal:                      Demolition of non-listed structures and construction of a new single storey building to be used as an artists'/bee keepers' studio building (Use Class D1) with 14 associated parking spaces and new vehicular access point off Wellhouse Lane. Construction of 152 new residential dwellings (Use Class C3-40% affordable) consisting of 53 single family dwellings and 99 flats ranging from 2 storey to 4 storeys in height with 179 parking spaces and 4 visitor parking spaces. New landscaping, public open space, play areas, public realm, ecological enhancements and private agricultural land. Creation of new vehicular access points off Wood Street and off Wellhouse Lane. New pedestrian and cycle access points off Wood Street and Wellhouse Lane, restricted emergency vehicle access off Wellhouse Lane.

**Recommendation:** Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

RECOMMENDATION I:

The application being of strategic importance to London, it must be referred to the Mayor of London. As such, any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Mayor of London.

RECOMMENDATION II:

That 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 seeking to secure the following:

1. Paying the council's reasonable legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

3. Affordable Housing  
Provision of 61no units (37 affordable rent and 24 intermediate) - early review mechanism.
4. Carbon Offset contribution  
Contribution of £253,128
5. Skills and Employment  
On-site or Off-site contribution
6. Open Space Phasing Plan and Landscape Management Strategy  
Provision of open space phasing plan and Landscape management strategy of each area (A,B,C,D,E)
7. Community Facility  
Re-provision of community facility and submission of management plan
8. Provision of Small Holding  
Provision of an area of small holding within the application site to remain in perpetuity.
9. Residential Travel Plan and Monitoring  
Provision of Residential Travel Plan with incentive of £300 per unit (max £45,600) and monitoring contribution of £15,000.
10. S278 Works  
Associated highway works under S278
11. Monitoring of Legal agreement  
Contribution of £12,410.56

### RECOMMENDATION III:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

122-PL-001 A Site Location Plan 1250

122-PL-002 A Existing Site Plan - Site A and B (Topographical)

122-PL-003 A Existing Site Plan - Site C (Topographical)

122-PL-004 A Existing Site Sections - Sheet 1 (Topographical)

122-PL-006 A Existing Tree Survey - Site A & B

122-PL-007 A Existing Tree Survey - Site C

122-PL-014 A Existing Small Holding Buildings - Plans And Elevations 100

122-PL-015 A Existing Small Holding Buildings - Demolition Plans And Elevations

122-PL-040 B Proposed Site Plan  
 122-PL-052 A Proposed Site Sections - Sheet 1  
  
 122-PL-060 A Proposed Street Scene Elevations - Wood Street (Sheet 1 of 2)  
 122-PL-061 A Proposed Street Scene Elevations - Wood Street (Sheet 2 of 2)  
 122-PL-062 A Proposed Street Scene Elevations - Wellhouse Lane (Sheet 1 of 2)  
 122-PL-063 A Proposed Street Scene Elevations - Wellhouse Lane (Sheet 2 of 2)  
  
 122-PL-100 C GA - Plan - Parcel 01 - Ground Floor  
 122-PL-101 C GA - Plan - Parcel 01 - First Floor  
 122-PL-102 C GA - Plan - Parcel 01 - Second Floor  
 122-PL-103 C GA - Plan - Parcel 01 - Roof Plan  
 122-PL-104 A GA - Plan - Parcel 02 - Ground Floor  
 122-PL-105 B GA - Plan - Parcel 02 - First Floor  
 122-PL-106 B GA - Plan - Parcel 02 - Second Floor  
 122-PL-107 B GA - Plan - Parcel 02 - Roof Plan  
 122-PL-108 A GA - Plan - Parcel 03 - Lower Ground Floor  
 122-PL-109 A GA - Plan - Parcel 03 - Ground Floor  
 122-PL-110 B GA - Plan - Parcel 03 - First Floor  
 122-PL-111 B GA - Plan - Parcel 03 - Second Floor  
 122-PL-112 B GA - Plan - Parcel 03 - Third Floor  
 122-PL-113 B GA - Plan - Parcel 03 - Roof Plan  
 122-PL-114 A GA - Plan - Parcel 04 - Lower Ground Floor  
 122-PL-115 A GA - Plan - Parcel 04 - Ground Floor  
 122-PL-116 B GA - Plan - Parcel 04 - First Floor  
 122-PL-117 B GA - Plan - Parcel 04 - Second Floor  
 122-PL-118 B GA - Plan - Parcel 04 - Third Floor  
 122-PL-119 B GA - Plan - Parcel 04 - Roof Plan  
 122-PL-120 A GA - Plan - Parcel 05 - Lower Ground Floor  
 122-PL-121 A GA - Plan - Parcel 05 - Ground Floor  
 122-PL-122 A GA - Plan - Parcel 05 - First Floor  
 122-PL-123 A GA - Plan - Parcel 05 - Second Floor  
 122-PL-124 A GA - Plan - Parcel 05 - Third Floor  
 122-PL-125 A GA - Plan - Parcel 05 - Roof Plan  
 122-PL-126 A GA - Plan - Parcel 06 - Ground Floor  
 122-PL-127 A GA - Plan - Parcel 06 - First Floor  
 122-PL-128 A GA - Plan - Parcel 06 - Second Floor  
 122-PL-129 A GA - Plan - Parcel 06 - Roof Plan  
  
 122-PL-300 A GA - Elevations & Sections - Parcel 01 - Sheet 1  
 122-PL-301 A GA - Elevations & Sections - Parcel 01 - Sheet 2  
 122-PL-302 A GA - Elevations & Sections - Parcel 02 - Sheet 1  
 122-PL-303 A GA - Elevations & Sections - Parcel 02 - Sheet 2  
 122-PL-304 B GA - Elevations & Sections - Parcel 03 - Sheet 1  
 122-PL-305 B GA - Elevations & Sections - Parcel 03 - Sheet 2  
 122-PL-306 B GA - Elevations & Sections - Parcel 04 - Sheet 1  
 122-PL-307 B GA - Elevations & Sections - Parcel 04 - Sheet 2  
 122-PL-308 A GA - Elevations & Sections - Parcel 05 - Sheet 1  
 122-PL-309 A GA - Elevations & Sections - Parcel 05 - Sheet 2  
 122-PL-310 A GA - Elevations & Sections - Parcel 06 - Sheet 1  
 122-PL-311 A GA - Elevations & Sections - Parcel 06 - Sheet 2  
  
 122-PL-500 A House Typology - HT01a (3B5P)

122-PL-501 A House Typology - HT02 (4B8P)  
122-PL-502 A House Typology - HT03 (4B6P)  
122-PL-503 B House Typology - HT04a (3B5P)  
122-PL-504 A House Typology - HT04b (4B8P)  
122-PL-505 A House Typology - HT05 (2B4P)  
122-PL-506 A House Typology - HT06 (3B5P)  
122-PL-507 A House Typology - HT07 (2B4P)  
122-PL-508 A House Typology - HT08 (2B4P)  
122-PL-509 A House Typology - HT09 (3B5P)  
122-PL-510 A House Typology - HT01b (3B5P)

122-PL-520 A GA Plan - Apartments Block F - Lower Ground Floor  
122-PL-521 A GA Plan - Apartments Block F - Ground Floor  
122-PL-522 A GA Plan - Apartments Block F - First and Second Floors  
122-PL-523 A GA Plan - Apartments Block F - Third Floor  
122-PL-524 A GA Plan - Apartments Block F - Roof Plan  
122-PL-525 A GA Plan - Apartments Block G - Basement  
122-PL-526 A GA Plan - Apartments Block G - Ground Floor  
122-PL-527 A GA Plan - Apartments Block G - First and Second Floors  
122-PL-528 A GA Plan - Apartments Block G - Third Floor  
122-PL-529 A GA Plan - Apartments Block G - Roof Plan  
122-PL-530 A GA Plan - Apartments Block H - Basement  
122-PL-531 A GA Plan - Apartments Block H - Ground Floor  
122-PL-532 A GA Plan - Apartments Block H - First and Second Floors  
122-PL-533 A GA Plan - Apartments Block H - Third Floor  
122-PL-534 A GA Plan - Apartments Block H - Roof Plan

122-PL-320 A GA Elevations - Block F Sheet 1  
122-PL-321 A GA Elevations - Block F Sheet 2  
122-PL-322 A GA Elevations - Block G Sheet 1  
122-PL-323 A GA Elevations - Block G Sheet 2  
122-PL-324 A GA Elevations - Block H Sheet 1  
122-PL-325 A GA Elevations - Block H Sheet 2

122-PL-550 A Studio Building - Ground Floor and Roof Plan  
122-PL-350 A Studio Building - Elevations & Sections

7120.01.001 P01 Illustrative Masterplan  
7120.01.002 P01 GA Plan  
7120.01.003 Areas of Management Responsibility  
7120.01.101 P01 Hardworks Plan Sheet 1  
7120.01.102 Hardworks Plan Sheet 2  
7120.01.103 Hardworks Plan Sheet 3  
7120.01.104 Hardworks Plan Sheet 4  
7120.01.105 Hardworks Plan Sheet 5  
7120.01.106 Hardworks Plan Sheet 6  
7120.01.107 Hardworks Plan Sheet 7  
7120.01.108 Hardworks Plan Sheet 8  
7120.01.200 Planting Schedule  
7120.01.201 P01 Planting Plan Sheet 1  
7120.01.202 Planting Plan Sheet 2  
7120.01.203 Planting Plan Sheet 3  
7120.01.204 Planting Plan Sheet 4

7120.01.205 Planting Plan Sheet 5  
7120.01.206 Planting Plan Sheet 6  
7120.01.207 Planting Plan Sheet 7  
7120.01.208 Planting Plan Sheet 8  
7120.01.301 Landscape Sections Sheet 1  
7120.01.302 Landscape Sections Sheet 2  
7120.01.303 Landscape Sections Sheet 3  
7120.01.304 Landscape Sections Sheet 4  
7120.01.305 Landscape Sections Sheet 5  
7120.01.306 Landscape Sections Sheet 6  
7120.01.401 Landscape Details Sheet 1  
7120.01.402 Landscape Details Sheet 2  
7120.01.403 Landscape Details Sheet 3  
7120.01.404 Landscape Details Sheet 4  
7120.01.411 Play Equipment  
7120.02.412 Street Furniture

172811/PHL/09 C Northern Site Access Right Turn Facility  
172811/PHL/09/AT01 A Swept Path Analysis of Northern Site Access Right Turn Facility (Refuse Vehicle)

Arboricultural Impact Assessment, Landmark Trees (dated 24 April 2019)  
Air Quality Assessment, Air Quality Consultants (dated June 2019)  
Agricultural Viability Report, Cheffins (dated February 2018)  
Addendum to Agricultural Viability Report, Cheffins (dated March 2019)  
Desk-Based Archaeological Assessment Rev A, Heritage Network (dated March 2017)  
Design and Access Statement, Pollard Thomas Edwards Architects (dated July 2019)  
Energy Strategy Rev D, Energist UK Ltd (dated 6 June 2019)  
Estate Management Strategy  
Heritage Statement, Brighter Planning Consultancy (dated June 2019)  
Noise Impact Assessment, Cass Allen Associated Ltd (dated April 2019)  
Overheating Assessment, Energist UK Ltd (dated 6 June 2019)  
Planning Statement, Savills (dated July 2019)  
Statement of Pre-application Consultation, GL Hearn (dated July 2019)  
Sustainability Statement, Energist UK Ltd (dated 25 June 2019)  
Flood Risk Assessment and Sustainable Drainage Systems (SUDS) Strategy, Vectos (dated April 2019)  
Transport Assessment, Vectos (dated June 2019)  
Scheme Summary, Savills (dated July 2019)

Bat Activity Survey, MKA Ecology (March 2019)  
Bat Inspection Survey, MKA Ecology (March 2019)  
Biodiversity net gain assessment, MKA Ecology (June 2019)  
Breeding Bird Survey, MKA Ecology (March 2019)  
Ecological Impact Assessment, MKA Ecology (May 2019)  
Environmental DNA Great Crested Newt Survey, MKA Ecology (March 2019)  
Nocturnal Bat Survey, MKA Ecology (March 2019)  
Preliminary Ecological Appraisal, MKA Ecology (March 2019)  
Reptile Survey, MKA Survey (March 2019)

Landscape Design and Access Statement, The Environment Partnership (dated April

2019)

Summary Design and Access Pages

Landscape Management Plan, The Environment Partnership (dated April 2019)

Townscape and Visual Assessment, The Environment Partnership (dated April 2019)

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 works 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 2016.

- 4 a) Before the relevant part of the works are begun, details of the materials to be used for the external surfaces of the building(s), 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 2016.

- 5 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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.

The Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

6 Before the permitted development is occupied a Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

Reason: In the interest of highway safety 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.

7 a) Notwithstanding the details submitted with the application and otherwise hereby approved, prior to first occupation, 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.

b) The development shall be implemented and the refuse and recycling facilities for each building shall be provided in full accordance with the information approved under this condition before the first occupation of that building 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 October 2016).

- 8 Notwithstanding the plans submitted, prior to the occupation of areas A and C, a parking layout plan shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the 179 off-street parking spaces including 20 disabled parking bays shall only be used as agreed and not to be used for any purpose other than the parking and turning of vehicles in connection with the approved development.

Reason: To ensure that parking and associated works are provided in accordance with the Council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012) and 6.1, 6.2 and 6.3 of the London Plan 2016.

- 9 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.

i) For the residential spaces, details shall include provision for not less than 20% of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 20% of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

ii) For the non-residential element, 20% active and 80% passive provision should be provided.

b) The Electric Vehicle Charging Facilities shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the building to which it relates 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 2016.

- 10 Prior to the first occupation, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. the allocation of car parking spaces;
- ii. on site parking controls and charges;
- iii. the enforcement of unauthorised parking; and
- iv. disabled parking spaces.

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The parking management plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety 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.

11 a) Before each building hereby permitted is first occupied cycle parking spaces and cycle storage facilities associated with that building shall be provided in accordance with a scheme to be 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 the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and 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.

12 Part 1

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 October 2016) and 5.21 of the London Plan 2016.

- 13 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 interest of good air quality in accordance with London Plan policies 5.3 and 7.14.

- 14 An Air Quality and Dust Management Plan shall be submitted to, and approved by, the Local Planning Authority, before the development commences whose purpose shall be to control and minimise emissions attributable to the demolition and/or construction of the development. Reference shall be made to the Mayor of London's SPG, "The Control of Dust and Emissions during Construction and Demolition". The plan shall confirm:

- a) which air quality emission and dust control measures are to be implemented;
- b) which monitoring methods are to be implemented; and
- c) that construction machinery will meet NRMM standards

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

- 15 a) Before development commences a scheme of offset measures based on the findings of the Air Quality Assessment shall be submitted to and approved by the Local Planning Authority.
- b) The approved measures shall be implemented in its entirety in accordance with details approved under this condition throughout the construction of the development.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 3.2, 5.3 and 7.14 of the London Plan 2016.

- 16 a) No development other than demolition works shall take place on site until a noise assessment, carried out by a competent acoustic consultant, which assesses the likely impacts of noise on the residential development and measures to be implemented to address its findings 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

b) The measures approved under this condition shall be implemented in their entirety prior to first occupation of the dwelling to which it applies and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed-use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

- 17 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied 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 first occupation of the building to which it applies 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.

- 18 The level of noise emitted from the installed ventilation and/ or extraction 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.

- 19 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.

- b) The measures approved under this condition shall be implemented in their entirety prior to the first occupation of the building to which it relates 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.

- 20 a) No development other than demolition works shall take place until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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.

- b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the first occupation of the building to which it relates and retained as such thereafter.

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

- 21 a) No extraction and/or ventilation equipment shall be installed as part of the development, until full details including a technical report have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using anti-vibration mounts. 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.

- b) The development shall be implemented in accordance with details approved under this condition before first occupation of the building to which it applies and retained

as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 22
- 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 approved in writing by the Local Planning Authority prior to the occupation of the hereby approved development. The scheme shall include a programme for implementation of the landscaping works on a phased basis.
  - b) All work comprised in the approved scheme of landscaping shall be carried out in accordance with the approved scheme.
  - 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 October 2016) and 7.21 of the London Plan 2016.

- 23
- a) No development other than demolition works shall take place 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 2016).

- 24
- The development shall proceed and be carried out in strict accordance with the findings and recommendations of the approved Ecological Impact Assessment, MKA Ecology (dated May 2019), Preliminary Ecological Appraisal, MKA Ecology (dated March 2019) and the associated ecological surveys submitted in support of the application and the details of compensation measures and ecological enhancements contained within shall be incorporated into the finished scheme.

Reason: To ensure that nature conservation interests are not prejudiced 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 October 2016).

- 25 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity spaces provided on the site and a programme for their implementation shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved and the agreed programme of implementation.

Reason: To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy 3.6 of the London Plan.

- 26 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 2016.

- 27 Development other than demolition works shall not begin until the following information has been submitted to and approved in writing by London Borough of Barnet local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

**Surface Water Drainage Strategy**

1. SuDS construction phasing plan;
2. SuDS detailed drainage design drawings, based upon the approved Preliminary Drainage Strategy, Vectos, 172811-PDL-001 rev D;

Sites A and B

3. Confirmation of the existing TW surface water manhole location and invert level along Wellhouse Lane for a point of outfall for the runoff from the proposed design manhole S29.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development

in accordance with Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance (such as the SuDS Manual, C753).

- 28 No development other than demolition works shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To safeguard the archaeological interest on this site.

- 29 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 of the building to which it relates 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).

- 30 Prior to the erection and installation of photovoltaic panels, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and constructed in accordance with the approved details.

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.

- 31 Prior to the occupation of the development, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority detailing the type, design, lux levels of proposed external lighting as well as measures to control glare. The External Lighting Assessment submitted shall detail the existing and proposed 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 both neighbouring residential properties as well as residential properties within the proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To ensure the development provides adequate amenities of neighbouring residential properties as well as the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan.

- 32 a) Prior to carrying out above ground works of each building or part of any new building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such parts of a building can achieve Silver Secured by Design' Accreditation.

b) Prior to the first occupation of the non-residential building a 'Secured by Design' accreditation shall be obtained for the building.

The development shall only be carried out in accordance with the approved details.

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

- 33 Prior to the first occupation of the new 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.

- 34 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the 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 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.

- 35 The development hereby approved shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 36% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 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 Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 36 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).

- 37 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.

- 38 The studio building hereby approved shall only be used in connection with the artist and beekeeper activities or any other associated community activity and for no other purpose (including any other purpose in Class F2 of Schedule 2 Part A of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 (as amended) and the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) 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.

- 39 The use of the studio building hereby permitted shall not be open to members of the public before 07.00 or after 23.00.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 40 Notwithstanding the plans approved, the residential element of the development hereby approved shall be carried out in accordance with the approved Accommodation Housing Schedule and Tenure Plan dated 24.09.2020 by Pollard Thomas Edwards. Any alterations or amendments to these plans must be approved in writing by the Local Planning authority.

Reason: To ensure the development provides the agreed provision of accommodation and tenure types across the site.

- 41 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, C, D, E, F and G of Part 1 of Schedule 2 of that Order shall be carried out within the area of application site hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

#### INFORMATIVE(S):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which is also available from the

Planning Portal website.

The CIL 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 4 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is

the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

- 5 Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 6 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
  - 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
  - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
  - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
  - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
  - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
  - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 7 The submitted Construction Method Statement shall include as a minimum detail of:
  - Site hoarding
  - Wheel washing
  - Dust suppression methods and kit to be used
  
  - Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.

- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
- For major developments only: confirmation that all Non- Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

- 8 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);

6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

9 Surface Water Drainage Strategy

Consideration should be given to increase the size of the designed 150mm pipe connections between attenuation tanks 2 and 3.

10 Damage to Gullies and Sewers

If a concrete pump lorry is operated from the public highway, surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

11 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email [highwayscorrespondence@barnet.gov.uk](mailto:highwayscorrespondence@barnet.gov.uk).

## **MATERIAL CONSIDERATIONS**

### **Key Relevant Planning Policy**

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case, the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this 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.

### **National Planning Policy Framework (February 2019)**

The 2019 NPPF was adopted in February 2019 replacing the 2012 NPPF and includes minor clarifications to the revised version published in July 2018. The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that, "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF also states that the purpose of the planning system is to contribute to the achievement of sustainable development. In addition, the NPPF retains a 'presumption in favour of sustainable development', unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

### **The London Plan 2016**

The London Plan 2016 (Consolidated with Alterations since 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:

2.2 (London and the Wider Metropolitan Area); 2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.18 (Green Infrastructure: The Multi-Functional Network of Green and Open 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); 3.16 (Protection and Enhancement of Social Infrastructure)

### London's Economy:

4.6 (Support for and Enhancement of Arts, Culture, Sport and Entertainment)

### London's Response to Climate Change:

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 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); 5.21 (Contaminated land)

### London's Transport:

6.1 (Strategic Approach); 6.2 (Promoting 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); 6.12 (Road Network Capacity); 6.13 (Parking)

### London's Living Spaces and Places:

7.1 (Lifetime Neighbourhoods); 7.2 (An inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.8 (Heritage Assets and Archaeology); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing and Managing Noise); 7.18 (Protecting Local Open Space and Addressing Local Deficiency); 7.19 (Biodiversity and Access to Nature); 7.21 (Trees and Woodland)

### Implementation and Monitoring Review:

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

## **Draft London Plan**

The draft New London Plan (DLP) is at an advanced stage. In December 2019, the Mayor issued the "Intend to Publish" version of the emerging New London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the New London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed. Those

policies affected by the Directions carry moderate weight, whilst those with no modifications can carry significant weight.

Due to the advanced nature of the DLP increasing weight should be attached to those policies which the Inspector's report considered sound. Nevertheless, the London Plan 2016 remains the statutory development plan until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2016 London Plan, while noting that account needs to be taken of emerging policies.

## **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)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive integrated community facilities and uses)

CS11 (Improving health and wellbeing in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

### Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM06 (Barnet's Heritage and conservation)

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

DM10 (Affordable housing contributions)

DM13 (Community and education uses)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

### Local Supplementary Planning Documents:

Affordable Housing (February 2007 with updates in August 2010)

Delivery Skills, Employment, Enterprise and Training from Development through S106 (October 2014)

Green Infrastructure (October 2017)

Planning Obligations (April 2013)  
Residential Design Guidance (April 2013)  
Sustainable Design and Construction (April 2013)  
Wood Street Conservation Area – Character Appraisal Statement (July 2007)

Strategic Supplementary Planning Documents and Guidance:

Barnet Housing Strategy 2015-2025  
Accessible London: Achieving an Inclusive Environment (April 2004)  
Sustainable Design and Construction (May 2006)  
Wheelchair Accessible Housing (September 2007)  
Planning for Equality and Diversity in London (October 2007)  
All London Green Grid (March 2012)  
Housing (March 2016)  
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)  
Affordable Housing and Viability (2017)  
The Control of Dust and Emissions during Construction and Demolition (July 2014)  
Mayor’s Transport Strategy (2018)  
Play and Informal Recreation (September 2012)

**Barnet’s Local Plan (Reg 18) 2020**

Barnet’s Local Plan Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council’s preferred policy approach together with draft development proposals for 67 sites. It is Barnet’s Emerging Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

**The Community Infrastructure Levy Regulations 2010**

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

**PLANNING ASSESSMENT**

**Site Description**

The application site, known as land adjoining The Whalebones, comprises a largely green and undeveloped area of land located between Wood Street and Wellhouse Lane, within the ward of Chipping Barnet. The site is private land and has no public right of access.

Overall, the application site measures approx. 4.3 hectares and is divided into two land parcels, between which lies ‘The Whalebones’, a Grade II Listed single dwelling and its associated private vehicle driveway which is accessed from Wood Street. These fall outside of the application site boundary and are not proposed to be altered as part of this application. The site also contains a building currently used as a studio by the Barnet Guild of Artists and the adjoining stable block is used by the Barnet Beekeepers’ Association. There are also a series of outbuildings used in association with the smallholding use of the site.

The site parcels are bound by Wood Street (A411) to the north and Wellhouse Lane to the south. To the east of the site is a dwelling house (2 Wellhouse Lane) and its associated garden. To the west of the site is a residential redevelopment by Linden of 114 homes. Further to the south of the site lies the Barnet Hospital and associated hospital parking, as well as a public bus interchange.

In terms of local designations, the site is wholly located within the Wood Street Conservation Area, is located within Flood Zone 1 and has a Public Transport Accessibility Level (PTAL of 2). There are a number of trees throughout the site, including trees which are subject to Tree Preservation Orders. The site is also allocated as 'Site No.45' under Barnet's Draft Local Plan (Reg 18) January 2020 proposed for residential development with mixed uses including community facilities and local green space.

### **Proposed Development**

This application seeks planning permission for the demolition of non-listed structures and construction of a new single storey building to be used as an artists'/bee keepers' studio building (Use Class D1) with 14 associated parking spaces and new vehicular access point off Wellhouse Lane. Construction of 152 new residential dwellings (Use Class C3-40% affordable) consisting of 53 single family dwellings and 99 flats ranging from 2 storey to 4 storeys in height with 179 parking spaces and 4 visitor parking spaces. New landscaping, public open space, play areas, public realm, ecological enhancements and private agricultural land. Creation of new vehicular access points off Wood Street and off Wellhouse Lane. New pedestrian and cycle access points off Wood Street and Wellhouse Lane, restricted emergency vehicle access off Wellhouse Lane.

Overall, the proposal would provide a total of 152 units with 40% as affordable housing by units equating to 61 units of both social and intermediate tenure.

The scheme provides a total of 1.7ha of public open space on site, comprising of play areas (Areas A & C), healing garden in Area C, woodland walk and formal/informal paths and other publicly accessible areas including the ponds and meadows. In addition to the above, private and communal gardens are proposed to the residential houses and apartments throughout the development area. An area to the east of the site (0.12ha) will be maintained for continued agricultural smallholding for the existing tenant.

The scheme would provide a total of 197 car parking spaces which would be allocated at surface level for the houses and at lower ground/basement levels for the apartment blocks. 179 spaces are proposed to be allocated to the residential units, 14 spaces to artists and beekeeper studio spaces and 4 visitor car parking spaces. There would also be secure cycle parking spaces for 298 spaces for residents and 9 spaces for studio visitors.

The proposed scheme is divided into three distinct sub-areas; A, B and C.

#### **Area A:**

Area A is located on the western side of the site and will comprise of 147 new houses and apartments. Low rise 2 storey houses are proposed along the northern boundary and secondary streets throughout this area with some 3 storey houses positioned at the end of streets. The proposed apartment blocks are positioned along the western and southern boundaries and comprise of 3 and 4 storeys.

A new site access would be created from the north of the site, off Wood Street and would have a main spinal route to the south. However, the access proposed along Wellhouse Lane to the south is for emergency vehicle access only, but would also provide pedestrian and cycle access.

A number of 'door step' play areas would be strategically located throughout the residential area, as well as a Woodland Walk – a 'meandering' footpath along the eastern boundary of Area A. Communal gardens for the apartments would also be included.

#### Area B:

Area B is located at the north of the site and will provide new, public open space, together with a network of footpaths to allow direct pedestrian and cycle connections to Wood Street. It would also provide ecological and biodiversity enhancements through the provision of a refurbished pond, installation of a boardwalk and central grassed areas.

#### Area C:

Area C is proposed to comprise of a mix of residential, community and open space uses. To the north of this area, new public open space is proposed, including a large locally equipped play area and a network of footpaths to connect pedestrians and cyclists to Wood Street and Wellhouse Lane, as well as ecological and biodiversity enhancements. Also proposed in this area, is a 'Healing Garden' which aims to provide a peaceful garden setting with users of the adjacent hospital in mind.

Along the eastern edge of the Site in Area C, it is proposed to maintain an area of land (approx. 0.12ha) to maintain as an agricultural smallholding for poultry with stock proof fencing for the existing tenant.

A new purpose-built studio building (comprising 253sqm) for the existing artist and beekeeping groups is proposed along southern part of the boundary. A dedicated visitor parking area is proposed to the east of the building, accessed from Wellhouse Lane. This access also provides access to the small holding and to Wellhouse Cottage. The cottage is currently accessed from Wood Street, via The Whalebones arch and across the field. With that field proposed as open space, an alternative access is needed for Wellhouse Cottage.

To the west of the Studio, five new dwelling houses are proposed which would be served by a dedicated vehicle access. These homes would be a mix of 2 to 3 storeys.

#### Revisions and additional information

During the course of the assessment, following advice from the Council's Traffic and Development service, the original proposed compact roundabout on Wood Street has been replaced with a new crossroads junction.

### **Relevant Planning History**

Reference: 19/2880/FUL

Address: Whalebones Wood Street Barnet EN5 4BZ

Decision: Approved subject to conditions

Decision Date: 22/07/2019

Description: Single storey rear extension following removal of the rear storage lean to.  
New hard and soft landscaping

Reference: 19/2881/LBC

Address: Whalebones Wood Street Barnet EN5 4BZ

Decision: Approved subject to conditions

Decision Date: 22/07/2019

Description: Single storey rear extension following removal of the rear storage lean to.  
New hard and soft landscaping

Reference: 19/0414/FUL

Address: Whalebones Wood Street Barnet EN5 4BZ

Decision: Withdrawn

Decision Date: 03/04/2019

Description: Single storey rear extension following removal of the rear storage lean to.  
New hard and soft landscaping

Reference: 19/0415/LBC

Address: Whalebones Wood Street Barnet EN5 4BZ

Decision: Withdrawn

Decision Date: 03/04/2019

Description: Single storey rear extension following removal of the rear storage lean to.  
New hard and soft landscaping

Reference: 18/4994/HSE

Address: Whalebones Wood Street Barnet EN5 4BZ

Decision: refused

Decision Date: 16/10/2018

Description: Single storey rear extension following removal of the rear storage lean to.  
New hard and soft landscaping.

Reference: 18/4995/LBC

Address: Whalebones Wood Street Barnet EN5 4BZ

Decision: Refused

Decision Date: 16/10/2018

Description: Single storey rear extension following removal of the rear storage lean to.  
New hard and soft landscaping.

Reference: 18/0786/RCU

Address: Whalebones Wood Street Barnet EN5 4BZ

Decision: Approved subject to conditions

Decision Date: 24/04/2018

Description: Construction of vehicular and pedestrian access gates set within 3no brick clad piers (Retrospective Application)

Reference: 18/0787/LBC

Address: Whalebones Wood Street Barnet EN5 4BZ

Decision: Approved subject to conditions

Decision Date: 24/04/2018

Description: Construction of vehicular and pedestrian access gates set within 3no brick clad piers (Retrospective Application)

Reference: 17/6993/FUL

Address: Whalebones Wood Street Barnet EN5 4BZ  
Decision: Approved subject to conditions  
Decision Date: 22/02/2018  
Description: Removal of an existing timber storage shed and replacement with oak framed/timber clad barn style store/hobby room

Reference: 17/7039/LBC  
Address: Whalebones Wood Street Barnet EN5 4BZ  
Decision: Approved subject to conditions  
Decision Date: 22/02/2018  
Description: Removal of an existing timber storage shed and replacement with oak framed/timber clad barn style store/hobby room

Reference: B/01924/11  
Address: The Studio, Whalebones, Wood Street, Barnet, Herts, EN5 4BZ  
Decision: Approved subject to conditions  
Decision Date: 05/09/2011  
Description: Provision of new access ramp and handrails to existing Art studio.

Reference: N09123K/00  
Address: Land at Whalebones Wood Street Barnet Herts EN5 4BZ  
Decision: Approved subject to conditions  
Decision Date: 08/06/2000  
Description: Erection of bio treatment tank to replace chemical toilet.

#### **4. Public Consultation**

As part of the consultation exercise, 1157 letters were sent to neighbouring properties and residents. In addition, the application was advertised in the local press and a site notice posted.

Following the submission of revised plans which comprised of alternative highways junction layout at the entrance of Wood Street, a period of re-consultation was undertaken on the 30/07/20.

Overall, 855 responses have been received, comprising 830 letters of objection and 8 letters of support. This does include multiple letters from the same household as a result of the re-consultation period.

The objections received against the application as a whole can be summarised as follows:

- Contrary to London Plan and Barnet Local Plan policies;
- Contrary to Conservation Area policy;
- Out of character of the area;
- Overdevelopment of the site;
- Scale is overbearing;
- Overcrowding by number of units proposed;
- Loss of the open character of the grounds;
- Design is unsympathetic to the area;
- Loss of green space;
- Provision of more community facilities is required;
- Proposed community benefits do not outweigh harm;

- Increased density;
- Loss of views in and across the site;
- Impact on Grade II Listed Whalebones building;
- Four storey building will be highly intrusive;
- Loss of light;
- Overlooking;
- Increased noise and air pollution;
- Loss of landscape and wildlife diversity;
- Impact on ecology;
- Trees are protected by Tree Preservation Order;
- Loss of existing trees;
- Adverse effect on local traffic;
- Insufficient parking spaces;
- A new roundabout on Wood Street will further block traffic;
- Site is not close to good transport links;
- Overspill of cars on to surrounding streets;
- Inadequate Access points
- Disrupt emergency services and access to hospital;
- Increase in traffic
- Increased air pollution
- Impact on air quality;
- Risk of flooding;
- Harmful to the environment;
- Loss of agricultural land;
- Impact on local infrastructure;
- Disruption during construction;
- land left in a covenant and should not be built on.

The letters of support received can be summarised as follows:

- Provision of significant public space;
- Site design is of a high quality and relatively well proportioned;
- Proposals ensure the boundary screening of trees will remain;
- The public will for the first time will be able to use the space;
- Good architecture;
- More community use on the land;
- Advantages offered outweigh the disadvantages;
- Land neglected for many years;
- Cannot be accessed by the public since there are no rights of way across it;
- Much needed housing provision;
- Open space that the public can actually use and enjoy;
- New community facilities.

Elected Representatives:

**Rt Hon Teresa Villiers MP**

I write to submit my objections to the proposal to construct 152 new residential dwellings on the Whalebones Park site, together with the construction of a new roundabout off Wood Street.

I would appeal to the planning committee to turn down the application. The site's size, location and history make it especially sensitive. Although Whalebones is not designated as green belt, it includes the last remaining fields near the town centre and is an integral part of the Wood Street Conservation Area.

If accepted, the plans would amount to a serious breach of Conservation Area policy which was put in place to protect a location of significant historical and environmental importance. The scale, massing and density of the plans are inappropriate for a site of this sensitivity and amount to an overdevelopment. They would also cause unacceptable loss of wildlife habitats and biodiversity.

Whilst in principle I would welcome one aspect of the proposal - the replacement of the current facilities at Whalebones for local artists and bee keepers – the benefits flowing from that part of the project would not be sufficient to justify the overall damage done by the proposed development.

#### *Conservation area*

I have seen a copy of the Barnet Society's representations in which they state that the council's Wood Street Conservation Area Character Appraisal Statement (2007) says that *"The Council will seek to ensure that new development within the conservation area seeks to preserve or enhance the special character or appearance of the area ..."*. I share the Society's view that this application does neither.

The conservation area extends this far west in order to take in Whalebones as an area of special character. Paragraph 4.2 of the Character Appraisal states, *'The elevated position enjoyed by Wood Street allows long range views down side roads to the south over the open countryside of the Dollis Valley... This is central to defining the area's special character.'*

Among Whalebones' key characteristics listed in 6.5 is this: *'The open rural character of the grounds and views in and across the site are highly important aspects of the character of the conservation area and echo the Green Belt and the open country beyond.'* If the project proceeds in its present form, over half the site – most of which is currently green – would be lost to residential development. It would lose its rural character and links with the green belt and open country.

Historic England concurs. Its advice dated 12 April 2019 to the developer's consultants, Brighter Planning, states, *"...the spread of development across the site would collectively represent a visible urban hardening to this western part of the conservation area. This means the prominence of its open natural landscaped character and views out into Dollis Valley, which it is currently noted for, would be somewhat reduced. In our view this would present harm [to] the character and appearance of the conservation area."*

Approval of this application would create a very bad precedent for other Barnet conservation areas. The Barnet Society sum up a fundamental objection to the plans as follows: *"As well as offering important open views across the site north and south, the meadow at the west end is an essential natural and visual buffer between Chipping Barnet and Arkley; without it, they will lose their separate identities forever". The development would thus lead to a*

*profound change in the character of the surrounding neighbourhood, exactly the kind of change which the Conservation Area was introduced to prevent.*

#### *Over-development and traffic impact*

Because of the number of new homes proposed, there will be an adverse effect on local traffic. This would add to congestion already routinely experienced in Wood Street, particularly during rush hour and at school drop-off and pick up times. Constituents living in the next door development of Elmbank have told me that it is currently faster to walk into Barnet during rush hour times than to drive or take the bus because of the volume of traffic.

I note that in total 179 parking spaces have been allocated for the residential aspect of the development. This provision is unlikely to cover all the cars the new residents will own. If this development goes ahead overspill parking on surrounding roads is inevitable. A constituent living in the Elmbank development has pointed out that because of present problems with parking and congestion, residents are already parking on the pavements. With the additional numbers envisaged on the Whalebones site, this situation can only worsen.

I note the points from the Transport Assessment provided by Hill Residential, that "*High Barnet town centre, which provides a range of services and facilities including shops, banks and cafes, is approximately 1km from the development site which equates to an approximate 10-15 minute walk. Two sets of bus stops are directly adjacent to the site, on Wood Street and adjacent to Barnet Hospital car park.*"

I believe that it is naive to predict that new residents will walk or cycle to the town centre to do a family shop. The distance from local shops, schools and the nearest tube station means that residents of the new development would inevitably be primarily dependent on their cars for getting around. The figure of 47 vehicles leaving the site during peak time cited by the developers as the expected maximum is far too low for a development of this size. As well as residents' cars, vans and refuse trucks would be needed to service the 152 homes, further adding to congestion.

The creation of a new roundabout to access the site will not remedy traffic problems.

The development is far too dense for such a sensitive area. It is more dense than the Elmbank development next door which has 92 dwellings. The design, scale, massing and density of the development is not in keeping with the character of the surrounding area. Many of the buildings proposed (particularly the western blocks of flats) would be visually overbearing.

Lastly, many constituents have mentioned their concerns about the impact on local services and infrastructure of such a significant increase in population - possibly up to 500. This increase would be in addition to the substantial development recently constructed at Elmbank.

#### *Access points*

I note that new pedestrian and cycle access points off Wood Street and Wellhouse Lane will be created. However, the restricted emergency vehicle access off Wellhouse Lane, opposite the A&E department of Barnet Hospital, could be difficult to enforce and there is a danger that in the future it might be used as a 'rat run' by residents keen to avoid slow traffic in Wood Street. Presently, the top of Wellhouse Lane is currently 'access only' for the hospital

or for the few of those needing to get on to Wood Street from Mays Lane and its surrounding areas. However, unless the restricted emergency access is robustly enforced, potentially hundreds of cars from the development could use it to avoid Wood Street. This would increase congestion and, critically, possibly prevent ambulances from being able to leave or get to accident and emergency quickly and safely.

Allowing a development which would intensify traffic problems outside our local hospital, worsening problems with noise and air pollution would seem to be unjustified.

### *Environment and biodiversity*

The Whalebones site provides a green lung in the middle of a built up area which helps to fight pollution. The loss of trees and open space in this area will not assist in efforts to improve local air quality.

Constituents have pointed out to me that the wildlife habitat provided by the site and by the gardens of Whalebones Park currently supports foxes, badgers, squirrels and muntjac deer. The deer return every year during their breeding season, accessing Whalebones through neighbouring green areas. Wildlife includes Grey Wagtails, a bird which is currently on the Red List because of declining numbers. I understand from local residents that the site is a feeding ground for the local colony of swifts, a species whose numbers have also fallen. The swift colony along this part of Wood Street is one of a handful now existing in High Barnet. The site also supports bats and has breeding tawny owls.

All these will be at risk once construction work starts because these birds and mammals cannot be protected whilst the work is going on. There is no guarantee that they will return or there will be sufficient natural habitat for them to return to on completion of the work. The proposed development will result in the loss of a substantial part of the open fields. Those areas being promoted as recreation areas will not have the same characteristics as the present fields and the rich biodiversity will be lost.

The impact of the proposed development needs to be looked at in the context of its impact on the whole Whalebones area. This includes Whalebones Park which is surrounded by the fields which are the subject of this application and consists of the Grade II listed Whalebones House and its gardens. This is a location where proposals for development have been rejected in the past.

The proposed new buildings will have a significant impact on Whalebones Park. In particular, they could negatively affect the biodiversity of three natural wildlife ponds in the garden of Whalebones Park. The ponds are fed by underground springs in the adjoining fields. They also rely on run off from the fields.

I am told by my constituents who live at Whalebones House that the ponds have a rich and varied environment and make an important contribution to local biodiversity. Each pond has a growing and vibrant population of dragon flies, frogs, beetles and newts that use the fields as a network to move between the ponds. The excavation for underground facilities for the proposed residential blocks will be significantly deeper than any of the ponds in Whalebones Park. This will have an adverse effect on maintaining the current water levels. There has been no assessment of this impact in the documents submitted by the developer to support the application.

I am also concerned that there are not adequate plans by the developer on how to protect the historic whalebones arch during the construction phase if the application is approved.

I would be grateful if my comments and objections, and those of my constituents, could be carefully considered by the planning committee before a decision is reached. I would welcome the chance to speak at the planning committee when it considers this important issue for my constituents.

A e-petition on my website opposing this development has attracted has gained over 1250 signatures. I presented a copy of this petition in Parliament and I am enclosing it with this objection letter. I would urge the planning committee to listen to the objections raised by my constituents and turn down this application.

### **Cllr. Roberto Weeden-Sanz**

I am writing to object to plans for the construction of 152 units on Whalebones.

The plans are a serious breach of Conservation Area policy which is meant to preserve sites like this which have historical importance. The scale, massing and density of the proposals are not appropriate for Whalebones and are a considerable overdevelopment of the site. Building so many units would also have an irreversible negative impact on wildlife habitats and biodiversity.

The site's size, location and history make it unique. Whalebones is an integral part of the Wood Street Conservation Area.

The Conservation Area was made to extend this far west specifically to include Whalebones. The plans could concrete over half this site. It would lose its rural character and links with the green belt and open country.

The development will change the character of the surrounding neighbourhood, exactly the kind of change which the Conservation Area was introduced to prevent.

The number of new homes proposed will lead to an adverse effect on local traffic, adding to congestion already routinely experienced in Wood Street, particularly during rush hour and at school drop-off and pick up times. A development of this size is likely to generate far more traffic than is estimated in the documents supporting the application. The prediction that only 47 vehicles will leave the site during peak time is far too low to be realistic

The provision for parking on-site is woefully inadequate for all the cars the new residents will own. If this development goes ahead, overspill parking on surrounding roads is inevitable, in an area where parking spaces are already under pressure.

The development is far too dense for such a sensitive area. It is denser than the Elmbank development next door which has 92 dwellings. The design, scale, massing and density of the development is not in keeping with the character of the surrounding area. Many of the buildings proposed (particularly the western blocks of flats) would be visually overbearing.

The impact on local services and infrastructure of such a significant increase in population would also negatively impact the area. This increase would add to the pressure already felt as a result of construction of substantial development next to Whalebones at Elmbank.

The Whalebones site provides a green space in the middle of a built-up area which. The loss of trees and open space in this area would not help efforts to improve local air quality and would make pollution levels even worse.

## **Cllr Felix Bryers**

The number and content of comments already submitted to date illustrates the extent of immense justified local opposition to this application.

Besides the loss of amenity, I trust that the officer's report will give exhaustive consideration to various legitimate concerns about breach of the Wood Street conservation area protections.

Besides and arguably more significantly than a loss of heritage, development on this site along the lines of what this application proposes is likely to deliver a negative impact on biodiversity at the location - one of its defining virtues at present.

More straightforwardly, the scale of what is proposed represents an attempt at overdevelopment that would exacerbate already notable problems with traffic, parking and air pollution. Roads in the vicinity are already densely parked, and provision of parking spaces as proposed is insufficient to avoid worsening the problem.

The application seems to contravene any number of points in the Local Plan and, most unacceptably, proposes to delete invaluable open green space from London.

### Neighbouring / Residents Associations and Local Amenity Groups

#### **Hendon and District Archaeological Society**

This is a large site on the edge of the ancient settlement of Barnet which may well contain remains of archaeological importance, and most of it has not been built on in recent times. The Archaeological Assessment submitted with the application envisaged that Barnet could request a programme of archaeological investigation and recording to be carried out, in order to mitigate the loss of any potential remains (in whole or in part), in a manner proportionate to their importance and the impact, should permission be granted. The Society believes that the Council should so request.

#### **The Barnet Society**

The Barnet Society objects on two grounds: (1) unacceptable breach of Conservation Area policy; (2) overdevelopment of the site. We also have concerns about sustainability.

CA Policy: The Council's Wood Street CA Character Appraisal Statement says that, 'The Council will seek to ensure that new development within the CA seeks to preserve or enhance the special character or appearance of the area...' This application would do neither. Among Whalebones' key characteristics listed in 6.5 is this: 'The open rural character of the grounds and views in and across the site are highly important aspects of the character of the CA and echo the Green Belt and the open country beyond.' The site would lose its rural character and links with the Green Belt and open country. Historic England concurs: 'In our view this would present harm [to] the character and appearance of the CA.' As well as offering fine open views across the site, the meadow at the west end is an essential natural and visual buffer between Chipping Barnet and Arkley. Approval of this application would create a very bad precedent for other Barnet CAs.

Overdevelopment: We are unconvinced that so many homes are necessary to pay for replacing the studio and upkeep of the rest of the estate. A serious consequence of the

quantity and type of new homes would be some 200 additional cars and 300 cycles, particularly in Wellhouse Lane around the bus terminal. A further unfortunate consequence would be higher levels of air and noise pollution. We also have concern about ground conditions.

**Sustainability:** We are not persuaded that the ecological impact of the development could be entirely mitigated. Its environmental standards are an advance on today's norms, but fall short of tomorrow's challenge. Development of this exceptional site on the proposed scale could only be justified by adopting exemplary design targets.

### **Herts and Middlesex Wildlife Trust**

Welcome the use of the Biodiversity Metric to determine ecological impact. However, the full calculation spreadsheet, needs to be supplied in order to verify the calculation.

From the information that has been supplied, there appear to be many over estimates of condition to be achieved post development, and the time in which it would take to achieve these, which have not been appropriately justified. The DEFRA Metric v2 and technical guidance to accompany it were only released in July 2019 and yet this report claims to use them. It was produced in June 2019. Scrutiny of the claims in the report and the technical guidance reveal that it is not consistent with this material in either condition, or time to condition. Most notably the post development condition claims are wholly over estimated e.g. hedgerows, woodland, and grassland.

This application cannot be determined until the full calculation has been supplied, with reference to the appropriate supporting technical documents, and with condition and time to condition estimates appropriately justified.

All time to condition and condition estimates must be fully supported by management regimes needed to achieve each habitat condition in the stated time span, and then maintained in perpetuity. These regimes should be fully funded with responsibilities clearly laid out.

At present this application does not show a net gain in biodiversity because it does not include an acceptable biodiversity impact calculation. This must be addressed or the application refused.

### **Barnet Residents Society**

We do recognise that development on a recognised green space in the Conservation Area is not something that should be too readily accepted. But after considering the many factors both in support and against the development we have concluded that on balance we do support the proposal.

A key factor we considered is that whilst the site is currently fallow land apart from the area where poultry are kept, and indeed now features substantial wildlife, historically it was a working farm. As such the current fallow state is a historical anomaly and this land should be recognised as being appropriate for human activity. We are also aware that the Trustees wish to dispose of the site and close down the Trust. So, it is inevitable that there must be change, and it would seem highly likely that would again involve significant human activity. Any ideas for alternative use would have to be both viable and acceptable to the Trustees and we are not aware that any viable alternatives have been put forward. We see no reason to dispute the assessment in the application that the land could not be economically used

again for farming.

It is also the case that the site is not accessible to the public and because of extensive boundary screening views are very restricted. Thus, whilst the site does indeed offer a 'green lung', supports bio-diversity and is valued as an open space in a developed area, the advantages are of limited value.

Within the overall area of Whalebones Park, both Whalebones House and the farm cottage, each with extensive wooded areas, will remain untouched. With these areas added to that designated in the Application as parkland and recreational use, approaching 60% of the overall site area will remain 'green'. Positive aspects include the planting of 165 new trees and the parkland, managed by the well-resourced Land Trust, will put emphasis on encouraging wildlife and flora. Overall the extra trees should make a significant contribution to pollution control, whilst residents, and staff, visitors and patients from the Hospital should derive substantial benefit from the opening up of much of the site as parkland, including the ability to admire views which are currently restricted.

Turning now to the housing development, we do have reservations regarding the density and especially the size of the three blocks of flats to the eastern boundary, and we would have preferred more small family houses rather than a majority of flats. But we do consider the architecture to be of good quality and with a maximum height of four storeys at the lowest point, and being consistently a little lower than the adjacent Elmbank development, we consider the height will not be unduly intrusive. The housing area will also have extensive landscaping which should substantially soften the impact. We note that Highways have no reservations regarding traffic, and indeed pedestrian access to the Hospital and the bus terminus should offer significant employment and public transport opportunities that substantially reduce demand for car travel.

Development in conservation areas is permissible provided Councils ensure any development meets the obligation to 'preserve and enhance'. On balance, accepting that change is inevitable, we consider the advantages offered by this development outweigh the disadvantages, especially as the areas remaining 'green' will offer the community greater amenity value than is the case now. And if the application is turned down we will have continuing uncertainty until an alternative use is found, which could conceivably be far less appealing than what is now being proposed.

### **Trustees of The Gwyneth Cowing Foundation**

So the purpose of this letter is to indicate our total support for what is proposed both as to the principle and the detail. A huge amount of time has been spent by the trustees of the Will Trust and 1968 Settlement and their advisers in consulting various interested parties and modifying the proposals accordingly where appropriate and possible to do so.

There is one specific matter we would like to draw to your attention, although not one of planning. Some adverse comment has circulated about the treatment of the agricultural tenant of most of the area the subject of the application, Peter Mason. The truth of the matter is that he and his wife have been kept fully informed throughout the process and The Foundation Trustees have agreed that, if this application is granted, they may continue to live in the cottage on our land they presently rent for the lifetime of the survivor of them rent free (a payment to cover the resulting loss of income to The Foundation Trustees being made by The Will Trustees). In addition (as per the application) an area of land, "The Mason Plot", will be transferred to the Foundation charity to enable the Masons to continue keeping poultry immediately adjacent to their cottage.

While the present agricultural use of the land the subject of the application is no longer practicable the Foundation Trustees are pleased that on a smaller scale it will continue on their land.

We are delighted to see significant parts of the land opened up for public access as open space and to see the biodiversity enhancements proposed, making a positive contribution to the amenity of this part of High Barnet. High Barnet is an expensive place to live and the affordable housing will also be a significant local benefit.

We are also delighted that the proposal includes the provision of a new studio for The Barnet Guild of Artists and The Barnet Beekeepers which has been designed with their input to ensure it meets their needs and provides significantly more and better space than they currently have access to. Miss Cowing was a supporter of both groups. Initially this will be by a gift of the relevant land to us as trustees of The Cowing Foundation with a view to passing the completed building on to a newly to be formed artists' charity. There are some 200 local artists and beekeepers who will benefit from this gift.

### **Barnet & District Beekeepers Association**

I write as chairman of Barnet & District Beekeepers Association (which is made up of more than 100 members) to support the application by the Trustees of The Gwyneth Cowing Will Trust & 1968 Settlement and Hill relating to the Trustees' land adjoining Whalebones House, Wood Street, Barnet.

Obviously, we welcome the provision of a new studio building. Our current building lacks sufficient facilities and is far too small for member meetings. We have occupied our present facilities on the site rent free for very many years thanks initially to the generosity of Miss Cowing herself and, since her death in 1987, of her trustees. The new building will give us greatly improved facilities not least in terms of double the space and easier access particularly for our more elderly members and car parking. Without this new facility, there is some doubt as to whether we can continue to train local people in the craft of beekeeping, to continue to educate our local schools and non-beekeepers about the benefit of bees as a pollinator.

We also very much welcome both the proposed provision of public access to much of the land the subject of the application and the proposed mixture of private and very significant affordable housing which will be of great benefit to the area

### **Barnet Guild of Artists**

I am the Chairman of the Barnet Guild of Artists and write in favour of the Whalebones development, for our members. The Guild was moved into a purpose-built studio at Whalebones by the good offices of Gwyneth Cowing in 1961. We now have over 150 artists members and membership is growing. The Barnet Guild of Artists would welcome a new studio with improved facilities, which are catered for in the plans submitted by the Trustee of the Gwyneth Cowing Will Trust.

## Responses from External Consultees

### **Greater London Authority (GLA)**

#### Strategic issues summary

*Principle of development:* Given that the application site meets the definition of Open Space in the London Plan and draft London Plan and is within an Area of Public Open Space Deficiency, it is disappointing that the site is not designated as protected Open Space. In any event, the proposed housing development on private, non-designated open space would result in the loss of significant green cover. Although new publicly accessible open space is proposed, the extent to which this addresses local deficiency is questioned. Consideration should be given to increasing the quantum of public open space and if necessary, reducing the quantum of housing. The re-provision of the artists' and bee keepers' studio is supported.

*Affordable housing:* The scheme would deliver 37% affordable housing (by habitable room), without public subsidy, and would qualify for the Fast Track Route subject to satisfying all other relevant borough and Mayoral policy requirements, especially the delivery of an acceptable quantum and quality of publicly accessible open space.

*Heritage and urban design:* Concerns relating to the permeability and legibility of the site for pedestrians and cyclists must be addressed. The less than substantial harm to the Wood Street Conservation Area could be outweighed by the public benefits of the scheme, subject to addressing concerns raised regarding the proposed open space and consideration of reducing the visual impact of the scheme.

*Environment:* The applicant should consider heat pumps and resubmit a revised strategy without CHP. Further details on how SuDS measures at the top of the drainage hierarchy, including green roofs, would be included in the development should be provided as well as additional attenuation storage volume calculations.

*Transport:* Significant concerns about the impact of the proposed roundabout on access to the site for cyclists and pedestrians; and, on bus operations. Car parking should be reduced and a revised trip generation assessment and a healthy streets active travel zone assessment provided.

*Recommendation:* That Barnet Council be advised that the application does not yet comply with the London Plan and draft London Plan for the reasons set out in paragraph 47 of this report. However, the resolution of these issues could lead to the application becoming compliant with the London Plan and draft London Plan.

### **Historic England**

Historic England's focus is to comment on designated heritage assets that fall within our statutory remit. Our single area of interest regarding these proposals is the impact of the development in relation to its effect on the character and appearance of the Wood Street Conservation Area. There may also be impacts to the setting of the Grade II listed Whalebones Cottage, which your local conservation specialist will be able to provide advice upon.

The proposed development involves the demolition of the non-listed structures and construction of 152 residential dwellings of between two and four storeys, and new single

storey artist and beekeeper studio building, in addition to landscaping and public realm improvements.

The majority of the development is concentrated in the mostly westerly portion of the site, identified predominately as Area A, with further smaller scale development proposed to the southern edge of Area C and western edge of Area B. Area A appears the least sensitive to change as historically seems to have been subject to different ownership and more intensive land use than the rest of the application site. Area C and some degree Area B, appears to have consistently had a parkland-like character more closely associated with the Grade II listed Whalebones and therefore development here is more sensitive.

From the visualisations provided we are of the view the development is likely to be well screened in longer views through the conservation area and the main visual impact would be limited to short distance views looking south and north across the site from the adjacent paths along Wood Street and Wellhouse Lane respectively.

Whilst the additional landscaping and screening proposed will help to some degree to minimise any potential impact, the spread and visibility of this development across the site would collectively represent a visible urban hardening of the western end of the Wood Street Conservation Area. The ability to appreciate the open and natural landscape qualities and character of the conservation area here would be somewhat eroded, as would the glimpsing views out into Dollis Valley. For these reasons the proposed development would in our view cause harm to the character and appearance of this part of the conservation area.

As mentioned above, paragraphs 192 and 200 of the National Planning Policy Framework emphasise that planning authorities should look for opportunities for new development to enhance or reveal the significance of designated assets, and that they should take account of the desirability of local development making a positive contribution to local character and distinctiveness. We consider that opportunities exist to reduce the adverse impact, preferably by concentrating all the residential development to Area A at the far western edge of the conservation area or through a reduction in height of the taller elements, to better preserve the historic parkland quality of Area C.

Your authority should take these representations into account, and that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. If you propose to determine the application in its current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

### **Historic England Greater London Archaeological Service (GLAAS)**

Although the site does not lie within an archaeological priority area, the site, which has undergone limited previous development has the potential for good archaeological survival. The submitted archaeological desk based assessment indicates that the main potential are for remains associated with the later medieval and post-medieval period. Overall the scale of the proposed development is considered to be substantial.

In light of the scale of the proposed development and the likely survival potential further archaeological evaluation should be carried out in order to fully assess the site's archaeological potential, thus informing any on-going archaeological mitigations. Nationally significant archaeological remains are however not expected, therefore I am happy for any further archaeological works to be carried out in accordance with an archaeological condition.

## **Natural England**

Natural England has no comments to make on this application.

## **Metropolitan Police - Designing Out Crime**

I have previously met with the architects and have discussed the proposal and The Secured by Design (SBD) scheme and have made my recommendations in line with the most recent SBD Homes 2019 guide. Specific guidance was not given in relation to each individual residential block or technical specifications within the development, as I advised the architects that this could be provided in a separate meeting.

I do not wish to object to this specific proposal.

If planning is approved and due to the above and proposed recommendations to the agent, I would respectfully request the inclusion of a planning condition whereby this proposal must achieve Secured by Design accreditation, prior to occupation.

## **Royal Free London NHS Foundation Trust**

Newsteer have been instructed by the Royal Free London NHS Foundation Trust (hereafter "*the Trust*") to make representations on their behalf to the above planning application.

The representations are made following a meeting between the Trust and the applicants on the 4 September 2019 to discuss the proposal in detail, particularly focusing upon the impact the development may have on the operation of the Barnet Hospital.

During this meeting, the following points were discussed:

- Trips to / from Wellhouse Lane and traffic flows along Wellhouse Lane;
- Use and management of the emergency access serving Area A;
- Proposed new vehicular access on Wellhouse Lane;
- Pedestrian accesses crossing Wellhouse Lane;
- Provision of a draft construction management plan;
- Scope of whether opportunities existed to accommodate key workers.

## Responses from Internal Consultees

### **Affordable Housing**

Satisfied with the proposed mix and tenures.

### **Drainage**

No objections subject to the attachment of conditions.

### **Ecology**

In reviewing the information submitted to date we consider that the information provided adequately addresses all ecological considerations regarding the proposed demolition of the

existing residence in regards ecological receptors.

### **Environmental Health**

No objection subject to conditions being attached.

### **Transport and Development**

No objections subject to appropriate conditions and planning obligations. Detailed comments are incorporated below in the highways section of the report.

### **Heritage**

The proposed development would cause harm to the character and appearance of the Wood Street Conservation Area and to the wider setting of Whalebones House. The degree of harm from the proposed development would cause is considered to be less than substantial to the significance of the designated heritage assets.

In coming to a decision on the proposed development and in accordance with the NPPF, it will need to be considered whether there are sufficient public benefits which result from the scheme to outweigh the harm caused to the character and appearance of the Wood Street Conservation Area.

## **PLANNING ASSESSMENT**

The NPPF states that planning law requires applications for planning permission to be determined in accordance with the development, unless material considerations indicate otherwise. Development that accords with an up-to-date Local Plan should be approved.

### **Principle of development / Land Use**

#### ***Agricultural Use***

The site is currently tenanted under an Agricultural Holdings Act tenancy and is used for the keeping of poultry and growing of hay.

Whilst Barnet has no specific policies relating to protection/loss of agricultural land, in order to demonstrate that the land could not be viably used for agricultural purposes, the applicant has provided an Agricultural Viability Report which scopes whether the land could viably continue in the event that the current tenancy agreement ceases.

The conclusions of this report state that following a survey and analysis, any form of agricultural enterprise based at the site would be limited by several factors inherent to its soil type, location, size and the poor-quality infrastructure and facilities on site. The overall assessment is that the site is not an agriculturally viable unit and as a standalone unit, the site would not generate sufficient income.

A further Addendum document was submitted to analyse whether a community farm on either the whole area or part area of the land would be viable. The report raises concerns over the compatibility of keeping livestock on such an urban site and again states that the viability of such a use is limited.

The conclusions of both reports are that an agricultural use (including community farm) is unviable. Officers are satisfied that it has been suitably demonstrated that the land could not be viably used for an agricultural use.

With regards to the current tenant, the Trustees have committed an area of land (approx. 0.12ha) at the eastern end of the application site, adjoining Wellhouse Cottage, to be retained for continued use of the existing tenant as an agricultural small holding. This is secured by a specific obligation in the planning legal agreement.

### **Open Space**

The existing site is privately owned and there is no right of public access. The site comprises of elements of open land and vegetation but also areas of developed land, such as the studio and outbuildings. The site is not designated as open space / public open space within the Barnet Local Plan but it is evident that the site provides significant visual amenity value to the surrounding area. In addition, Map 10 of the Core Strategy illustrates that the majority of the site (areas A and B) lies within an area as being deficient in public open space.

Policy DM15 expects that in areas which are identified as deficient in public open space, where the development site is appropriate or the opportunity arises the Council will expect on site provision in line with the standards set out in the supporting text (para 16.3.6). This text places success and value of an open space on quantity, quality and accessibility. In deficient areas, the Council expects new open space to be provided in line with the following standards; parks, Children's play, sports pitches and natural green spaces.

Whilst the land is not protected public open space, London Plan policy 7.18 does states that the value of green infrastructure not designated as local open space should be taken into account. However, as the site is not publicly accessible, it is limited in the benefits that it provides to the wider community.

The supporting Landscape Design and Access Statement has undertaken a study of existing open spaces within the surrounding area and has produced a series of diagrams to illustrate the existing and proposed effects. The scheme will provide a provision of 1.7ha of public open space which would be principally provided in two areas either side of the Whalebones curtilage. This provision would be considered as "Small Open Spaces", as defined in Table 7.2 of The London Plan. In their comments, the GLA have queried whether the provision of small open spaces is suitable, when the analysis illustrates a demand for a Local Park (usually a single 2-hectare space). It is their preference that a larger public open space should be delivered on this site.

The new public open space strategy will provide a series of spaces including open space, a healing garden, woodland walk, and children's play areas. In addition to this, the proposal includes the provision of agricultural land for the existing tenants, which is located to the east of the site, adjoining Wellhouse Cottage. A woodland walk measuring 1.34km will also be created along the eastern edge of proposed Area A.

Having reviewed the submitted open space study with Planning Policy, Officers consider that in comparison to the existing site position, the proposal will provide significant benefits in the provision of public space in an area of deficit and also provide a range of social, health and educational benefits. Whilst there are other small open spaces nearby, the provision of this open space in this area will allow the areas of deficit around the application site to the north, south and west, the ability to access open space within the recommended walking

distance. The density of built development outside of the proposed 400m bubble decreases and therefore officers are satisfied that this is an appropriate open space provision. Whilst the GLA recommend the provision of a single 2ha park, Officers in taking account of the abovementioned benefits, consider that on balance, the provision of 1.7ha open space delivered through small open spaces is acceptable in this instance.

Officers have explored the additional open space request with the applicant, and it was concluded that there was no obvious way of increasing the space to 2ha without impacting the existing scheme and which would provide significant additional benefits over and above the proposed provision.

Officers consider that the quality of the proposed open spaces is very high and is of considerable quantity. In terms of satisfying the Barnet policy criteria of quantity, quality and accessibility, it is considered that these 3 elements are strongly met by the proposed development.

Overall, 1.7ha of open space represents 39% of the total site area. When the re-provision of agricultural land is combined with the proposed publicly accessible open space and blue infrastructure, the retained green cover equates to around 49% of the total site area.

### ***Community facilities***

The application site contains a building currently used as a studio by the Barnet Guild of Artists. The beekeepers utilise the adjacent former stables building which does lie outside of the application site boundary. As part of the applicant's community engagement process, the Artist and Beekeeping groups were engaged to discuss a replacement building and future needs of this space.

A new purpose-built building is proposed within Area C and will provide 253sqm of new floorspace, which will have separate spaces for each group at each end of the building with a central foyer/community space which can be used by either group or the public. All the different spaces would have their own independent entrances.

Barnet Policies CS10 and DM13 outline the Council's expectations for the provision of community facilities. Policy DM13 states that the loss of a community use will only be acceptable in exceptional circumstances where "*New community use of at least equivalent quality and quantity are provided on the site or at a suitable alternative location.*"

The proposed replacement building will provide a purpose-built building with an increase of floorspace of 85sqm, with the relevant groups having been engaged in the design of the building. The replacement building will be re-provided within the application site and as such the proposal is considered to be fully compliant in terms of policies CS10, DM13 and the relevant London Plan policies.

### ***Housing Delivery***

Policy 3.3 of the London Plan recognises the pressing need for more homes in London and seeks to increase housing supply in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. The London Plan has set an annual monitoring target of 2,349 homes for Barnet between 2015-2025, with a minimum provision of 23,489 over the same 10 year period. In the draft London Plan (as set in the London Plan Intend to Publish), the 10 year target for 2019/20 – 2028/29 is 23,640 for Barnet.

Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

Barnet's Local Plan Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. The application site is designated as Site No.45 and identified for a residential development with indicative capacity of 149 units with 10% mixed uses (community facilities and local green space).

Taking into account the above considerations, the continued use of agricultural land has been demonstrated as unviable and a redevelopment of the site with a residential-led scheme is supported in principle subject to the provision of new open space and community facilities. Any proposed scheme should consider the site's location in the Wood Street Conservation Area and the surrounding suburban character and this has been assessed in the previous sections and will be further assessed within the report.

### ***Residential Density***

London Plan policy 3.4 seeks to optimise the housing output of sites taking into account local context and character, the design principles in chapter 7 of the London Plan and public transport capacity. Taking into account these factors, Table 3.2 of the London Plan sets out a density matrix which serves as guidance for appropriate densities in different locations dependent on the aforementioned factors. Paragraphs 8 and 122 of the NPPF encourage the efficient use of land.

It should be noted that the Draft London Plan, takes a less prescriptive approach and Policy D6 states inter alia that the density of a development should result from a design-led approach to determine the capacity of the site with particular consideration should be given to the site context, its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D6 goes on to state that proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.

The application site has an area of 4.789ha and a PTAL of 2 (poor). The application site is best described as 'suburban' defined within the London Plan as "*areas with predominately lower density development such as, for example, detached and semi-detached houses, predominately residential, small building footprints and typically buildings of two to three storeys.*"

For sites such as these, the London Plan density matrix suggests a residential density of between 150 – 250 hr/ha and 35-65 units per hectare.

The density of the net residential area would equate to 242 hr/ha or 56.3 u/ha which falls within the advised guidance ranges within the density matrix.

In response to those objection comments raised suggesting the proposed density is higher than the adjoining Elmbank development, it comprised of 114 dwellings on a site of 1.57ha, which generated a density of 313hr/ha and 71 u/ha.

## **Housing Quality**

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch3 'London's People', and Ch7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD and Residential Design Guidance SPD.

## ***Unit Mix***

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan Policy 3.8, and Barnet Development Management Policies DPD Policy DM08). 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. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

The development proposes the following unit mix across the application site:

Unit Mix								
Unit type	1B2P	2B3P/4P Flat	2B4P House	3B5P Flat	3B5P House	4B6P House	4B8P House	Totals
Number	44	51	4	4	32	3	14	152
Percentage	29%	36%		24%		11%		100%

In terms of dwelling types which constitute family accommodation provision, the London Housing Design Guide classifies family housing as all units upwards of 2 bedroom 3 person units. Based on this definition the proposal would provide a total of 108 family units equating to 71% of the total number of units on site. 53 of these units would be provided as houses.

Overall, it is considered that the proposed scheme comprises a good mix of housing types and sizes to address the housing preference and need. Officers therefore consider the proposed dwelling mix to be acceptable and in accordance with Policy DM08 of the Barnet Local Plan.

## ***Affordable Housing***

London Plan 2016 policy 3.12 advises that the maximum reasonable amount of affordable housing should be sought when negotiating on private residential and mixed use schemes, having regard to local and strategic affordable housing requirements; affordable housing targets; the need to encourage rather than restrain development; the need to promote mixed and balanced communities; the size and type of affordable housing needed in particular locations; the specific site circumstances; the resources available to fund affordable housing; and the priority to be accorded to affordable family housing.

The current application is referable to the GLA and as such the Mayors Affordable Housing and Viability SPG (2017) is relevant. The SPG (2017) introduces a 'threshold approach',

whereby schemes meeting or exceeding 35 per cent affordable housing without public subsidy can follow a 'Fast Track Route'. This means applicants are not required to submit viability information at the application stage, and applications are subject to review mechanisms only if an agreed level of progress on implementation has not been achieved within two years of consent being granted or as agreed with the LPA.

Policy H6 of the draft London Plan sets out a 'threshold approach', where schemes on private, non-industrial sites meeting or exceeding 35% affordable housing by habitable room without public subsidy that meet other criteria are eligible for the Fast Track Route. Such applications are not required to submit viability information to the GLA and are also exempted from a late stage review mechanism.

The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings with a tenure split of 60% social rented and 40% intermediate housing.

The scheme proposes the following affordable housing provision:

<b>Type</b>	<b>No. Intermediate</b>	<b>No. Social Rent</b>
1 bedroom	6	13
2 bedroom	10	17
3 bedroom	8	7
Sub Total	<b>24 (39%)</b>	<b>37 (61%)</b>
Total	<b>61 (40%)</b>	

The proposal would deliver 40% affordable housing by units with a tenure split of 61% social rent and 39% Shared Ownership. By habitable room, the scheme would deliver 37% affordable housing, with a split of 59% rent and 41% shared ownership.

Therefore, the proposed affordable mix is compliant with Barnet Policy DM10. The Council's Affordable Housing team is therefore satisfied with the number of units proposed and has worked with the applicant on the tenure provision.

### ***Residential Internal Space Standards***

The London Plan and Barnet's Sustainable Design and Construction SPD outlines the minimum gross internal floor area required for different dwelling sizes.

All the dwellings in the detailed element of the development meet the minimum standards as demonstrated in the applicant's supporting documents in relation to the unit sizes and also meet the minimum areas for bedrooms, bathrooms w/c's and storage and utility rooms.

The provision of dual and triple aspect units has been maximised and there are no single aspect north facing units. The GLA comment that the units per core for Blocks G and H exceeds the Mayor's Housing SPG guidance, but the cores are split and are designed to incorporate natural light and ventilation, so on balance this is supported.

### ***Wheelchair Access Housing***

Barnet Local Plan policy DM03 requires development proposals to meet the highest

standards of accessibility and inclusive design, whilst policy DM02 sets out further specific considerations. All units should have 10% wheelchair home compliance, as per London Plan Policy 3.8.

The submission sets out that 10% of the residential units would be provided as wheelchair adaptable in line with aforementioned policy context and in accordance with Part M4(3) of the Building Regulations. This is considered to be acceptable and a condition is attached which would secure these wheelchair units.

### ***Amenity space***

Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sq.m are counted as a habitable room and habitable rooms over 20sq.m are counted as two habitable rooms for the purposes of calculating amenity space requirements. The minimum requirements are set out in table below:

<b>Outdoor Amenity Space Requirements</b>	<b>Development Scale</b>
For Flats: 5m <sup>2</sup> of space per habitable room	Minor, major and large scale
For Houses: 40m <sup>2</sup> of space for up to four habitable rooms 55m <sup>2</sup> of space for up to five habitable rooms 70m <sup>2</sup> of space for up to six habitable rooms 88m <sup>2</sup> of space for up to seven or more habitable rooms	Minor, major and large scale
Development proposals will not normally be permitted if it comprises the minimum outdoor amenity space standards	Householder

The Mayor's Housing SPG sets out a requirement of 5 sq.m of private amenity space for 1 and 2 person dwellings with a further 1 sq.m per additional person.

The proposed amenity provision has been developed to ensure that each dwelling is provided with private outdoor amenity space. The houses are provided with private gardens (and some with additional private roof terraces), or private roof terraces. The apartments are provided with private balconies, and some with additional private terraces.

A total of 1,461sqm of communal gardens would be provided as follows:

- 557sqm for Block H;
- 494.8sqm for Block G;
- 409.4sqm for Block F

The majority of the proposed houses benefit from private rear gardens which are all of a size that exceeds the minimum requirements. The 13x terraced units at the very southern part of the site fronting Wellhouse Lane, are situated over podium parking and share a communal

garden as well as large private terraces.

In addition to the above, all the residents will have access to the 1.7 hectares of landscaped public open space.

Overall, it is considered that acceptable levels of outdoor amenity space are afforded all future residents.

### ***Children's Play Space***

London Plan Policy 3.6 requires housing development to make provisions for play and informal recreation based on child yield, referring to the Mayor's SPG Shaping Neighbourhoods: Play and Informal Recreation 2012. Barnet Core Strategy CS7 requires improved access to children's play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan.

The proposed development would provide 700sqm of play space in the form of Local Area of Play (LAP), a Locally Equipped Area of Play (LEAP) and a variety of opportunities for natural play features. The Landscape Design and Access Statement sets out the proposed play provision with equipped play areas would be provided in the eastern portion of the site (Area C) for children of all age groups. Within the development area (Area A) there would be three LAPS providing doorstep play for under 5s.

Adults and the over 12+ age group would be further provided for by the play and outdoor sports facilities at Old Court House Recreation Ground which are within 800m walking distance of the site.

Following submission of the application, the GLA updated its population yield multipliers. Based on that the GLA have stated that 817sqm is required, however the additional play space can be easily accommodated on-site and a condition is proposed seeks approval of the further details of the play spaces.

### ***Privacy and overlooking of future residents***

Policy DM01 of the Local Plan requires that development have regard to the amenity of residential occupiers. In this regard it is necessary to consider the design of the scheme and the privacy that would be afforded to future occupiers of the development.

The Council's Sustainable Design and Construction SPD (2016) sets that in new residential development, there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking.

The Design and Access Statement provides a design response into the positioning of buildings within the development to ensure that there is adequate provision of privacy. Officers consider that the scheme is well designed so to ensure that future occupiers of these units would be likely to enjoy good levels of privacy.

### ***Noise impacts on future residents***

In relation to noise impacts on the proposed development, the application is accompanied by a Noise Impact Assessment by Cass Allen Associates Ltd.

The noise survey undertaken found that average noise levels across the site was generally

dictated by road traffic on Wood Street and Wellhouse Lane, with noise also identified from the Barnet Hospital at the southern edge of the site.

The report identifies that areas of the development at the northern and southern edges of the site facing Wood Street and Wellhouse Lane respectively will be subject to the highest noise levels.

The report analyses the acoustic design of the site, internal noise levels, noise levels in external amenity areas and concludes that the design of the development is acceptable subject to adoption of acoustically upgraded glazing and ventilation. The report advises that the development in terms of noise is acceptable.

The submitted Noise Impact Assessment has been reviewed by the Council's Environmental Health team and satisfied with the information provided, subject to conditions relating to the proposed ventilation and extraction equipment and associated noise mitigation measures.

### ***Air Quality impacts on future residents***

An Air Quality Assessment has been submitted in support of the application. The report concludes that the resulting air quality effect of the proposed development will not be significant and future residents will experience acceptable air quality and pollutant concentrations at the worst case receptors along the local road network will be well below the air quality objectives, and all of the impacts are predicted to be negligible.

The submitted air quality assessment was reviewed by the Council's Environmental Health team who have advised that the proposed development is acceptable in terms of air quality and recommended a number of conditions.

### ***Secure by Design***

Policy DM01 requires that the principles set out in the national Police initiative, 'Secure by Design' should be considered in development proposals. The proposed development was subject to consultation with the Met Police who have raised no objections subject to the standard condition. Therefore, a condition would be attached to any permission requiring the proposed development and design to achieve Secure By Design Accreditation.

### **Design**

The National Planning Policy Framework (revised, 2019) 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.

The London Plan 2016 also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. 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. Architectural design criteria are set out at policy 7.6.

Draft Replacement London Plan (DRLP) policy D1B requires development to respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives consideration to the use of attractive, robust materials which weather and mature well. Policy D2 (Delivering good design) requires masterplans and design codes to help bring forward development and ensure it delivers high quality design.

Policy CS5 of Barnet Council's policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard Policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments. The above policies form the basis for the assessment on design.

### ***Masterplan concept***

The submitted Design and Access Statement (DAS) and Landscape Design and Access Statement outlines the evolution of the masterplan which has been heavily informed by the heritage and landscape assets. The outcomes of these initial studies categorised the application site into a number of sub-areas: A to the west, B to the north and C to the east.

Area A was identified as offering the most potential for development given the lower landscape quality of two over-grown fields. Area B was considered to have little development potential other than the site of the existing agricultural buildings and artist studio. The Parkland character with mature trees and pond in grassland was identified as potential public open space. Area C was identified as having an important 'parkland' landscape character, especially in the northern half with hedge and tree screening to the grassland setting. The southern site adjacent to the hospital has lower quality planting and opportunity for sensitive development.

The DAS illustrates the evolution of the masterplan following the extensive pre-application discussions, public and stakeholder engagement.

### ***Layout***

As directed by the above analysis and discussions, it was found that Areas A and C were considered to have the appropriate built form potential. Area B to the north would be allocated as new public open space.

Area A to the west of the site, comprises the majority of proposed development, comprising of 147 houses and apartments. Area A has been subdivided into 5 parcels sharing similar site levels, with building orientation positioned based on existing topography, landscape and the need to ensure adequate separation distances within each of the parcels. At the northern end of the site, the footprints are considerably set back from Wood Street, varying from 13.5m to 20m. Page 28 of the submitted Design & Access Statement demonstrates that the setbacks are characteristic of this part of the Conservation Area.

The apartment blocks (F, G and H) are located within the middle and southern area of Area A and are orientated facing into the application site and towards Elmbank. The positioning of these blocks is such that there would be a separation distance of between 21.2m to 29.2m from the Elmbank development. As with the northern part of the site, the positioning of parcel 5 at the southern end of the site, the buildings are set back from Wellhouse Road.

Parcel 6 is located within Area C and comprises of 5 houses, as well as the new studio building. The positioning of these buildings is in response to the existing landscape and proposed open space provision to the north.

Overall, Officers are satisfied that the proposed layout of Area's A and C is appropriate. The buildings have been set back from key boundary lines along Wood Street, Wellhouse Lane and the adjacent Embank development. The orientation of the houses is such that they don't directly face towards The Whalebones property in the middle of the site.

### ***Scale and massing***

There are a number of building typologies proposed throughout the proposal, comprising of 2, 3 and 4 bedroom houses and 1, 2 and 3 bedroom apartments.

Low rise 2 storey houses have been located along the Northern boundary and along the Secondary Streets, with more prominent 3 storey houses terminate views at the end of Streets. The 2 storey homes along the northern frontage have lower eaves height than those within the site so to further minimise impact on the Wood Street. The apartment blocks vary in height between 3 and 4 storeys dependent on the site topography. The Studio building in Area C has been kept to a single storey.

The scale of the houses being of 2 and 3 storeys is considered to be wholly appropriate and is reflective of the surrounding area. The 3 storey properties are only dotted around the parcels to define end of streets. The massing of the housing is simple in form with traditional roof pitches which helps reduce any perceived massing/bulk.

In terms of the apartment blocks, the DAS illustrates a series of studies and illustrations as to how the massing of these blocks has been developed. The longer blocks are effectively broken into 3 distinct buildings along the frontage, which is emphasised by changes in modelling, materials and roof form. This helps reduce the massing and bulk of the elevations and also the roof forms. The proposed dormer windows are considered small and proportionate to the building and do not dominate the roof scape.

The larger apartment buildings are set within the middle and southern end of Area A where they have a lesser visual impact. The scale of these proposed blocks are comparable to the adjacent Elmbank development and therefore would not be visually out of the character with the surrounding area.

The applicant has submitted a Landscape and Visual Impact Assessment which illustrates the proposed development with a series of wireframes from a number of viewpoints. It is considered that these wireframes illustrate that the proposed development would not be out of context with the surrounding area in terms of scale and bulk. The wireframes also don't take into account the significant proposed new levels of landscaping which will help further screen the development.

The GLA in their comments state that the proposed form and massing reflects the low-rise suburban context and is supported from a strategic perspective.

For the reasons set out above, it is considered that the proposed scale and mass/bulk is appropriate and in keeping with the surrounding character and appearance of the wider area.

### ***Character and Appearance***

In terms of materiality, the design and access statement illustrates a series of palettes which comprise of slate and clay tiles, a variety of brick colours and timber and metal elements. The materials have been informed from an analysis of the surrounding area and seek to help the development integrate within the conservation area. The range of proposed materials is considered to be acceptable, however appropriate conditions requiring the submission of the final external materials and details for approval by the LPA would be required.

The architecture presents a high-quality appearance which responds to its surroundings. It is considered that the scheme provides an attractive development which is contemporary in appearance and reflects the traditional features of the conservation area and neighbouring built form. For these reasons, the proposed development is considered to be appropriate and acceptable.

In terms of architecture, the GLA welcome the simple and refined appearance with high quality brickwork. The appearance and use of brick capture the predominate aesthetic of the Conservation Area and adjoining residential properties and respond positively to the surroundings.

### **Conservation and heritage**

Barnet policy DM06 indicates that all heritage assets will be protected in line with their significance and development proposals must preserve or enhance the character and appearance of Barnet's conservation areas.

Under Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is a statutory duty to consider the impacts of proposals upon listed buildings and their settings. Under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, Officers note that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

#### *Wood Street Conservation Area*

The Wood Street Conservation Area (WSCA) runs east to west from the junction with the Great North Road at the top of Barnet Hill along the ridge towards Arkley. The conservation area was designated in 1969, and subsequently extended in 1979. It includes the historic

shops coming up Barnet Hill and surrounding the St. John's Church, Union Street to the north, the villas facing Ravenscroft Park, and Wood Street itself westward as far as The Whalebones, with its land and the detached houses opposite.

In accordance with paragraph 190 of the NPPF and DM06 (c. point 1), in terms of its significance, the Character Appraisal divides the WSCA into five character areas, which the application site lies within '*Area 5: Bells Hill (includes the south side of Wood Street).*' Key characteristics of this area include a mixture of mid-19<sup>th</sup> century small scale domestic development in a variety of vernacular styles and materials and a good collection of locally listed buildings. Predominant materials are red brick and clay tile, render and clay tile, yellow stock brick and slate.

The appraisal identifies Whalebones Park to be an extensive area of private land with very heavy tree screening around the boundary so views in and out are limited. It states that it is formally laid out and partly interspersed with more natural open areas. It sets out that trees make a very important contribution to the character and appearance of the conservation area and identifies that the tree boundary to Whalebones Park, amongst others, is one of the most notable tree groups within the conservation area. There are open views into Dollis Valley from Whalebones Park.

The Appraisal also highlights Whalebones House, a Grade II listed building. This will be further assessed in the next section of the report.

Paragraph 189 of the NPPF and C. point 2 of DM06 requires consideration of the impact on the significance of the heritage asset. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

The applicant has undertaken and submitted a Heritage Statement by Brighter Planning in support of the application. In terms of impact on the conservation area, the report notes that the application site comprises private undeveloped land and as such is an unusual and uncharacteristic feature. It states that as the western end of the conservation area is residential in character, an appropriate scheme which preserved and enhanced the positive elements of the site, would be compatible in this location. Overall, the Heritage Statement acknowledges that there is potential for harm to occur to the character and appearance of the conservation area. The scheme does propose change, principally to the open area of undeveloped land of Area A, which will inevitably change the character and appearance of this part of the site. However, the report considers that the proposed design, layout and mitigation measures including landscaping all have the potential to help reduce the impact of the development. The report states that the proposed development offers the opportunity for enhancement of the existing public realm; creation of new public realm areas within the site which will promote greater understanding and enjoyment of the site and its past history and will screen some views of Elmbank and Barnet Hospital from the conservation area. The report concludes that the overall impact of the proposed development is assessed to be of 'less than substantial harm'.

The Council's Conservation Officer has reviewed the scheme and associated heritage report and comments that the proposed development will undoubtedly have a significant impact on the established character and appearance and would erode the site's openness and rural character which distinguishes the site and is evident in views from the public realm. The Officer does acknowledge that if the site is considered to be strategically suitable for partial development of housing, then Area A is considered to be the most appropriate. The Officer considers that the degree of harm the proposed development would cause is considered to

be less than substantial to the significance of the designated heritage assets. In coming to a decision on the proposed development and in accordance with the NPPF, it will need to be considered whether there are sufficient public benefits which result from the scheme to outweigh the harm caused to the character and appearance of the Wood Street conservation area.

Historic England in their comments focus on the proposal's impact in relation to its effects on the character and appearance of the WSCA. Impacts on the setting of the Grade II listed Whalebones Cottage will be advised by the Council's conservation team. From reviewing the submitted information, they comment that from the visualisations provided, they are of the view the development is likely to be well screened in longer views through the conservation area and the main visual impact would be limited to short distance views looking south and north across the site from the adjacent paths along Wood Street and Wellhouse Lane respectively. Whilst the additional landscaping and screening proposed will help to some degree to minimise any potential impact, the spread and visibility of this development across the site would collectively represent a visible urban hardening of the western end of the Wood Street Conservation Area. The ability to appreciate the open and natural landscape qualities and character of the conservation area here would be somewhat eroded, as would the glimpsing views out into Dollis Valley. For these reasons the proposed development would in our view cause harm to the character and appearance of this part of the conservation area. We consider that opportunities exist to reduce the adverse impact, preferably by concentrating all the residential development to Area A at the far western edge of the conservation area or through a reduction in height of the taller elements, to better preserve the historic parkland quality of Area C.

### *The Whalebones*

The Whalebones is a Grade II Listed building and is characterised by Historic England as follows:

*“Early C19. Two storeys, stucco. Three sash windows, the outer ones very slightly bowed in a bowed section of the walling. Central solid stuccoed porch with hipped slate roof and curved headed windows in sides. Plain overhanging eaves. Hipped slate roof. The ground floor windows are French casements.”*

The proposals do not directly affect this building and so the key assessment is to the setting of the heritage asset.

In assessing its significance, the submitted Heritage Statement identifies that the building has high architectural and historic interest. The immediate setting of the listed building is defined by the garden area associated with the house and which is outside of the application site. The listed building is largely screened from external view from the public realm or the application site by the density and number of trees within the garden of The Whalebones. Although the development site will abut the curtilage of this site, the report considers that the proposed development will not harm the setting of the listed building as it will remain screened from view by the trees within its curtilage and both existing and new planting within the development site. The report concludes that there will be no harm to the setting of The Whalebones nor its curtilage structures or their setting.

Historic England has advised that impacts to the setting of the Listed building should be considered by the Council's conservation team. The Conservation Officer comments that the Grade II Listed Whalebones House is set within a densely planted garden at the end of a long drive leading from Wood Street. The house is barely visible from the public realm due to the

mature trees and established planting. It still retains much of its original rural setting and a sense of isolation. A high value is placed on the relationship of the listed house with the surrounding landscape which is considered to contribute to its significance and consequently the effect of the proposed development on the setting of the building is an important consideration. This relationship would inevitably be changed by the siting of the proposed housing. Although heavily screened by trees, glimpsed views of the new development from the garden would potentially be feasible, particularly in the winter months when the trees are not in leaf. Therefore, the experience of the house would change and it would no longer feel as isolated or secluded as it does presently. Although additional tree planting may help to further screen the housing, the conservation officer considers that the proposal would cause some harm to the special interest of this designated asset by intruding into its wider setting.

#### *Non-designated heritage assets*

During the pre-application process, the Council's Conservation Officer identified the cottage of No. 2 Wellhouse Lane, adjacent to the north-east boundary of the site as a potential Building of Local Interest. The submitted Heritage Report has therefore treated this as if it has been included on the local list. The Heritage Report states that the building is a modest structure that was formally a pair of cottages and has been altered to form one unit.

In terms of the potential impact of the proposed development on the setting of this building, this is regarded to be very low, given that the application site does not abut the residential curtilage but will be buffered by the new parking area for the cottage and the small holding area to also be allocated to No. 2 Wellhouse Lane. The diagrams within the Heritage Report illustrate that the lack of visual harm to the setting of the existing cottage, with Wellhouse Cottage being well screened by existing dense landscape screening which will be reinforced with new planting. No harm is considered to result to the setting of this non-designated heritage asset from the proposals.

#### *Layout / Scale / Bulk*

As previously stated above, the proposed layouts will be considerably set back from Wood Street, varying from 13.5m to 20m. Officers consider that this separation distance will minimise the visual impact of the proposed buildings on site. In addition, the proposed landscaping along the northern part of the site adjacent to Wood Street will ensure that there is minimal change to the streetscene and retaining as much of the character as possible.

In terms of scale and height of the proposal development, it is comprised of a variety of 2 and 3 storey houses, with the apartment blocks measuring 3 and 4 storeys. This is directly comparable to the existing built form within the surrounding area. In addition, the buildings have been designed with vernacular forms to reflect the character of the surrounding area. At the prominent viewpoints of the site, along the northern boundary with Wood Street, the dwellings are 2 storeys and set back a considerable distance from the street.

The applicant has submitted a Landscape and Visual Impact Assessment which illustrates a series of wireframes of the proposed development from a number of viewpoints. It is considered that these wireframes illustrate that the proposed development would not be out of context with the surrounding area in terms of scale and bulk. The wireframes also don't take into account the significant proposed new levels of landscaping which will help further screen the development.

The larger apartment buildings are set within the middle and southern part of Area A where they have a lesser visual impact. Due to their positioning within this site, the proposed height

and the topography of the site, the height is not considerable to be overly harmful. Whilst the adjacent Elmbank development does not lie within the conservation area, the scale of these proposed blocks are comparable to this adjacent development.

For the reasons set out above, it is considered that the proposed scale and mass/bulk is appropriate and in keeping with the surrounding character and appearance of the wider area.

### *External Appearance*

The proposed design is contemporary in its appearance which incorporates a number of vernacular elements which have been taken from the surrounding character. The palette of materials has been chosen following an analysis of the surrounding area.

It is considered the proposed design and appearance responds positively to the surrounding area.

### *Views*

The WSCA Appraisal Statement notes that there are open views into Dollis Valley from Whalebones Park. There are some glimpsed views along Wood Street where the hedgerow is lower in height. It is acknowledged that these views would be eroded by the proposed development and that these open views would be reduced. It is agreed with the consultee comments that this will result in harm to the conservation area. However, views from within the site are not considered to have significant weight as it is private land and not enjoyed by the wider public.

### *Whalebones Arch*

A number of comments have been received in relation about the potential for impact on the existing Whalebones Arch on Wood Street. The arch and this access point are not within the ownership of the applicants and is not included within the application site. As such, there will be no harm caused to this arch and there will be no access to the proposed development, either in the construction phase or once built, via the arch.

### *Conclusion on the effect of nearby designated heritage assets*

Part c of Barnet Policy DM06 sets out a number of criteria which proposals should demonstrate, including amongst other matters; the impact of the proposal in the setting of the heritage asset, how the significance and/or setting of a heritage asset can be better revealed and how the benefits outweigh any harm caused to the heritage asset.

The significance of the heritage assets has been identified above and it has been found that that the heritage statement and both the Council's conservation officer and Historic England Officer find that there will be impacts of '*less than substantial harm*' on the Conservation Area and Listed Building.

Criterion c. point four of Policy DM06 refers to how can the setting of the asset can be better revealed. In terms of The Whalebones, it is already noted that the house is barely visible from the public realm due to the mature trees and established planting. The site and its entrance is not directly affected by the proposed development and as such the setting of the heritage asset

will remain as it is currently. There are significant new landscaping proposals as part of the scheme so its isolated feeling will be enhanced and the limited public view retained. In terms of the conservation area, it is noted that the site is currently private and therefore opening up the site with a number of new open spaces will significant landscaping will better reveal the immediate context along Wood Street and Wellhouse Lane. The significant additional landscaping will reinforce the verdant character of this part of the conservation area.

The proposal seeks to address climate change by incorporating renewable technologies into the proposed development. This will be discussed within the relevant section later in the report.

As required by paragraph 196 of the NPPF, applications that directly or indirectly affect the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Policy DM06 also requires a balancing of harm with identified benefits.

The applicant has identified the benefits of the schemes, which include the provision of newly-accessible public open space, natural open space, provision of new community facilities, provision of new housing and affordable housing. The benefits of the proposal and the balancing of these will be made within the 'Planning Balance' section at the end of the report.

### **Amenity Impact on Neighbouring Properties**

Part of the 'Sustainable development' imperative of the NPPF 2019 is pursuing improvements to amenity through the design of the built environment (para 127). Amenity is a consideration of London Plan policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces'. In addition, Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD provide further requirements and guidance.

#### Privacy, overlooking and Outlook

The Barnet Residential Design Guidance SPD states that there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

The nearest neighbouring properties are the Embank residential development to the west, the properties along the northern side of Wood Street and Whalebones House to the east of Area A. The DAS illustrates the critical and overlooking distances with a clear marked diagram.

The main potential impacts to the Elmbank development is from the proposed apartment blocks F, G and H. The distances from the proposed blocks vary from 11.1m to 14.8m to the neighbouring gardens and 21.8m to 29.2m to facing habitable windows. Therefore, the proposal would comply with the SPG separation distances and would not cause adverse overlooking opportunities for the residents of Elmbank. Whilst there are 2 houses in the north-west of the site which have much shorter separations, they have been designed with no upper floor habitable room windows facing the western boundary / Elmbank Development.

As already raised in the layout section above, the houses along the northern boundary have been considerably set back from Wood Street from 13.5m to 20m. With the separation of Wood Street between these properties and the enhanced landscaping, there are no

overlooking concerns to the properties on the northern side of Wood Street.

With Whalebones House, there is a significant level of landscaping around the boundary and the nearest buildings are located 12.5m to 14.9m from the boundary. The house itself is positioned further within the site and therefore in excess of the 21m. As such, there is not considered to be a detrimental impact on Whalebones House in terms of overlooking.

As there are considerable separation distances between the sites and the proposed scale and massing would be comparable to the surrounding area, there are no considered impacts on other amenity issues such as overbearing and loss of light.

### ***Noise and General Disturbance***

No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. Whilst there is an increase in the intensity of use of the site, the use is consistent with the residential character of the wider area.

In considering the potential impact to neighbours, conditions are recommended to ensuring that any plant or machinery associated with the development achieves required noise levels for residential environment. The council's environmental health team have recommended appropriately worded conditions for noise reporting and impact mitigation, extract and ventilation equipment and plant noise. It should be noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

### **Air Quality**

In respect of air pollution, no significant impacts are identified by the Council's Environmental Health team. The applicant has submitted an Air Quality Assessment in support of the application. It recommends that in relation to construction, a package of mitigation measures to minimise dust emissions will be required, and once applied should not result in any significant residual effects.

In respect of traffic and parking impacts on air quality, the levels of parking are controlled and the travel plans which will be secured as part of planning obligations will encourage transport by other modes. In respect of the design, the scheme contributed towards overall reductions in CO2 production, having regard to energy and sustainability policies.

### **Transport, highways and parking**

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 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 CS9 and DM17 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.

### **Residential car parking**

Car parking standards for residential development are also set out in the Barnet Local Plan

and recommend a range of parking provision for new dwellings based on the site's Public Transport Accessibility Level (PTAL) and the type of unit proposed. Policy DM17 of the Local Plan sets out the parking requirements for different types of units with the range of provision as follows:

- four or more bedroom units - 2.0 to 1.5 parking spaces per unit
- two and three-bedroom units - 1.5 to 1.0 parking spaces per unit
- one-bedroom units - 1.0 to less than 1.0 parking space per unit

The development proposes a total of 179 residential parking spaces for the 152 new homes, which equates to an average of 1.18 spaces per home. Based on the DM17 standards mentioned above, the recommended parking provision for the site is between 116.5 and 214.5 space for the residential element of the scheme. The site has a low PTAL value and as such it is expected that provision is towards the higher range of recommended parking provision. The Council's Traffic and Development service has confirmed that the provision of 179 spaces for the 152 dwellings is considered to be acceptable. The houses will benefit from 85 parking spaces and the apartments will benefit from 94 parking spaces.

Whilst the GLA/TfL comments are to reduce the level of car parking, it is considered that the proposed provision of parking is appropriate and is supported by Barnet's Highways service.

In addition to this, 4 spaces will be provided for visitors and will be located on the main spine road in Area A.

In terms of disabled car parking spaces, 16 of the spaces are proposed for the residential units, which will be located in the parking area below the podium.

Electric vehicle charging points are to be provided at 20% active with the remaining 80% being fitted with passive provision. This is in accordance with London Plan standards.

#### *Non-residential parking*

There are no car parking standards for a community use and thus provision is assessed on a case by case basis. The proposal provides a total of 14 spaces and will be provided in a dedicated parking area adjacent to the studio building. In terms of justification, the applicant has advised that 14 spaces is in line with the number of vehicles that can currently park on site. The new building is not anticipated to result in any significant change in the numbers of people using the facility at any time.

4 of the spaces provided within the studio parking area will be accessible spaces.

#### *Cycle Parking*

The development will provide a total of 307 cycle parking spaces across the development, comprising of 298 for the residential units and 9 (6 short stay and 3 long stay) for the studio building. The Council's Traffic and Development service has confirmed that this quantum of cycle parking exceeds the London plan requirements and is therefore acceptable.

#### *Internal layout, Access and servicing*

Area A to the west of the site will have two vehicular access points, one on the north-western corner of the site onto Wood Street and the other along the south-western end of the site onto Wellhouse Road. However, the southern access will be gated and used as an

emergency vehicles access only. It is not intended to be used for any other reason by vehicles. A main spine road runs through the western half the site and connects to the two egress points.

Area C to the south-eastern part of the site will have a separate access point onto Wellhouse Road which will serve the studio building, the retained small-holding land and Wellhouse Cottage. The cluster of five detached properties is served by its own access.

#### *Access on Wood Street*

With the initial submission, the proposal comprised of the creation of a new roundabout on Wood Street which would facilitate the main access into the site from Wood Street. Modelling submitted demonstrated that the roundabout could cope with the additional traffic from the development. Following review from the Council's Traffic and Development service, the Highways Officers did not consider this to be the most appropriate option and was considered to be excessive. Highways noted that there are several minor accesses along this stretch of the road and the priority junction serving the adjacent Elmbank development has operated satisfactory. Following a number of discussions between Officers, Highways and the applicant, alternative layout options were investigated for the site access at Wood Street / Galley Lane. Following these investigations, it was agreed that the compact roundabout option would be changed to a crossroad junction with dedicated right turn lanes.

A Stage 1 safety audit of the crossroad layout (Dwg No. 172811/PHL/09 Rev C) was undertaken in August 2020 which had raised concerns about the lack of pedestrian facilities and lane markings, with potential for causing confusion to drivers undertaking this movement. To address this concern, the Highways Officer comments that pedestrian facilities will be incorporated into the proposed crossroad junction layout. It is considered that the number of right turners from/to the development is not significant (approx. 22 vehicles in the AM peak hour). It is therefore considered that the additional risk posed by right turn movements from the development is low and further any residual risk could be sufficiently mitigated by regular maintenance of the line markings at the junction.

#### *Access on Wellhouse Lane*

The impact of the development on the bus terminal/hospital estate was considered by Highways as part of the assessment of the scheme. It is noted that the principal vehicular access to the site is on Wood Street and estimated vehicle trip generation by the site onto Wellhouse Lane is not significant. A traffic survey undertaken in June 2017 on Wellhouse Lane recorded 105 vehicles (southbound) and 115 vehicles (northbound). This equates to less than 2 vehicles in each direction per minute. With this level of vehicle movements, Highways consider that it is unlikely that the additional trips from the development will have a noticeable impact on traffic conditions on Wellhouse Lane.

#### *Refuse / Servicing*

In terms of servicing, the Highways Officer confirms that the submitted swept path analysis demonstrates that refuse vehicles and emergency vehicles can enter and exit the site in a forward gear. The location of refuse stores across the site is considered to be acceptable and ensures that vehicles can reach locations within 10m of the collection point.

#### *Road Safety*

The Highways Officer comments that given the scale of development and anticipated trip

generation from the site, it is inevitable that there will be additional traffic on Wood Street which could potentially increase vehicle/vehicle and vehicle/pedestrian conflicts, particularly on Wood Street. However, it is considered that this could be mitigated by improved pedestrian and road safety measures which would reduce any potential impacts.

An Active Travel Zone (ATZ) audit was undertaken by the applicant in January 2020 and covered four key destinations in the area. For each route, the main recommended improvements were proposed as follows:

*a) Route 1 - From the site to Barnet High Street*

Mainly to clear hedgerow and overgrown vegetation along Wood Street in the vicinity of the site order to increase footway width and improved pedestrian safety

*b) Route 2 - From the site to Barnet Hospital*

To provide dropped kerbs and tactile parking on Wellhouse Lane on the southern boundary of the site to create uncontrolled pedestrians crossing points on Wellhouse Lane

*c) Route 3 - From the site to Foulds School*

Resurfacing the footway at the junction of Wentworth Road/ The Avenue

*d) Route 4 - From the site to High Barnet Underground Station*

Provision of more benches on the High Street

The Highways Officer comments that the scope of the ATZ audit is acceptable.

*Trip generation*

The Highways Officer has confirmed that an analysis of the potential trip generation from the site has been undertaken using industry standard database called TRICS. The results show that the development will generate a 44 two-way vehicle movements during the AM peak (8-9am) and 46 two-way vehicle movements during the PM peak. The corresponding person trips for the AM and PM peak hours are 90 and 67 respectively. The proposed development is expected to generate over 800 two-way person trips daily.

The impact of this level of trip generation on the surrounding highway network has been assessed by the Highways service. The site will generate 41- 45 trips on foot during the peak hour. The submitted Transport Assessment indicates that the pedestrian network is of good quality and sufficient to accommodate the additional pedestrian trips.

There will be an additional 1 bicycle trip per hour and this is considered to have a minimal impact and can be safely accommodated within existing facilities.

The development is forecasted to generate an additional 8 bus trips and in the AM peak and 9 additional trips in the PM peak. With a service of 18 buses per hour, this will result in approximately 1 extra trip per 2 buses in the peak hours.

A similar assessment for the underground train indicate that there will be 22 and 23 underground trips during the AM and PM peak hours respectively. This level of trip generation will result in 1-2 extra passengers per service in the peak hours which is not considered to have a material impact on the service.

An assessment of the impact of the additional vehicle trips from the development has been carried out. This involved running an Arcady model of the proposed roundabout used to

access the site. However, no assessment has been carried out for the access on Wellhouse Lane which serves the Studio and 5 detached properties at the south-eastern part of the site. A traffic survey was undertaken in June 2017 on Well house Lane and shows that 105 vehicles (southbound) and 115 vehicles (northbound) were recorded. This equates to less than 2 vehicles in each direction per minute. With this level of movements, it is unlikely that the additional trips from the development will have a noticeable impact on traffic conditions on Wellhouse Lane.

Overall, the Council's Traffic and Development service, following the replacement Wood Street access, are satisfied that the proposed development does not raise any significant highways issues, subject to the mitigation measures being secured by S106 agreement and conditions.

### **Landscaping, trees and biodiversity**

The 'sustainable development' imperative of NPPF 2019 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2016 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan Policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

#### ***Landscape and Open Space***

As previously mentioned, the application proposes the creation of several areas of open space within the development site. The submitted Landscape Design and Access Plan provides a comprehensive and detailed breakdown of the proposed landscaping and open space provision.

The proposal will deliver multi-functional open spaces which include:

- 1.7ha publicly open space;
- Children's play space
- Doorstep play and communal gardens within the residential areas;
- A healing garden;
- A woodland walk;
- Refurbished ponds and existing areas of grassland to be diversified;
- Enhanced boundaries to the public realm;
- Artists' and Bee Keepers garden;
- Agricultural small holding

As assessed earlier within the report, Officers consider that the provision of new publicly open space is appropriate in terms of its size and consider that the proposed landscaping is of a high quality and will result in highly valued open space for existing and new residents.

#### ***Trees***

There is considerable tree coverage across the site with a number of trees present subject to Tree Preservation Orders (TPO). Trees are also offered protection by virtue of the site's location within a conservation area.

The application is accompanied by an Arboricultural Impact Assessment by Landmark Trees

which has assessed the impacts of the development proposals and the impact on the existing tree stock. The report comments that there are 222 trees on and adjacent to the application site that are within close proximity to the proposals and therefore have been assessed. Of these 222, the report classifies 6 as category A (high quality), 60 as category B (moderate quality), 133 as category C (low quality) and 22 as category U (poor quality). The report discounts 1 specimen with no category due to its small size.

To facilitate the development, it is necessary to remove 32 trees, of which 6 are of moderate quality, 21 of are low quality and 5 are unsuitable for retention regardless of the development. The loss of these trees is considered as being of low impact.

It is identified that the impacts to retained trees primarily arise from the provision of hard surfacing with the Root Protection Areas (RPAs). However, the impacts can be mitigated through the implementation of a no-dig construction methodology. The report identifies that only 4 trees have their RPA encroached by new structures, with all encroachments comprising less than 2% of the respective total area.

The report considers that the replanting scheme will offer considerable mitigation and replace mainly low / poor quality trees.

In conclusion the report finds that the potential impacts are relatively low in terms of both quality of trees removed and also RPA encroachments of trees retained.

The proposal will plant 197 new trees which represents a net increase of 165 new trees, representing a 75%. Overall, the proposal is considered to have limited impact on the existing trees and is considered to be acceptable in arboricultural terms.

## ***Ecology***

The Council's Ecology Consultants have reviewed the submitted Environmental Statement as well as the suite of surveys that have been undertaken. Their comments are as follows:

### *Environmental Statement*

Habitats of Principal Importance will largely be retained and enhanced within the design scheme. These will be enhanced further within the landscaping scheme. Mitigation is proposed for the potential disturbance of bat roosts by lighting, and to minimise impacts on a potential Myotis bat commuting route. Mitigation is also proposed for the loss of breeding bird habitat.

Beyond the mitigation measures that will be required (and secured through planning conditions in relation to the recommendations of the Baseline assessments), the Site has the capacity to further enhance biodiversity through additional landscaping enhancements and the installation of additional nesting and roosting locations for both birds and bats. With careful and appropriate mitigation measures, the development will have no significant impacts on the ecological value of the Site as indicated in the Biodiversity Net Gain Assessment (June 2019), that a positive enhancement can be achieved through a Landscape and Ecological Management Plan which will ensure the correct implementation and management of ecological features at the site. These measures will help to deliver net gains in biodiversity and secure long-term, appropriate management of the ecological features of the site.

### *Preliminary Ecological Appraisal*

This report details further ecology works to be carried out, which were completed and are review below:

### *Daytime Bat Survey (Buildings)*

This report sufficiently assesses impacts to bats as it provides reasoning for classification of total of 36 trees were found to have potential to support roosting bats (two high, 10 moderate and 24 low potential trees). Three of the seven buildings have moderate suitability to support roosting bats which were conducted and reported upon in the Nocturnal Emergence and Dawn Re-entry Survey.

### *Nocturnal Emergence and Dawn Re-entry Survey*

The dusk and dawn surveys (classed in relation to each category under Bat Conservation Trust (BCT) bat survey guidelines) were undertaken following 2016 BCT guidelines. Nocturnal roost surveys were completed at 12 trees and three buildings between 25 July 2017 and 29 August 2017 in accordance with good practice guidelines for bat surveys. This is deemed sufficient to address the likelihood of the site supporting bat roosts.

However, as detailed in Section 6, the nine recommendations relating to bats should be implemented and conditioned especially in the requirements for Development licensees in relation to tree roosts.

### *Great Crested Newt Habitat Suitability Assessment*

The surveys carried out followed suitable methodologies and were sufficiently reported. No Great crested newts were found, and no further surveys or mitigation are required.

### *Reptile Survey*

The surveys carried out followed suitable methodologies and were sufficiently reported. No reptiles were found and no further surveys or mitigation are required.

This report details a thorough list of biodiversity measures that will be included within the proposed development and the measures required to ensure their ecological value is maximised. These measures appear to currently be suggestions to client and must therefore be agreed by the applicant and included in proposed plans for the site as well as included as a planning condition to be implemented on site.

### *Conclusions*

In reviewing the information submitted to date, the Council's Ecologist considers that the reports and surveys adequately address all ecological considerations and recommend a number of conditions to ensure that the proposed mitigation and enhancements measured are secured.

### ***Landscape Management***

As part of the submission, the applicant has submitted a draft Landscape Management Plan which sets out a framework for the long-term landscape management and maintenance of the landscaping and open spaces associated with the proposed development. The objectives of this plan are:

- To ensure the establishment and long-term maintenance of new landscape elements to provide an attractive setting for the residential development whilst respecting its historic setting;
- To maintain all vegetated boundaries;
- To engage the local community in the management of green spaces for its health and wellbeing benefits;
- To maintain the natural play areas (LEAPs and LAPs) for existing and new residents;
- To maintain public access to open spaces, recreation and play;
- To ensure the safety of residents and community visitors;
- To safeguard and enhance the biodiversity of the broadleaved woodland, hedgerows and ponds for local wildlife;
- To enhance public awareness and appreciation of the habitats and associated flora and fauna of the Site; and
- To comply with legal obligations and constraints.

This strategy will be formally required and secured via a separate legal obligation for a period over 25 years.

## **Energy and Sustainability**

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

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve zero carbon on new residential developments post 2016. 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. The Further Draft London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

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 Mayors 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.

An Energy Strategy has been submitted in support of the application. The energy statement outlines a series of measures which will be incorporated into the proposal to improve sustainability and reduce carbon emissions. The Strategy follows the London Plan Energy Hierarchy: Be Lean, Be Clean and Be Green. The overriding objective in the formulation of the strategy is to maximise the reductions in total CO<sub>2</sub> emissions through the application of the hierarchy with a technically appropriate and cost effective approach, and to minimise the

emission of other pollutants. The development will be constructed to comply with Part L 2013 (with 2016 amendments) of the Building Regulations and in line with the London Plan to achieve a minimum of 36% CO2 reduction for the domestic elements and delivers 48% for the non-domestic elements.

In order to achieve zero carbon the developer will need to make a carbon offset contribution to bridge this gap. This has been calculated as a payment of £253,128. The GLA stage 1 response requested further investigation into the use of heat pumps rather than CHP for the apartment blocks. The applicant has considered and assessed a number of options in developing the energy strategy, which included the use of Air Source Heat Pumps (ASHP). However, the analysis found the scale of infrastructure required would have an additional impact on the character and appearance of the conservation area from plant on the roofs of the buildings and additional requirements for plant enclosures outside the envelope of the apartment blocks. As a consequence, a decision was taken to minimise the heritage impact and pursue a strategy based on low carbon, high efficiency, communal gas boilers.

Officers acknowledge that significant consideration and process has been put into the design process to achieve a high standard of design which positively reflects the character and appearance of the conservation area and surrounding area and does not seek to explore elements which would compromise the design. Officers are satisfied that the 35% threshold has been achieved and a zero-carbon development is achieved through a carbon offset payment.

### **Flood Risk / SuDS**

Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does not cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".

The application is accompanied by a Drainage Strategy Report from Vectos. This has been assessed by the Council's appointed drainage specialists who, following the submission of further details, have raised no objection to the development. If permission were granted, a condition securing the submission of a further details of the surface water drainage scheme would be attached.

Comment has been made that the site would be excavated below existing ponds within the grounds of The Whalebones to create parking and hence cause harm to those ponds. The submitted drawings demonstrate that parking areas are not created by excavating the site, rather it is the natural changes in levels which are used to create parking underneath the buildings.

### **Planning Balance**

As stated earlier, after an assessment of the proposed development, Officers find that less than substantial harm will be caused to the designated heritage assets of the WSCA and The Whalebones. In accordance with Barnet policy DM06 and paragraph 196 of the NPPF, the harm should be weighed against the public benefits.

The proposed benefits of the scheme are:

- Provision of 1.7 hectares of new, publicly accessible open space;
- Enhanced biodiversity measures and net increase of 165 new trees;
- Purpose built studio for the existing artists and beekeepers;
- Provision of 152 new homes including 40% affordable housing

In terms of weight attributed to each benefit, this is set out below:

- It is considered that the provision of new public open space in area highlighted as being in deficient of open space should be given substantial weight. This will include a variety of spaces with substantial new planting and ecological improvements. To ensure that the high-quality space is provided and maintained for future use, an open space phasing plan and landscape management strategy will be secure via legal agreement.
- Provision of a new purpose-built community facility for the artists and beekeepers is considered to have moderate weight.
- Significant weight is given towards the provision of new housing within a high quality landscaped and heritage led scheme. The provision of a policy compliant affordable housing scheme in terms of tenure is also considered to be significantly positive for the Borough.

### ***Conclusion of Planning Balance***

For the reasons given in the assessment sections above, it is identified that there would less than substantial harm to the significance of the designated heritages assets by virtue of the proposed development being within its setting and resulting in provision of built form in an area of undeveloped land. Considerable levels of pre-application meetings and community consultation was undertaken prior to the submission of the application which heavily focused on landscape, heritage and design. A detailed submission has been provided in respect to these elements which seeks to appropriately integrate the proposed development within the specific site constraints and the context of the conservation area.

In this case there would be a package of benefits that would arise from the development which have been attributed substantial and moderate weight.

In applying paragraph 196 of the NPPF and Barnet policy DM06 c, it is considered that the package of public benefits is of considerable importance and it would outweigh the harm that would arise through the impact on the setting of the designated heritage assets in this case.

Whilst of limited weight at this stage, the Barnet Reg 18 Local Plan has designated this site as an allocated site for a residential scheme and it is considered that the scale, design, massing and landscaping has been progressed, in conjunction with Officers, as a direct response to the site constraints. The Reg 18 plan proposed 10% mixed uses (community facilities and local green space), whereas the proposal is for over 50% of the site to be devoted to community uses and green space.

Subject to mitigation, measures relating to landscaping, highways, noise, contamination, air quality, transport impacts and sustainability will be secured via S106 obligations and relevant conditions.

## {\b 6. Equality and Diversity Issues}

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

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

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

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- 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 site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

A minimum of 10% of units will be wheelchair adaptable.

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces. Dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

### **Conclusion**

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 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 a Stage 2 referral to the Mayor of London

and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.



**Location** Prospect Ring London N2 8BP

**Reference:** 20/1545/S73

Received: 24th March 2020

Accepted: 9th April 2020

**Ward:** East Finchley

Expiry 9th July 2020

**Applicant:** Ms Marian Helcke

**Proposal:** Variation of condition 1 (Approved Plans) of planning permission 17/6827/FUL dated 23/10/18 for 'Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation.' Variations include alterations to balconies

AGENDA ITEM 8

**Recommendation:** Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

#### RECOMMENDATION I:

That 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 seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Provision of a minimum 50% of the development as affordable rental housing, to be provided in perpetuity, the 50% to be calculated in accordance with Policy DM10 (on the basis of habitable rooms).
4. Other than for registered disabled drivers, a restriction shall be placed on residents of the approved from eligibility to obtaining resident and visitor parking permits for the East Finchley Controlled Parking Zone, with a contribution of £2,000 towards the amendment of Traffic Order to exempt the occupiers of the new residential development from purchasing the CPZ permits.
5. Provision of the Council's costs for reconfiguration and realignment of Prospect

Ring.

6. Provision of Travel Plan including monitoring contributions of £5000 and £7500 towards Travel Plan Incentives in accordance with the Planning Obligations SPD.

7. Provision of a long-term landscape management plan.

8. Meeting the Council's costs of monitoring the planning obligation (£3000).

#### RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control:

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

BPTW-ZZ-XX-DR-A-0104 Revision: CO1 Location plan  
(Proposed) Site Plan: Job No C3571 Dwg No 01 Rev E (produced by IDP, dated Oct 2018)

BPTW-ZZ-ZZ-DR-A-0107 Revision: CO1 Demolition plan  
(Proposed) Ground Floor Plan: Job No C3571 Dwg No 03 Rev R (produced by IDP, dated Oct 2018)

(Proposed) 1st Floor Plan: Job No C3571 Dwg No 04 Rev P (produced by IDP, dated Oct 2018)

(Proposed) 2nd Floor Plan: Job No C3571 Dwg No 05 Rev O (produced by IDP, dated Oct 2018)

(Proposed) 3rd Floor Plan: Job No C3571 Dwg No 06 Rev K (produced by IDP, dated Oct 2018)

(Proposed) 4th Floor Plan: Job No C3571 Dwg No 07 Rev K (produced by IDP, dated Oct 2018)

(Proposed) 5th Floor Plan: Job No C3571 Dwg No 08 Rev K (produced by IDP, dated Oct 2018)

(Proposed) 6th Floor Plan: Job No C3571 Dwg No 09 Rev K (produced by IDP, dated Oct 2018)

(Proposed) 7th Floor Plan: Job No C3571 Dwg No 10 Rev K (produced by IDP, dated Oct 2018)

(Proposed) 8th Floor Plan: Job No C3571 Dwg No 11 Rev K (produced by IDP, dated Oct 2018)

(Proposed) 9th Floor Plan: Job No C3571 Dwg No 12 Rev K (produced by IDP, dated Oct 2018)

(Proposed) 10th Floor Plan: Job No C3571 Dwg No 13 Rev K (produced by IDP, dated Oct 2018)

(Proposed) 11th Floor Plan: Job No C3571 Dwg No 14 Rev K (produced by IDP, dated Oct 2018)

(Proposed) 12th Floor Plan: Job No C3571 Dwg No 15 Rev M (produced by IDP, dated Oct 2018)

(Proposed) Roof Plan: Job No C3571 Dwg No 16 Rev J (produced by IDP, dated Oct 2018)

(Proposed) Elevation sheet 1: Job No C3571 Dwg No 20 J (Produced by IDP, dated

Nov 2018)

(Proposed) Elevations Sheet 2: Job No C3571 Dwg No 21 Rev J (produced by IDP, dated Nov 2018)

(Proposed) Section AA sheet 1: Job No C3571 Dwg No 17 Rev F (produced by IDP, dated Oct 2018)

(Proposed) Section AA sheet 2: Job No C3571 Dwg No 18 Rev H (produced by IDP, dated Oct 2018)

(Proposed) Section BB: Job No C3571 Dwg No 19 Rev C (produced by IDP, dated Oct 2018)

LBB-SMP-200\_HTA\_L\_xx-xx\_DR\_2900 Revision: F Landscape GA plan

Type 1 metal balustrade (3rd-12th floor) Dwg No 5067\_001\_A

Email regarding colour of balustrades dated 10 July from Mr. Ajay Kambo

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 the planning permission reference 17/6827/FUL, decision dated 23 October 2018.

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

3 The development shall be implemented in accordance with the measures detailed within the 'Demolition & Construction Method Statement' and Logistics Plan as approved under 18/6508/CON, decision dated 24 December 2018.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.21 of the London Plan (2016).

4 a) The development shall be implemented in accordance with the measures approved under 18/6508/CON, decision dated 24 December 2018, regarding land contamination and remediation.

b) 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 prior to occupation of the relevant part of the site.

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 2016.

5 The development shall be implemented and retained in accordance with the drawings and other details as approved under 20/0484/CON, decision dated 08 June 2020.

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 2016.

6 The development shall be carried out in all respects in accordance with the design and method statements as approved under 19/3239/CON, decision dated 22 July 2019, and all structures and works comprised within the development which are required by the approved design statements in order to procure the matters required by this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2016 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

7 The development shall be implemented in accordance with the measures detailed within the Written Scheme of Investigation for an Archaeological Evaluation Version 2 (produced by Pre-Construct Archaeology Ltd dated 24th September 2018) as approved under 18/6508/CON, decision dated 24 December 2018.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2016.

8 The development hereby approved shall only be carried out after a stopping up order has been made.

Reason: To ensure that adequate public access is provided throughout the development.

9 The development shall be implemented in accordance with the levels details as approved under 19/2658/CON, decision dated 24 June 2019, 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 2016.

10 The extraction and ventilation details and mitigation measures as approved under 19/3859/CON, decision dated 20 August 2019, 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 October 2016) and Policy 7.15 of the London Plan 2016.

11 Vegetation removal and any mitigation measures shall be implemented in full in accordance with the details approved under 19/0408/CON, decision dated 25 February 2019.

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 October 2016).

12 All tree felling and pruning works shall be carried out in full accordance with the approved specifications under 18/6508/CON, decision dated 24 December 2018, 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 2016.

13 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 18/6508/CON, decision dated 24 December 2018, 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 18/6508/CON, decision dated 24 December 2018.

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 2016.

14 The development shall be implemented in accordance with service excavation details approved under 19/3240/CON, decision dated 22 July 2019.

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 2016.

15 The development shall thereafter be implemented in accordance with the details of the materials as approved under 19/0494/CON, decision dated 05 March 2019, excluding any details of materials which are superseded by this planning permission in Condition 1 of this consent.

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 2016.

16 The development shall then be implemented in full accordance with the details as approved under 19/2671/CON, decision dated 16 September 2019, prior to the first occupation of the development, and shall be retained as such.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

17 The development shall be implemented in full accordance with the details as approved under 19/1187/CON, decision dated 16 August 2019, prior to the first occupation and retained as such thereafter.

Reason: To ensure that the development ensure that any microclimatic impacts will be properly mitigated, in accordance with Policy CS5 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM05 of the Development Management Policies DPD (adopted September 2012), and Policy 7.7 of the London Plan 2016.

18 The development shall be implemented in full accordance with the details as approved under 19/1187/CON, decision dated 16 August 2019, prior to the first occupation and retained as such thereafter.

Reason: To ensure that the proposal provides for satisfactory living conditions for future occupiers and sustainable construction objectives.

19 The development shall be implemented in accordance with the details approved under 19/2660/CON, decision dated 24 June 2019, prior to the first occupation of the development, and shall be retained and maintained as such for the lifetime of the development.

Reason: To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems); and to ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development.

20 The highways and car parking layout and the access to the parking spaces shall be provided in accordance with the details approved under 19/2659/CON, decision dated 31 July 2019, prior to the first occupation of the development, and the parking spaces shall be used for parking of motorised vehicles and not for any purpose.

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 London Borough of Barnet's Local Plan Policy CS9 of Core Strategy 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

21 Prior to occupation of the development, full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than five of the approved residential parking spaces to be provided with active electric vehicle

charging facilities and five passive electrical 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.

22 Prior to the occupation of the development, cycle parking spaces shall be provided in accordance with details that have first been submitted and approved in writing by the Local Planning Authority. The details shall comply with London Plan cycle parking standards, and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: To ensure and promote easier access for disabled persons to the approved building in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy 2012 and Policy DM17 of Development Management Policies 2012 which in turn refers to London Plan Parking Standards.

23 The development shall not be occupied until the approved disabled parking spaces have been provided and clearly marked with a British Standard disabled symbol. The disabled parking spaces shall then be permanently retained for the use of disabled persons and their vehicles and for no other purpose.

Reason: To ensure and promote easier access for disabled persons to the approved building 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.

24 Prior to the occupation of the development, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. location and layout of car parking spaces,
- ii. The allocation of car parking spaces;
- iii. On-site parking controls and charges;
- iv. The enforcement of unauthorised parking; and
- v. disabled parking spaces.
- vi. Locations of active and passive Electric Vehicle Charging Points and the monitoring of Electrical Vehicle Charging Points, including when additional spaces are required to be brought into operation.

The Car Parking Management Plan shall thereafter be implemented in accordance with the approved details immediately following the first occupation of the development hereby approved. The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The parking management plan shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure that parking is provided and managed in line with the Council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy 2012 and Policy DM17 of Development Management Policies 2012.

25 The level of noise emitted from new plant including the proposed mechanical ventilation 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.

26 The mitigation measures submitted under the report submitted by Cass Allen, Architectural & Environmental Acousticians Noise and Vibration Engineers. RP01 16119 shall be implemented in their entirety before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.15 of the London Plan 2016.

27 The development shall not be occupied until a Fire Risk Analysis that shall demonstrate the safety of future occupiers including provision for all parts of the building to have been fitted with a fire sprinkler system has been submitted to and approved in writing by the Local Planning Authority. The approved fire alarm and control systems shall then be retained and maintained in accordance with the approved details for the lifetime of the development.

Reason: To ensure that the safety of future occupiers of the development.

28 All work comprised in the scheme of landscaping approved under 19/1961/CON, decision dated 30 September 2019, shall have been completed 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.

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 October 2016) and 7.21 of the London Plan 2016.

29 a) Prior to the occupation of the development, a Landscape Management Plan 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, provision for on-site food growing, 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 2016.

30 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016), the Planning Obligations SPD (adopted October 2016), Policy 3.6 of the London Plan 2016 and the Mayor of London's Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance.

31 a) Prior to the first occupation of the development, all boundary treatment and any gates shall be installed / erected in accordance with details of appearance and materials that have first been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the approved details and maintained as such for the lifetime of the development.

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 2016.

32 The development shall thereafter be implemented in accordance with the light details as approved under 20/2776/CON, decision dated 10 August 2020, and retained as such for the lifetime of the development.

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 2016.

33 Prior to the first occupation of any building within the development it shall have been constructed to have 100% of the water supplied to it by the mains water infrastructure provided through a water meter or water meters and each new flat 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.

34 No building within the development shall be occupied until the details of the electronically controlled access for that building approved under 20/0484/CON, decision dated 08 June 2020, have been implemented on site.

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 2016 and advice in the Mayor's Housing SPG.

35 Neither building within the development shall be occupied until the identified wheelchair units in that building have been constructed to meet and achieve all the relevant criteria of Part M4(3) 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 until the remaining units within the building have all been constructed to meet and achieve all the relevant criteria of Part M4(2) of the abovementioned regulations. The development shall be maintained as such for the lifetime of the development.

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.

### RECOMMENDATION III:

1 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 31.12.2020, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

1. The proposed development does not include a formal undertaking to secure a long-term landscape management plan. The proposal would therefore not address the impacts of the development, contrary to Policy DM01 of the Adopted Development Management Policies DPD.

2. The proposed development does not include a formal undertaking to mitigate the highways impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to Policy CS9 of the Adopted Core Strategy and Policy DM17 of the Adopted Development Management Policies DPD.

3. The proposed development does not include a formal undertaking to secure a minimum 50% of the development as affordable rental housing, to be provided in perpetuity. The proposal would therefore fail to comply with Policy CS4 of Barnet's Core Strategy DPD (2012); Policy DM11 of Barnet's Development Management Policies Document DPD (2012), and the Barnet Affordable Housing SPD (2017).

### **Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the

Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which is also available from the Planning Portal website.

The CIL 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

3 The Written Scheme of Archaeological Investigation (WSI) will need to be prepared

and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

It is envisaged that the archaeological fieldwork would comprise the following:

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted. The evaluation will aim to clarify the nature and extent of survival of any archaeological remains. It will aim to identify if further archaeological mitigation is required, and if so, what scope would be the most appropriate. Further information on archaeology and planning in Greater London including Archaeological Priority Areas is available on the Historic England website.

- 4 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
  - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
  - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
  - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
  - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
  - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.
- Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.
- 5 The Environmental Health Officer advises that the Construction Method Statement shall include as a minimum details of:
- Site hoarding
  - Wheel washing
  - Dust suppression methods and kit to be used
  - Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
  - For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999. Proof within the contractor's specification that all NRMM will be registered on the local government website
  - Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.

- A copy of an asbestos survey for smaller developments confirmation that a survey has been carried out.
- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.

- 6 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and Industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 7 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; tall plant: scaffolding: security; boundary treatment; safety barriers; landscaping and lighting.

- 8 All non road mobile machinery of net power of 37kw and up and including 560kw used during the course of demolition, site preparation and construction phases shall comply with the emissions 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.

## **Officer's Assessment**

### **1. Site Description**

The Prospect Ring estate comprises a group of two, three and eleven storey buildings located between the Northern Line and East Finchley Town Centre.

It includes the following properties, which are grouped around a central green:

- 1 - 12 Prospect Ring is a three storey building on the estate's eastern side, orientated to the north-west.
- Numbers 13-56 are an eleven storey tower block, which is the southernmost of the buildings on the estate.
- Numbers 57-60 are a terrace of four dwellings located on the south-western side of the estate (since demolished as part of the approved development subject to this application)
- Numbers 61-104 are the second eleven storey tower block, on the north-west side of the estate.

-21-31 Market Place also forms part of the estate although as the address infers, its main frontage is to Market Place rather than to Prospect Ring.

The height of the two existing, eleven storey buildings on the estate is approximately 28.65m.

The northern estate boundaries are formed by the more recent Ash Tree Court development and the early 20th century Post Office complex. The Holy Trinity Primary School and Nursery abuts the site to the north-west, and the Northern Line forms the site's south-western boundary. The rear boundaries of residential properties at East End Road form the eastern site boundary.

Car parking within the site is largely to the rear of the existing building. There is also some car parking on what appears to have been part of the central green, and on the estate road itself.

Nearby, Kitchener Road and the section of Market Place to the south-east of the junction with Prospect Ring feature Victorian/Edwardian terraces; the north-western end of Market Place is of a mixed character including Ash Tree and Elm Tree Courts and with further c20th housing to the north.

North End Road is of more mixed character, although consistently two storeys in scale, whilst - to the south of the Northern Line - Prospect Place and Oakview Gardens are late twentieth century developments.

The designated East Finchley Town Centre and TfL station are located some 200m and 400m respectively to the east of the site.

The application site is not located within a designated conservation area and nor does it contain a statutory listed building.

## **2. Site History**

Reference: 17/6827/FUL

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved following legal agreement

Decision Date: 26 October 2018

Description: Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation

Reference: 18/6508/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Split Decision

Decision Date: 24 December 2018

Description: Submission of details of Conditions 3a (Demolition and Construction Method Statement), 4 (Part 1 - Desktop Study), 7 (Archaeological Investigation), 11 (Biodiversity strategy), 12a (Tree felling/pruning), 13a (Tree protection plan) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 18/6509/NMA

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 20 November 2018

Description: Non material amendment to planning permission 17/6827/FUL dated 23/10/18 for `Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation. Amendments include change wording of Condition 8 original wording "Prior to the commencement of the development hereby approved", proposed wording "Prior to the first occupation of the development hereby approved". Condition 14 original wording "No development shall take place until" proposed wording " Works to superstructure shall not be commenced until" (AMENDED DESCRIPTION)

Reference: 18/7513/NMA

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 4 January 2019

Description: Non material amendent to planning permission 17/6827/FUL dated 23/12/18 for `Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation.` Amendment to wording of condition 1 to reflect elevational changes to window reveals and brick infills.

Reference: 19/0408/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 25 February 2019

Description: Submission of details of Condition 11 (Biodiversity) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/0494/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 5 March 2019

Description: Submission of details of Condition 15 (External Materials) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/1187/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 16 August 2019

Description: Submission of details of Conditions 17a (Microclimate) and 18 (Temperature Levels) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/1755/S73

Address: 1 Prospect Ring, London, N2 8BP

Decision: Withdrawn

Decision Date: 22 May 2019

Description: Variation of condition 1 (Approved Plans) of planning permission reference 17/6827/FUL dated 23/10/2018 for "Demolition of existing property nos. 57 - 60 and garages

and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation". Variation to the ground floor plant room and meter room with variation to the associated elevations and access

Reference: 19/2658/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 24 June 2019

Description: Submission of details of Condition 9a (Levels) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/2659/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 31 July 2019

Description: Submission of details of Condition 22 (Highways/Parking Layout) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/2660/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 24 June 2019

Description: Submission of details of Condition 21a (Surface Water Drainage) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/2671/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 16 September 2019

Description: Submission of details of Condition 16a (Refuse/Recycling) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/2704/S73

Address: 1 Prospect Ring, London, N2 8BP

Decision: Withdrawn

Decision Date: 22 May 2019

Description: Removal of condition 27 (substation design study) of planning permission 17/6827/FUL dated 23/10/2018 for 'Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation'. Removal of condition as substation is now moved away from proposed accommodation

Reference: 19/2958/NMA

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 12 June 2019

Description: Non-material amendment to planning permission 17/6827/FUL dated 23/10/2018 for 'Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking,

refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation'. Amendments include removal of condition 27

Reference: 19/2959/NMA

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 12 June 2019

Description: Non-material amendment to planning permission 17/6827/FUL dated 23/10/2018 for 'Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation'. Amendments to include changes to external doors and internal configuration of plant room

Reference: 19/3239/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 22 July 201

Description: Submission of details of Condition 6 (Design and Methods Statements) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/3240/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 22 July 2019

Description: Submission of details of Condition 14a (Service Excavations) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/3859/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 20 August 2019

Description: Submission of details of Condition 10 (Extraction and Ventilation) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/3860/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Withdrawn

Decision Date: 1 October 2019

Description: Submission of details of Condition 19a (Climate Screening) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 19/5904/NMA

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 21 November 2019

Description: Non-material amendments to planning permission reference 17/6827/FUL dated 23/10/2019 for 'Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of

electricity substation'. Amendments to include, removal of Condition 19 (Modelling and Design Work details)

Reference: 20/0450/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Submission of details of Conditions 23 (Vehicle Charging Points) 24 (Cycle Parking) 33a and b (Landscape Management Plan) 35a (Boundary Treatment) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 20/0484/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 8 June 2020

Description: Submission of details of Conditions 5 (Revised Plans) and 38 (Access) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 20/2776/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 10 August 2020

Description: Submission of details of Condition 36 (appearance and luminance of the proposed lighting), pursuant to planning permission 17/6827/FUL dated 23/10/2018

Reference: 20/3460/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Approved

Decision Date: 8 September 2020

Description: Submission of details of condition 8 (Highway stopping up) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 20/3461/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Submission of details of condition 26 (Car parking management plan) pursuant to planning permission 17/6827/FUL dated 23/10/18

Reference: 20/3462/CON

Address: 1 Prospect Ring, London, N2 8BP

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Submission of details of condition 31 (Fire risk analysis) pursuant to planning permission 17/6827/FUL dated 23/10/18

### **3. Proposal**

The applicant has made an application under section 73 of the Town and Country Planning Act 1990 to vary/remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied.

Under this application the applicant seeks to vary Condition 1 (approved plans) pursuant to planning permission reference 17/6827/FUL, decision dated 23/10/18, which granted consent for 'Demolition of existing property nos. 57 - 60 and garages and redevelopment to provide a 13-storey building comprising 50 dwellings, associated car and cycle parking, refuse and recycling storage, childrens playspace, and landscaping and rearrangement of existing car parking across the wider Prospect Ring estate. Relocation of electricity substation.'

The variations include alterations to the balconies. The changes are limited to a change from glazed balcony guarding to perforated metal guarding.

The submitted Planning Statement accompanying the application stated the following justification for the proposed amendment:

"Following the change in the Building Regulations Approved Document B, 2018, following the Grenfell fire there are no suitable laminated or toughened glazed guarding for balconies to buildings over 18'ms tall that can comply with the new regulations.

After extensive negotiations with Mr Giles Burton (Senior Building Control Surveyor, London Borough of Barnet), and Mr Jack Humphreys, (Major Project Manager, NHBC Technical Operations) it was confirmed that we had to change to a permanent, non-combustible guarding, and as laminated glass has a thin layer of adhesive within it, it is not deemed as non-combustible, and toughened glass is not suitable for guarding, unless a secondary metal railing is behind/in front of it, as glazed units have been known to shatter we are proposing the change to the perforated metal guarding, powder coated to a suitable colour."

The agent has confirmed the colour would be RAL 7024, which is a grey colour (email dated 10 July from Mr. Ajay Kambo).

By way of this proposed amendment it would also vary the details of the previously approved external materials (application reference: 19/0494/CON, decision dated: 05 March 2019, which approved the submission of details of condition 15 (External Materials) pursuant to the original planning permission reference 17/6827/FUL, decision dated 23/10/18).

#### **4. Public Consultation**

A site notice was posted on 30 April 2020.

A press notice was printed on 21 April 2020.

Consultation letters were sent to 975 neighbouring properties.

3 responses have been received, comprising 1 letter of objection and 2 letters of comment.

The representations received can be summarised as follows:

- Having looked at the plans, the neighbour has expressed that they relieved that the balcony materials are under review, changing from glazed to a painted metal. The neighbour is not sure how much heat from sun the balcony will be under but is concerned that small children may be exposed to very hot metal.

- It would be attractive to have built-in planters on the balcony for growing vegetables, herbs, and plants. Loose plant pots can be very dangerous if they fall.

- Most of the bathrooms have baths, not showers and therefore not conserving water as we are recommended to do by the water companies.
- There should be separate single rooms for the children of families (for instance if a family are two adults and two children and when the children are of separate genders)
- The neighbour sought confirmation if there will be any underground parking. The neighbour has concerns of parking pressures on the surrounding roads as a result from the proposed residential units under this application.

The objection received can be summarised as follows:

- Critique of the building and the fact that three tall buildings are sited close to one another

#### External consultees:

Greater London Authority (GLA): "I have assessed the details of the application and, given the scale and nature of the proposals, which pertains to alterations to the material of the balconies, conclude that the amendments do not give rise to any new strategic planning issues. Therefore, under article 5(2) of the above Order the Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA."

Transport for London (TfL) Spatial Planning team: no comments to make

Transport for London (TfL) Infrastructure Protection: "I can confirm that the planning applicant is in communication with London Underground engineers with regard to the development above. Therefore, we have no comment to make on the application except that the developer should continue to work with LU engineers."

London Fire Brigade: "The Commissioner is satisfied with the proposals"

Metropolitan Police Service - Design out Crime (DoC) Officer: With balcony guards, it is recommended that these are visually permeable in order to increase natural surveillance from the unit out onto the public realm. I would be happy if balcony guards could support this, whether glazed or metalwork.

The DoC officer also raised comment with access to the building, however these matters have already been addressed in the delegated report for the approved 20/0484/CON (condition 5 (Revised Plans) and 38 (Access)), decision dated 08 June 2020, and were considered satisfactory to discharge by the local planning authority.

#### Internal consultees:

Highways Authority: "The proposed changes do not appear to have an impact on the surrounding public highway, I therefore have no objection on highways grounds."

Environmental Health officer: "Having reviewed the original advice given by Environmental Health officer at the time of the application the response remains the same. I see no major changes within the variations with the regard the environmental aspects of the site."

Drainage Officer: no comments to make

## 5. Planning Considerations

### 5.1 Policy Context

#### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

#### The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

#### Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

## Supplementary Planning Documents

### Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

### Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether the proposed amendments are considered 'minor material amendments' and fall within the ambit of Section 73 the Town and Country Planning Act 1990
- Whether the proposed amendments are in accordance with development plan policy

## **5.3 Assessment of proposals**

Planning Practice Guidance states that an application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied [Paragraph: 013 Reference ID: 17a-013-20140306].

PPG advises that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved [Paragraph: 017 Reference ID: 17a-017-20140306].

The PPG further states that it would not be appropriate to amend conditions in circumstances where the resulting modifications are fundamental or substantial [Paragraph: 001 Reference ID: 17a-001-20140306], and that section 73 cannot be used to change the description of the development [Paragraph: 014 Reference ID: 17a-014-20140306].

The proposed alteration is limited to a change from glazed balcony guarding to perforated metal guarding. It is considered that the scale and/or nature of the proposed amendment would result in a development which is not substantially different from the one which has been approved. It would not change the description of development either. As such, the proposed change can be considered as a minor material amendment under section 73 of the Act.

The second test is whether the proposed minor material amendment is acceptable in terms of development plan policy.

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The application proposes to change glazed balcony guarding on the balconies to perforated metal guarding. The building is currently being constructed on site, at the time of writing this report.

The reasoning for the proposed amendment is due to the applicant's requirement to satisfy changes to Building Regulations regarding fire safety.

The Building Control officer has stated that laminated glass has not been satisfactorily fire tested and toughened glass by itself is unsuitable due to a lack of guarding if breakage occurs.

Railings have been discounted as an option, from a microclimate perspective. This is because the perforated panels will be largely solid, and solid panels will provide better protection for residents on their balconies in windy conditions than a railing balustrade would (which is why glass guarding was originally proposed). Railings would decrease the comfort conditions, with the risk that top floor balconies achieve microclimate conditions unsuitable for sitting or standing. Railings would also increase local wind velocities on the lower floors. The applicant's microclimate assessor concludes that perforated panels are more effective windbreakers. They reduce turbulence and offer rain deflection and constitute a valid alternative to solid elements.

Heavier structures on the balconies (such as a brick panels, brick slip carrier system or combined systems) have also been discounted by the applicant as they would result in unacceptable over-stress the structure at the edge of the balconies from the additional loadings.

The applicant states that other than the perforated metal sheet (proposed), they have not found any viable alternative solutions while reviewing. The perforated panel proposed is the only solution that is both compliant with Part B and the microclimate assessment and is also light weight enough not to over-stress the structure at the edge of the balconies. The perforation of the panels would replicate the transparency of the glass as it provides a better finish than just a solid sheet which would easily show dents and the 20/25% perforation on the screen would likely to lead to identical microclimate conditions as the original proposed glass screens.

Planning Officers acknowledge that the proposed perforated metal guarding would be limited to only two elevations- on the east elevation and the west elevation. Furthermore, the east elevation faces the railway line.

It is also noted that there are solid panels present on the projecting balconies of the two neighbouring buildings (Numbers 13-56 Prospect Ring and Numbers 61-104 Prospect Ring), which the proposed balustrades would be seen in the context of. The applicant has produced an updated CGI to reflect the change in balustrade material which demonstrates this.

Considering the abovementioned factors (which include: the context of the site and the location of the proposed balustrades; the alternative options that have been considered by the applicant; design and structural constraints and the applicant's need to meet Building Regulation, fire safety and microclimate standards) the proposed change to perforated metal guarding is, on balance, deemed acceptable.

#### **5.4 Response to Public Consultation**

Representations:

- Having looked at the plans, the neighbour has expressed that they relieved that the balcony materials are under review, changing from glazed to a painted metal. The neighbour is not sure how much heat from sun the balcony will be under but is concerned that small children may be exposed to very hot metal.

The agent has responded stating:

"Powder coated aluminium (which is the material/ finish of this balustrade) is very resilient in extreme weather conditions. So much so, that it is actually a very popular material for garden furniture. The powder coating itself essentially insulates the aluminium (although only slightly) as it interferes with and slows the heat transfer to the metal.

With regards to these balcony screens, apart from those on the ground and first floors (which won't be exposed to much sunlight due to obstacles a low level) are either East or West facing so will only be exposed to direct sunlight as the sun is either rising or setting. In the peak of summer when the sun is at it's hottest (and highest in the sky) the building will partially block the sun from directly hitting the face of the panels helping to control the temperature (overshadowing assessment attached). In addition, the screen itself is perforated which will allow for continuous airflow through and around the balcony balustrade which will also help to control the surface temperature of the panels.

For these reasons we do not foresee the balustrading being able to rise to a harmful temperature."

- It would be attractive to have built-in planters on the balcony for growing vegetables, herbs, and plants. Loose plant pots can be very dangerous if they fall.

The Landscape Management Plan requires submission of details for the provision for on-site food growing. These proposals to the balcony screening do not include built-in planters but their absence would not constitute a reason for refusal.

- Most of the bathrooms have baths, not showers and therefore not conserving water as we are recommended to do by the water companies.

The parent permission (application reference 17/6827/FUL, decision dated 23/10/18) attached a condition requiring the implementation of water saving and efficiency measures which comply with Building Regulations, in accordance with the requirements of the London Plan and Local Plan (Condition 37).

- There should be separate single rooms for the children of families (for instance if a family are two adults and two children and when the children are of separate genders)

This would not constitute a reason for refusal in this instance.

- The neighbour sought confirmation if there will be any underground parking. The neighbour has concerns of parking pressures on the surrounding roads as a result from the proposed residential units under this application.

Under the parent permission, car parking for new residents would be provided on the north side and rear of the building, and two car club spaces would also be provided here. The highways and parking impacts of the proposed development was assessed and considered under the parent permission. It would not constitute a reason for refusal for this planning application.

- Critique of the building and the fact that three tall buildings are sited close to one another

The merits of the proposed development were assessed and considered under the parent permission

## **6. Equality and Diversity Issues**

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## **7. Conclusion**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed change to metal perforated guarding is considered a minor material amendments in accordance with section 73 of the Act and is deemed acceptable.



## Planning Committee

13<sup>th</sup> October 2020



<b>Title</b>	<b>Re-designation of West Finchley Neighbourhood Plan Area and Forum</b>
<b>Report of</b>	Deputy Chief Executive
<b>Wards</b>	West Finchley
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	Appendix 1: Application for WFNP Area Appendix 2: Application for WFNP Forum Appendix 3: West Finchley Neighbourhood Forum Constitution Appendix 4: Responses and Representations Report
<b>Officer Contact Details</b>	Nick Lynch – Planning Policy Manager 0208 359 4211 <a href="mailto:nick.lynch@barnet.gov.uk">nick.lynch@barnet.gov.uk</a>

### Summary

This report seeks a decision on the re-designation of the West Finchley Neighbourhood Plan Area and Forum. Under the Localism Act the West Finchley Neighbourhood Forum and Area was initially designated in November 2015 for a period of five years. The specific remit for the Forum was to produce and finalise a Neighbourhood Development Plan within that period. The West Finchley Neighbourhood Plan has undergone examination and has been recommended to proceed to referendum. Due to Covid-19 restrictions, referendums are unable to take place before May 2021, therefore, the West Finchley Neighbourhood Forum has had to apply for re-designation to continue the process.

The Neighbourhood Plan Regulations require that for designation or re-designation the group must satisfy the Council that it has met a statutory set of basic conditions including membership, constitution and an express purpose of promoting well-being in the

neighbourhood area. The application for re-designation has been subject to a six-week period of publicity. This has generated a largely supportive response from residents and local groups.

## **Officers Recommendations**

### **1. That the Committee:**

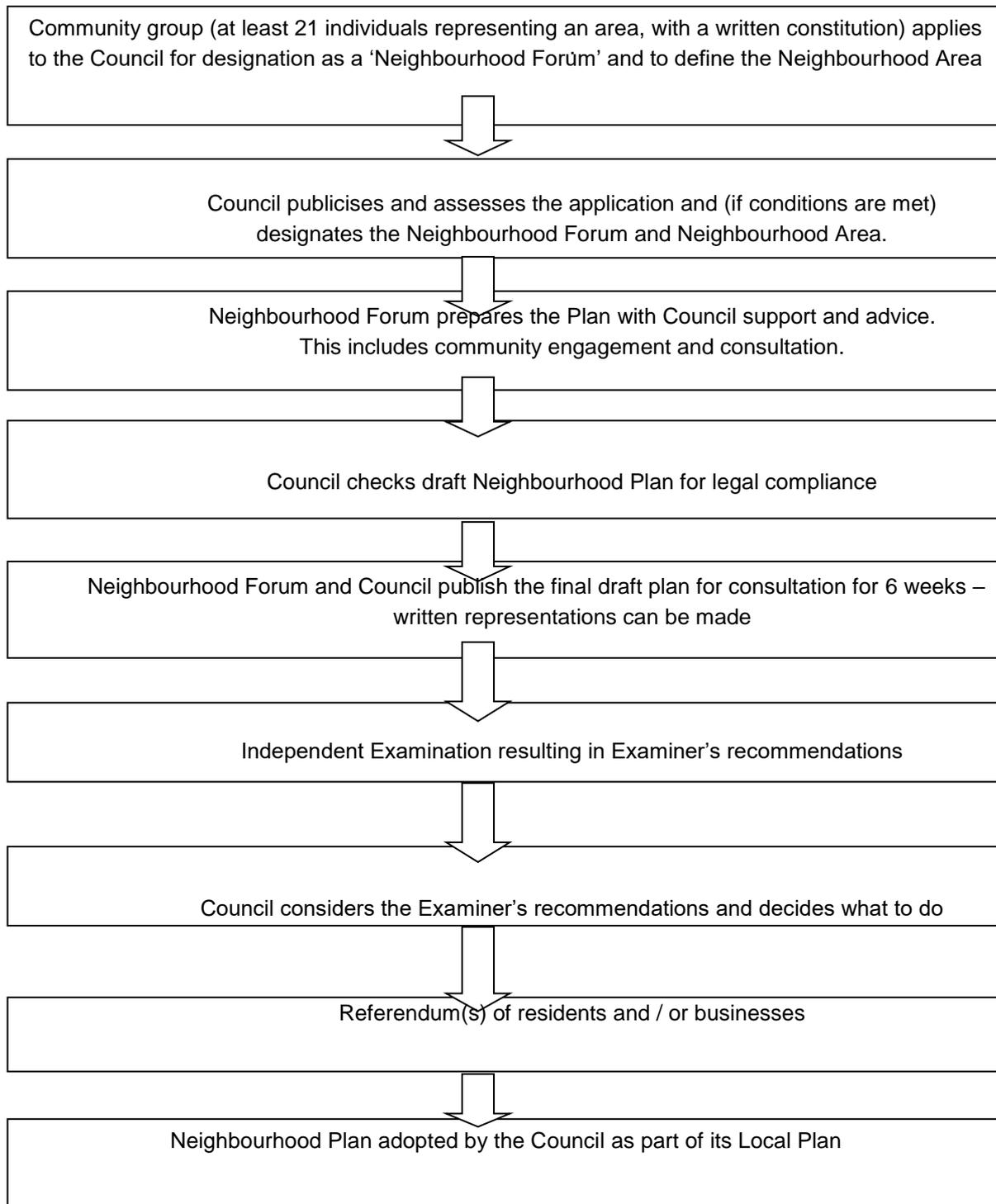
- a) Note the responses (as set out in Appendix 4) to the application for the re-designation of the West Finchley Neighbourhood Plan Area and Forum;**
- b) Note the content of the West Finchley Neighbourhood Forum Constitution;**
- c) Approve the re-designation of the West Finchley Neighbourhood Plan Area as shown edged black in Appendix 1 for the reason set out in this report;**
- d) Approve the re-designation of the West Finchley Neighbourhood Plan Forum as set out in Appendix 2 for the reason set out in this report.**

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 The Localism Act 2011 introduced a new right for communities in England to undertake Neighbourhood Planning. The 2011 Act places duties on local planning authorities to support the preparation of Neighbourhood Development Plans.
- 1.2 Neighbourhood Development Plans are statutory planning documents which are prepared by a Parish Council, a community group or an organisation or body known as a "Neighbourhood Forum". To be designated a neighbourhood forum, the organisation or body should be inclusive and must be made up of a minimum of 21 people who live or work in the area or are elected local authority councillors in the area.
- 1.3 Neighbourhood Development Plans can establish general planning policies for the development and use of land in a neighbourhood, setting a vision for the future of the area and addressing issues such as the type, design, location and mix of new development. Plans can be detailed, or general, depending on what local people want; and, if appropriate, they can focus on a single planning issue.
- 1.4 Neighbourhood Development Plans must support growth and should not be used to block development. They must be in general conformity with the strategic policies in the existing development plan (in Barnet this consists of the Local Plan 2012 and the London Plan 2016). They must also comply with other relevant legislation, including EU directives and the Human Rights Act 1998.
- 1.5 A summary of the process of Neighbourhood Forum designation and Neighbourhood Development Plan preparation is included in Table 1. It is generally expected on current country wide experience that the adoption of a Neighbourhood Development Plan should

be completed within the initial five-year designation period. Due to COVID-19 restrictions on public referendums this cannot take place before May 2021.

**Table 1: Summary of the Neighbourhood Development Plan preparation process**



- 1.6 The West Finchley Neighbourhood Plan Area and Forum were designated back in November 2015. The Forum has progressed their Plan through an independent examination. The Council has agreed with the Examiners recommendations and published a Decision Statement which agrees that the West Finchley Neighbourhood Plan proceeds to a confirmatory referendum to take place not before May 2021. Neighbourhood Forum designations expire after 5 years therefore West Finchley Neighbourhood Forum have had to apply to renew for a further 5 years. Due to restrictions from Covid-19, referendums are not allowed to take place before May 2021 which is the reason for the Forum having to apply for re-designation.
- 1.7 The intention of the Forum to renew their status as a ‘Qualifying Body’ (ie. Neighbourhood Forum) and their associated Neighbourhood Area was publicised by the Council from 7<sup>th</sup> August to 18<sup>th</sup> September 2020.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 In accordance with requirements of the Neighbourhood Planning Regulations 2012 and Section 61(G) and (F) of the 1990 Town and Country Planning Act, the West Finchley Neighbourhood Forum has submitted its application for Neighbourhood Area and Forum re-designation.
- 2.2 In accordance with the Localism Act the Council has a duty to support Neighbourhood Planning in terms of the following:
- Designation of Neighbourhood Areas and Forums
  - Advising and supporting Neighbourhood Forums in production of Plans
  - Publicise Neighbourhood Development Plan proposals
  - Arrange for independent examination
  - Arrange referendums on the Neighbourhood Development Plan
  - Adopt Neighbourhood Development Plans, where all requirements have been met.

### **West Finchley Neighbourhood Development Plan Applications**

- 2.3 The WFNP Area application (Appendix 1) forms part of the West Finchley ward and reflects the boundaries of the West Finchley Residents Association. There have been no changes to the boundaries in this application for re-designation.
- 2.4 In accordance with conditions contained in section 61F(5c) of the 1990 Act membership of the Forum must include a minimum of 21 individuals each of whom—
- (i) lives in the neighbourhood area concerned,
  - (ii) works there (whether for a business carried on there or otherwise), or
  - (iii) is an elected member of a London borough whose area falls within the neighbourhood area concerned.
- 2.5 The WFNP Forum Committee comprises 30 representatives of local businesses, residents and Councillors across WFNP Area (see Appendix 2).

### **Publicity on the applications for Area and Forum re-designation**

- 2.6 Regulation 9 of the Neighbourhood Planning Regulations requires applications to be published on the council's website and in other such manner likely to bring the application to the attention of people living, working or carrying out business in the area.
- 2.7 The renewal application can only be approved if it meets all its basic conditions including membership, constitution, an express purpose of promoting well-being in the neighbourhood area and it complies with the statutory requirements as set out in the Neighbourhood Planning (General) Regulations 2012.
- 2.8 Responses generated from the West Finchley Neighbourhood Area and Forum re-designation applications publicity are set out in Appendix 4. Feedback consisted of 57 representations of which 54 supported the re-designation; 1 objected. The remaining 2 responses were from statutory bodies with no objections to re designation.
- 2.9 Support came from residents of West Finchley, the Federation of Residents Associations in Barnet (FORAB), the Finchley Society and members of the West Finchley ward. Supportive comments praised the Forum successfully representing the views of local residents over the last 5 years and the great deal of work that has been done to get the Neighbourhood Plan to its final stages. Supporters have called for the Forum to be re-designated in order to continue the Plan's progress.
- 2.10 The objection highlighted the need for an increase in density of the area to accommodate smaller sized houses which are more affordable. The right time to address such issues is through the Examination of the Neighbourhood Plan which happened earlier this year.
- 2.11 The Council acknowledges the support for the Neighbourhood Forum and the positive feedback on their production of what will, subject to referendum, be adopted as the first Neighbourhood Plan in Barnet.
- 2.12 The applications for the West Finchley Neighbourhood Area and Forum re-designation application have been assessed against the statutory requirements and the responses to the publicity. It is considered that the applications satisfactorily meet all of the basic conditions. The Forum has secured membership from at least 21 individuals who live and work in the Area of who are elected members in the Area and membership is from different sections of the community. The application and the constitution submitted, as well as the progress of the Plan, shows that the purpose of the Forum reflects the character of the Area. Therefore, it is recommended that the applications to re-designate the West Finchley Area and Forum be approved.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

3.1 The alternative option is to not re-designate the Neighbourhood Area and Forum for West Finchley. This will mean that the West Finchley Neighbourhood Forum has no role in taking the Plan to a confirmatory referendum.

#### 4. POST DECISION IMPLEMENTATION

4.1 If approved, the Neighbourhood Forum will be able to continue progress of the Neighbourhood Plan and take it to referendum no earlier than May 2021.

#### 5. IMPLICATIONS OF DECISION

##### 5.1 Corporate Priorities and Performance

5.1.1 The **Council's Corporate Plan 2019 - 2024** sets out three main outcomes and eighteen priorities for the Council, these are:

- A pleasant, well maintained borough that we protect and invest in
- Our residents live happy, healthy, independent lives with the most vulnerable protected
- Safe and strong communities where people get along well

5.1.2 Most of these key priorities that sit underneath each outcome relate to the Neighbourhood Development Plan for West Finchley Area. A Neighbourhood Development Plan could provide a more local dimension in West Finchley that reflects boroughwide Local Plan priorities. A basic condition for a Neighbourhood Forum is that it promotes or improves well-being via adoption of the Neighbourhood Development Plan which can be achieved by giving local people more influence over the future of their area.

5.1.3 A key theme in the **Barnet Growth Strategy 2030** is for Barnet to be a great borough to live in and visit. The Growth Strategy seeks to respond to three guiding principles:

- Need for the Council to provide placemaking leadership across Barnet, whilst focusing its resources on supporting the places most in need of investment;
- Need to increase housing supply to meet the needs of our growing population and to ensure delivery of homes that people can afford;
- Need to capitalise on growth and development to maximise the benefits for residents

5.1.4 The production of the West Finchley Neighbourhood Development Plan has been guided by these principles.

5.1.5 **Barnet's Housing Strategy 2019 -2024** includes key priorities for increasing housing supply, sustaining quality, particularly in the private rented sector, and delivering homes that people can afford. The Neighbourhood Plan will help provide a local dimension to the delivery of these priorities.

5.1.6 The Neighbourhood Plan has an important role to play in the delivery of **Barnet's Joint Health and Well Being Strategy 2015-2020** by contributing to building resilience and well-being in families and communities within West Finchley.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 To date the primary cost to the Council associated with the WFNP has been officer support time and the examination of the Neighbourhood Plan. This has been absorbed by Re and thus contained within existing budgets. No specific allocation of Council resources has been approved to support expenditure relating to production of Neighbourhood Development Plans or the re-designation of the Forum.
- 5.2.2 Financial support for local planning authorities in the form of Neighbourhood Planning Grant is currently available from MHCLG. At present this amounts to £30,000 for non-parished areas such as London Boroughs and is paid as the Neighbourhood Development Plan progresses to adoption. The first payment of £10,000 will be made following Neighbourhood Area and Forum designation including re-designation. The second payment of £20,000 will be made on successful completion of the examination. The Council is in the process of applying for this second payment to cover costs of the Examination on the West Finchley Neighbourhood Plan and the future referendum. Claims are made retrospectively and there is no guarantee that this funding will continue.
- 5.2.3 Neighbourhood Development Plans may also impact on decisions relating to the allocation of CIL (Community Infrastructure Levy). With benefit of an adopted Neighbourhood Development Plan an area can access 25% of CIL arising from the development that takes place in their area if it is generated as a consequence of the implementation of the Neighbourhood Development Plan. This money will be retained by the Council but must be spent in accordance with local infrastructure priorities as highlighted in the Neighbourhood Development Plan.

### 5.3 Social Value

- 5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Neighbourhood Development Plans can help secure such benefits.
- 5.3.2 Social benefits will also be secured by the Neighbourhood Development Plan providing a local dimension to the housing and infrastructure requirements of Local Plan policy.
- 5.3.3 Economic benefits will be delivered through the Neighbourhood Development Plan's focus on the local economy including the shopping parade and employment spaces within West Finchley.
- 5.3.4 Environmental benefits will be delivered by a Neighbourhood Development Plan's response to resolving to local issues as regards biodiversity, climate change mitigation and adaptation, sustainable travel, flood risk management and improved air and water quality.

### 5.4 Legal and Constitutional References

- 5.4.1 The Neighbourhood Planning (General) Regulations 2012 set out the procedures for designating an organisation or body as a Neighbourhood Forum. These include specifying:
- the content of an application (Reg. 8)

- what the local planning authority must do to publicise both the application and any designation of a Neighbourhood Forum (Regs 9 and 10)
- Same Regulation applies for the Re-designation of the Forum and Renewal of the Area applications

5.4.2 The Council can designate an organisation or body as a Neighbourhood Forum if it meets the following **Basic Conditions** (s61F, Town and Country Planning Act 1990):

- (i) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the Neighbourhood Area concerned;
- (ii) membership is open to individuals living, or working, in the Neighbourhood Area concerned and Councillors representing that area;
- (iii) there are at least 21 members of whom:
  - lives in the neighbourhood concerned;
  - works there; or
  - is an elected member of the Council representing that area.
- (iv) there is a written constitution; and
- (v) meets any other prescribed conditions.

5.4.3 Only one Forum can be designated for a Neighbourhood Area. It is open to a Forum to voluntarily withdraw its designation. Otherwise the designation expires after five years. The Council may withdraw this designation earlier if it considers that the Forum is no longer meeting:

- the conditions by which it was designated.
- any other criteria that the Council were required to have regard to when making the designation.

5.4.4 In accordance with section 61G(2) and Schedule 4C(5)(1) of the 1990 Act, the Council should aim to designate the area applied for. It is able to refuse a designation if it considers that a specified area was not an appropriate area to be designated as a neighbourhood area and must set out reasons for doing so. If the Council refuses an application for designation of a neighbourhood area, then section 61G (5) of the 1990 Act requires that it must exercise its power of designation so as to secure that some or all of the specified area forms part of one or more designated neighbourhood areas. This also applies for applications for re-designation.

5.4.5 Council Constitution, details the terms of reference of the Planning Committee Responsibility for Functions, Annex A sets out the terms of reference of the Planning Committee which includes responsibility for considering the approval/refusal of 'Designating neighbourhood areas and neighbourhood forums for the purposes of neighbourhood planning'.

5.4.6 National Guidance on Neighbourhood Planning states that "When exercising its responsibilities in relation to relevant parts of the neighbourhood planning process, a local planning authority should make every effort to conclude each stage promptly. Timely decision taking is important particularly at the start and at the end of the process. Certain decisions must be taken within prescribed time periods (13 weeks in case of designating an Area and Forum applications). These are set out in the Neighbourhood Planning (General) (Amendment) Regulations 2015, the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016,

and the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017 which amend the Neighbourhood Planning (General) Regulations 2012.

## 5.5 Risk Management

5.5.1 Risk has been minimised as the West Finchley Neighbourhood Plan has made significant progress. Following receipt of the Examiners Report in September 2020 the Council has published its Decision Statement. This Statement effectively accords weight to the Plan as a material planning consideration in determining any applications in the Neighbourhood Area.

5.5.2 The main risk for this Neighbourhood Plan is that it fails at final referendum stage, when this happens in 2021 resulting in community disillusionment with the process.

## 5.6 Equalities and Diversity

5.6.1 The Forum preparing the Plan have the opportunity to engage properly with the wider community right through the plan-preparation process, to make sure it genuinely represents the local area.

5.6.2 The requirement for equalities impact assessment needs to be considered on a case by case basis as further proposals for Neighbourhood Plans come forward.

## 5.7 Corporate Parenting

5.7.1 N/A

## 5.8 Consultation and Engagement

5.8.1 The Council has a duty to publicise applications for designation or re-designation as well as organise the confirmatory referendum on the West Finchley Neighbourhood Plan. A summary of responses to the publicity is set out within Appendix 4.

## 5.9 Insight

5.9.1 N/A

## 6. BACKGROUND PAPERS

6.1 Planning Committee, 26<sup>th</sup> November 2015 (Decision item 11) approved Designation of West Finchley Neighbourhood Area and Forum applications for adoption. <https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=703&MId=8303&Ver=4>

6.1 Council, 11 September 2012 (Decision item 4.1) approved the Local Plan Core Strategy and Development Management Policies for adoption. <http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=162&MId=6671&Ver=4>

6.2 Barnet's Statement of Community Involvement, 2018

6.4 Authorities Monitoring Report 2018/19 <https://www.barnet.gov.uk/planning-and-building/planning-policies/local-plan-review/authorities-monitoring-report>

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## Introduction

West Finchley Neighbourhood Forum (WFNF) submits for consideration this application for renewal of designation of the West Finchley Neighbourhood Area (WFNA).

This application is made to the London Borough of Barnet (LBB) further to the Neighbourhood Planning (General) Regulations 2012 which state that where a relevant body submits an application for designation of a Neighbourhood Area to the local planning authority it must include:

- 1) a map which identifies the area to which the area application relates (appendix I);
- 2) a statement explaining why this area is considered appropriate to be designated as a Neighbourhood Area; and
- 3) a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

## Neighbourhood Area

The West Finchley Neighbourhood Area (WFNA) to which this application relates was approved by the LBB on 26 November 2015 in accordance with the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012.

(Agenda and Minutes of Planning Committee

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=703&MId=8303&Ver=4>).

The WFNA covers approximately 35 hectares (0.14 square miles), is home to about 3,000 people (based on 2016 Office for National Statistics population projections) and includes around 800 individual addresses.

The area is well defined by physical and built features; Dollis Brook (west), Lovers Walk (south), the Northern Line (east) and Argyle Road (north), mostly define its boundaries. Argyle Road itself is not within the area. The WFNA is smaller than and so not coterminous with the West Finchley Ward boundary. A map showing the area is provided at Appendix I. It is coterminous with the West Finchley Residents' Association (WFRA).

The WFNA is typified by high quality, inter-war semi-detached housing. There is a cohesive design of three and four bedroomed semi-detached properties with gardens spaced apart by side entrances or driveways interspersed occasionally with other types of residential developments. Many of the families have extended the properties either by loft extensions or rear ground floor extensions or both.

The area is predominantly in residential use with over 60% of the area comprised of residential buildings and their gardens. The WFNA includes a row of small retail units along Nether Street, adjacent to West Finchley Underground Station. The parade offers a limited range of outlets though these are much valued by residents.

The 2011 Census showed that in the WFNA the 16-29 age group is a smaller percentage of the population than in LBB or London, while the population aged 65 and over is a higher percentage than in LBB or London, although there is a relatively high proportion of residents who are over the age of 80, (5% compared with 3% for London).

The 2011 Census also shows that the ethnic profile in the WFNA is diverse, with a lower proportion of white residents (just over 50%) in comparison to the LBB overall (about 65%), London (about 60%) and England (about 85%). Most non-white residents in the area are of Asian/British or Asian heritage (about 30%) or 'other' heritage, which includes Arab/Middle-Eastern (about 8%), with a small Black/African/Caribbean/Black British population (2-3%).

Just over 40% of WFNA residents were born outside of the UK, which is noticeably higher than in the LBB overall and in London and almost three times more than in England. About 30% of residents were born outside of the EU, 10% within the EU (excluding Ireland) and 2% in Ireland.

Most people of working age in the WFNA are economically active (almost 75%). A considerable number of economically active residents work in either professional occupations (over 30% compared to about 25% in LBB overall, 20% in London and 15% in England) or in managerial, directorial or senior roles (just below 20% compared to about 15% in LBB, 12% in London and 10% in England).

Some families, of all backgrounds, have lived in the WFNA for 20 or more years with some homes being occupied by the same family for over 50 years. For the most part, the international renters, many of whom are Japanese, value the local schools and stay in the area for five years or more. Thus, while there is a significant proportion of rented accommodation there is not a rapid turnover of renters. The area is seen by residents as a stable community ideal for bringing up children.

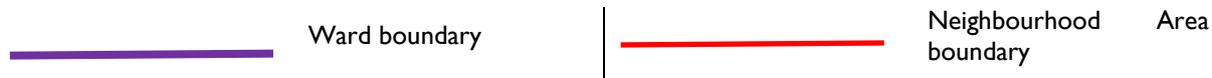
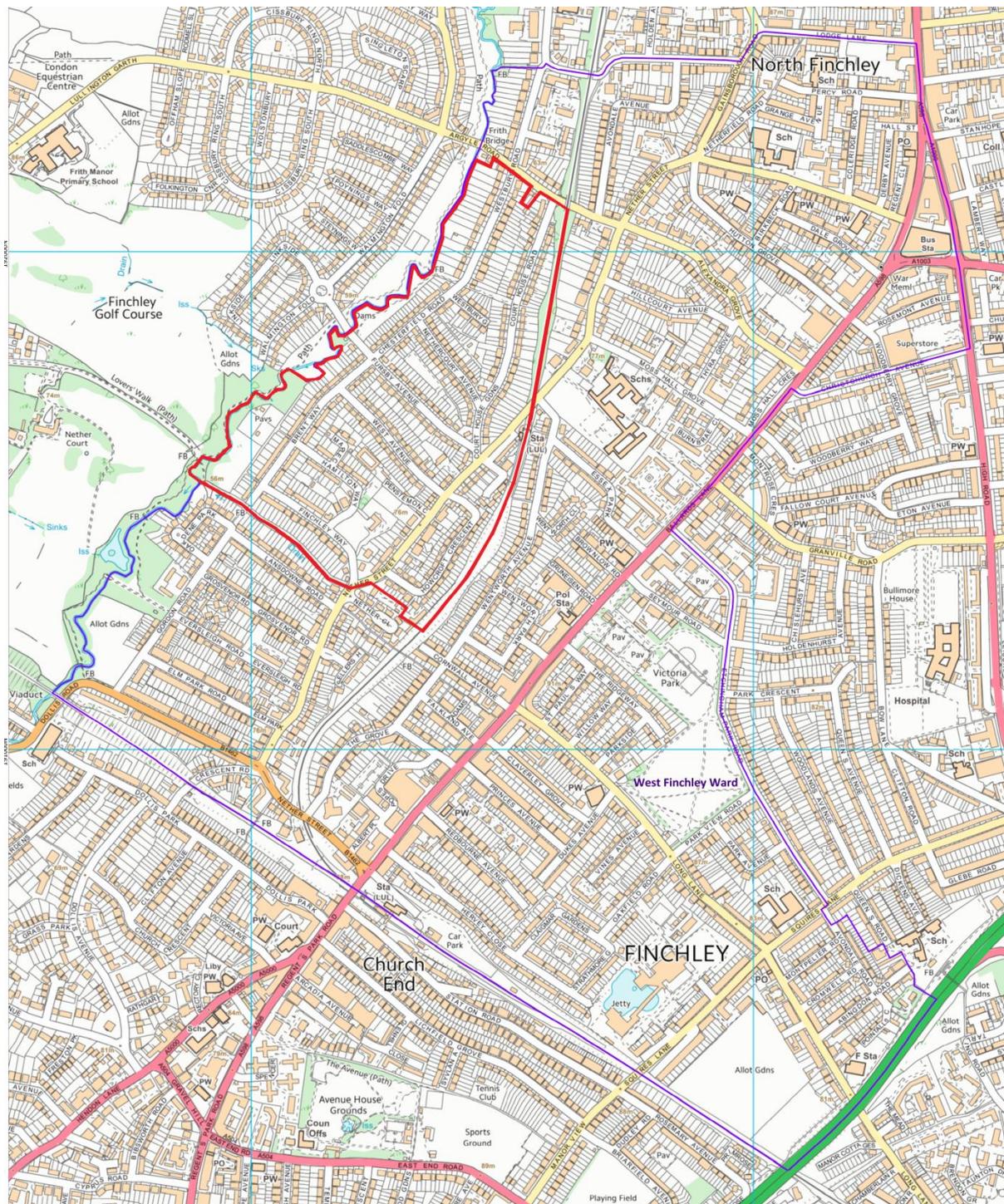
Many faith communities are represented and Jewish, Muslim, Hindu, Jain and Christian members join together in our community activities which are planned to avoid major religious festivals.

Community infrastructure is limited within the WFNA, with residents using schools, health centres (including doctors and dentists) and other services outside of its boundaries.

There is only one statutory Listed Building in the WFNA - the Grade II Listed Cedar Court. The LBB retains a list of buildings within the borough that it considers to have local architectural or historic interest. In the WFNA the locally listed assets are Fursby House (on Nether Street) and the West Finchley Underground Station footbridge.

There are no formal employment locations in the WFNA, such as offices or industrial locations. However, there are a small number of businesses that provide employment, including retail units, a nursing home and an osteopath and a relatively high proportion of residents work at or from home compared with the LBB as a whole and London.

## Appendix I. Neighbourhood Area





## Neighbourhood Area Boundary

Commencing in the centre of the roundabout at the junction of Finchley Way N3 and Nether Street N3, the Boundary goes along the middle of Nether Street then **East along the back** of the properties on the south side of Howcroft Crescent N3 thus including all the properties in Howcroft Crescent as well as the properties in Salento Close.

The Boundary continues **along the back** of the properties in Howcroft Crescent/ the Underground railway line and the back of properties on the East side of Courthouse Gardens N3 and Courthouse Road NI2/ the railway line to the point where the railway line intersects with Argyle Road NI2.

The Boundary continues **along the back** of the properties on the south side of Argyle Road to the Dollis Brook.

The Boundary continues south along the eastern side of the Dollis Brook to Lovers Walk.

The Boundary continues along the north side of Lovers Walk/ **along the back** of the properties on the south side of Finchley Way to Nether Street N3 and thence along the centre of Nether Street to the centre of the roundabout at the junction of Finchley Way N3 and Nether Street N3.



## Introduction

West Finchley Neighbourhood Forum (WFNF) submits for consideration this application for renewal of designation as a Neighbourhood Forum.

This application is made to the London Borough of Barnet (LBB) further to Section 61F of the Town and Country Planning Act 1990 (as amended), Regulation 8 of part 3 Neighbourhood Planning (General) Regulations 2012 and Neighbourhood Planning (General) (Amendment) Regulations 2015.

Where an organisation or body submits a neighbourhood forum application to the local planning authority it must include:

- (a) the name of the proposed neighbourhood forum;
- (b) a copy of the written constitution of the proposed neighbourhood forum;
- (c) the name of the neighbourhood area to which the application relates and a map which identifies the area;
- (d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and
- (e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

WFNF was designated by the LBB Planning Committee on 26 November 2015.

(Agenda and Minutes of Planning Committee

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=703&Mid=8303&Ver=4>).

## Application

WFNF is a qualifying body for the purposes of section 61G of the Town and Country Planning Act 1990. The Forum is the sole body applying for a Neighbourhood Forum for this area.

The name of the Neighbourhood Forum is the West Finchley Neighbourhood Forum (WFNF).

- a) The WFNF has a written constitution (Document 3). The Constitution was adopted by members of the WFNF at a public meeting on 16 May 2016.
- b) The WFNF has met at least quarterly. Minutes of meetings are published on the West Finchley Residents' Association (WFRA) website along with documentation concerning the WFNF and the draft WF Neighbourhood Plan. The contact details of the forum are: Salim Sabri, Chair WFNF [west.finchley.nf@gmail.com](mailto:west.finchley.nf@gmail.com)
- c) The WFNF meets the conditions contained in Sections 61F and 61G of the 1990 Town and Country Planning Act as follows.
  - I. The WFNF is established for the express purpose of improving the social, environmental and economic wellbeing of the area through the production of a

neighbourhood development plan and through joint working with the LBB and other local organisations.

- II. The membership of the forum is open to:
  - a. individuals who live, work or carry out business in the area; and
  - b. individuals who are elected members of LBB whose Ward covers the neighbourhood.
- d) As at July 2020 WFNF has a membership of 30 individuals. A list of members and their details is attached at (Appendix I) with due regard to privacy and data protection requirements.

The WFNF, a designated neighbourhood forum, is comprised of people living in, working in or representing the West Finchley Neighbourhood Area (WF Neighbourhood Area). It oversees the preparation of the West Finchley Neighbourhood Plan (WF Neighbourhood Plan).

The day-to-day management of the WF Neighbourhood Plan is devolved to an elected Executive Committee of Forum members. The Forum Executive Committee (the Committee) members are elected annually at the Annual General Meeting by Forum members and all are resident in the area. The Committee interfaces with other community activists and organisations such as the Finchley Society, Councillors and officers of the LBB, Metropolitan Police and neighbouring residents' groups.

## **Objectives of the Forum**

In pursuance of the Government's Localism Act (2011) the objectives of the WFNF will continue to be:

- a. To complete, in partnership with LBB, a Neighbourhood Plan for the area;
- b. To maintain and further engage the wider community in the preparation, production and implementation of a Neighbourhood Plan; and
- c. To continue to work with the West Finchley Residents' Association, local residents and West Finchley Ward Councillors to promote and improve the social, economic and environmental well-being of the West Finchley area in order to foster community spirit and encourage civic pride.

WFNF conducts itself in accordance with Section 61F (5) of the 1990 Act.

## **Development of the West Finchley Neighbourhood Forum**

The WFNF grew out of the West Finchley Residents' Association (WFRA). The WFRA was founded in 2010 because neighbours wished to work together on matters concerning local planning, improving the local environment and to provide social activities.

The WFRA is free and open to all residents. It has an active membership of over 300 households, some 37% of households in the area. The WFRA has an elected Committee that meets monthly and there are social events throughout the year. The WFRA Constitution tasks the Committee with developing a sense of community in the area as well as acting on issues that affect the community.

The WFNF and the WFRA work in collaboration with the local MP, the Ward Councillors, The Finchley Society and other civic groups.

While the WFNF and the WFRA work closely together and have strong links, their work is governed by their respective Constitutions and Committees.

The WF Neighbourhood Plan has benefited from the professional support of Nexus Planning, a planning consultancy with a track record of supporting the preparation of Neighbourhood Plans. Nexus Planning's support has been paid for through grant funding from central government.

The WF Neighbourhood Plan has been prepared in light of the National Planning Policy Framework, the London Plan and the LBB's current and emerging Local Plans.

The WF Neighbourhood Plan will have a base date of 2020 and will be active for 15 years from when it is made.

## **Neighbourhood Consultation**

The WFNF has regularly engaged with local residents providing updates of information on the WF Neighbourhood Plan, as well as seeking views to guide its development.

More than 40 residents have at some time been members of the WFNF which has included local business people and Ward Councillors as well as residents.

Recognising that there are key local stake-holders such as businesses who may not be residents of the area proposed for designation, representatives of the WFNF have visited and spoken to all the shopkeepers in the area. We have also made contact with the Finchley Lawn Tennis Club, the Finchley Horticultural Society and the neighbouring Residents' Associations in Dollis Park & District and Woodside Park and the Mill Hill Neighbourhood Forum.

Since the setting up of the WFNF there have been three rounds of comprehensive community engagement. These exercises and the feedback received are summarised below.

### **Engagement 1: Key Issues (February 2015)**

This round of engagement was completed prior to the commencement of the WF Neighbourhood Plan, scoping the local appetite for a Neighbourhood Plan and the issues that residents thought it ought to address. In total, volunteers spoke directly with an estimated 40% of households in the WF Neighbourhood Area. A survey was also conducted with 124 individual responses. The responses to the survey, which focused on the positive and negative features of the area, have informed the scope of the WF Neighbourhood Plan.

The most popular attraction of the neighbourhood was found to be its environment. Just over a third (35%) expressed their like for the “green” environment, the tree-lined roads, its quiet, the availability of Dollis Brook and its playground, the open spaces and possibility of walks near at hand. Respondents also said that they liked that this was all available with easy access via the tube to central London for work and entertainment.

Some 15% of the residents perceived the neighbourhood as having a good community spirit and friendly neighbours. Residents see that people care about the area and welcome the ethnic and cultural diversity, the “cosmopolitan” nature of the neighbourhood.

### **Engagement 2: Vision and Objectives (October – November 2017)**

This round of engagement presented the draft Vision and Objectives of the WF Neighbourhood Plan, which the policies would seek to deliver. The engagement involved a leaflet drop to all addresses in the WF Neighbourhood Area and two consultation events. Residents were invited to complete an online survey with paper copies available. In total, 133 responses were received, which were supportive of the proposed vision and objectives and the comments made have been used to inform the draft WF Neighbourhood Plan, including refinement to those objectives presented at the consultation.

### **Engagement 3: Regulation 14 Consultation (April – July 2019)**

This round of consultation was the pre-submission consultation and publicity as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The engagement involved a flyer drop, leaflet drop, and two public drop-in sessions. During the leaflet drop volunteers spoke to an adult at about 40% of addresses. Residents were invited to complete an online survey with paper copies made available. In total, 129 responses were received, the majority of which were supportive of the WF Neighbourhood Plan proposals.

The outcome of this consultation process has been the development of the WF Neighbourhood Plan which has been through Regulation 16 consultation and is now being reviewed by an Independent Examiner.

The WF Neighbourhood Plan is prepared in accordance with the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012.

## **Appendix I. Forum Membership (July 2020)**

Those listed below have agreed to continue as members of the WFNF

<b>Name</b>	<b>Street</b>	<b>Description</b>
Richard Bartholomew	Hamilton Way	Retired civil servant. Worked in the Departments of Employment and for Education as a social researcher. Fellow of the Academy of Social Sciences and currently edits a research methods journal for the Social Research Association. Resident of West Finchley for 29 years. Member of the Friends of Finchley Way Open Space Committee.
Tom Chan	Brent Way	NHS pharmacist providing mental health, community & child health to large part of North London. Lived in the area since 1993.
Hilda da Souza	Brent Way	Retired Civil Servant - 38 years with DWP in various departments including Fraud Investigations Officer. Volunteer organiser for local church-based homeless action.
Alan Douglas	Nethercourt Avenue	Retired architect. Member of the WFRA Committee and the Forum Executive Committee. Secretary of the Friends of Finchley Way Open Space.
Jennifer Douglas	Nethercourt Avenue	Retired lecturer.
Peter Fielding	Brent Way	Civil/Structural Engineer. Lived in West Finchley since 1985.
Ross Houston	n/a	Ward Councillor and Labour Group deputy leader, local school governor, Barnet Group board member, leader of the Labour Group on the Lee Valley Regional Park Authority. Works in housing management.
Ruth Huggett	Nethercourt Avenue	Full time Communications Manager and mother.
Penny Igoe	Brent Way	Retired TV executive. Member of the WFRA Committee
Mary Karaolis OBE	Hamilton Way	Retired Headteacher & Education Consultant Leader. Was Chair of Barnet Mayor's Charities Committee and remains on a number of committees. President of the Association of Rizokarpasso in Britain and Chair of the Help Rizokarpasso Charity. Governor of local Greek Orthodox School.
Jenny Kettleton	Fursby Avenue	Volunteer Co-Ordinator for local theatre company and charity. Secretary of the WFRA.

**Document 2**  
**West Finchley Neighbourhood Forum**  
**Redesignation Application**



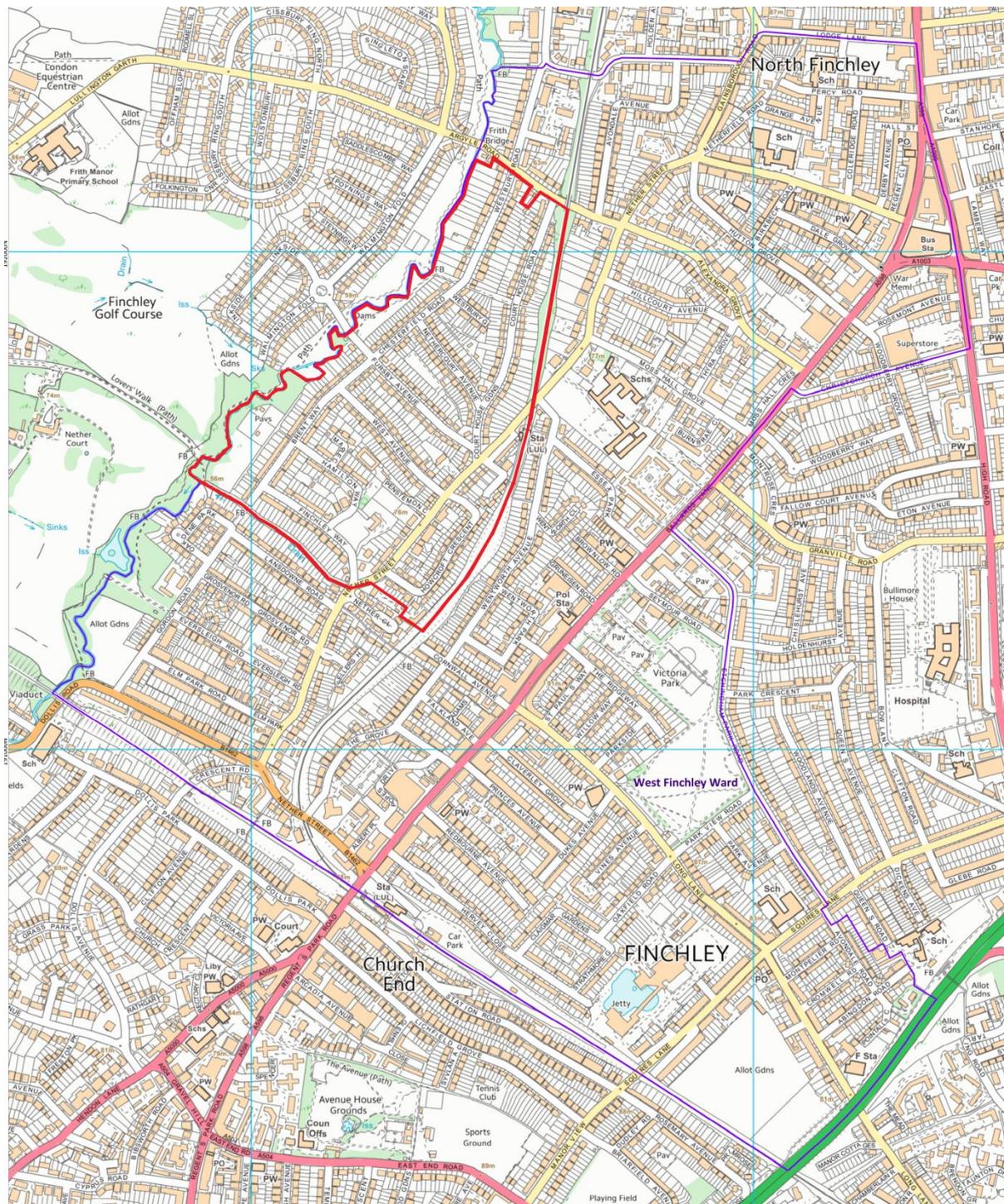
<b>Name</b>	<b>Street</b>	<b>Description</b>
Kieran Kettleton	Fursby Avenue	Charity Director. Chair of the WFRA and member of the Forum Executive Committee.
Suzanne King	Hamilton Way	Retired social researcher, evaluator and company director with experience in running public engagement exercises. Resident of West Finchley for 29 years. Member of the WFRA Committee and member of the Forum Executive Committee. Chair of the Friends of Finchley Way Open Space.
Marilyn Lee	Courthouse Gardens	Senior Teaching Assistant at local secondary school. Member of the WFRA Committee.
Laurence Lewis	Brent Way	Runs a music company distributing recordings from Eastern Europe and America as CDs through shops, over the Internet and through all the major online music stores. Member of Friends of Finchley Way Open Space Committee.
Linda Moore	Hamilton Way	Retired Computer Operations Manager at Middlesex University
David Morris	Nether Street	Retired. Most of my years were in consultancy and IT services, mainly private sector, and voluntary activities in not for profit organisations increasingly focused on mental health. I am a long-standing resident of West Finchley.
Piero Niccoli	Brent Way	Retired Builder
Maria Niccoli	Brent Way	Retired Secretary
Jonathan Pam	Chesterfield Road	Stakeholders Engagement Planner in the Smart Energy Sector. Member of WFRA Committee
R Patel	Courthouse Gardens	Sales & Marketing Director for international media company. Lifelong Finchley resident. Resident of West Finchley for 15 years.
Danny Rich	n/a	Ward Councillor. Local Rabbi.
Barbara Rudoie	Courthouse Road	Retired. Ran a mother and baby home for homeless women/Ran counselling service for charity/Wrote three books. Volunteer for North London Hospice.
Salim Sabri	Courthouse Gardens	NHS hospital finance manager. Treasurer of the WFRA and Chair and Treasurer of the Forum.
Arvind Shah	Fursby Avenue	Retired businessman. Lived in Finchley for 55 years. Trustee for OAUk charity.

**Document 2**  
**West Finchley Neighbourhood Forum**  
**Redesignation Application**



<b>Name</b>	<b>Street</b>	<b>Description</b>
Sheila Shannon	Brent Way	Retired Senior PA and HR generalist. Member of The Finchley Society Planning Committee and Committee Member of the WFRA.
Catherine Delano Smith	Nether Street	Retired university lecturer, presently Senior Research Fellow at the Institute of Historical Geography in the School of Advanced Studies, University of London; Editor of Imago Mundi, the International Journal for the History of Cartography; and researcher in the history of maps and mapping. My house on Nether Street has been my home since 1946
Roger Taylor	Chesterfield Road	Retired computer software technician (in 2005), and latterly an archives manager looking after and organising legal documents relating to some 250,000 freehold properties. Now fully retired. Lived in West Finchley for 68 years, in Chesterfield Road.
Greg Thornett	Nethercourt Avenue	Engineer - Director of Thornett Project Services Ltd. Member of the WFRA Committee and member of the Forum Executive Committee.
Lisa Zaferakis	Nether Street	IT Project Manager. Member of the WFRA Committee.

## Appendix II. Neighbourhood Area





## Neighbourhood Area Boundary

Commencing in the centre of the roundabout at the junction of Finchley Way N3 and Nether Street N3, the Boundary goes along the middle of Nether Street then East **along the back** of the properties on the south side of Howcroft Crescent N3 thus including all the properties in Howcroft Crescent as well as the properties in Salento Close.

The Boundary continues **along the back** of the properties in Howcroft Crescent/ the Underground railway line and the back of properties on the East side of Courthouse Gardens N3 and Courthouse Road N12/ the railway line to the point where the railway line intersects with Argyle Road N12.

The Boundary continues **along the back** of the properties on the south side of Argyle Road to the Dollis Brook.

The Boundary continues south along the eastern side of the Dollis Brook to Lovers Walk.

The Boundary continues along the north side of Lovers Walk/ **along the back** of the properties on the south side of Finchley Way to Nether Street N3 and thence along the centre of Nether Street to the centre of the roundabout at the junction of Finchley Way N3 and Nether Street N3.



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## **Name**

The name of the Forum shall be the West Finchley Neighbourhood Forum, referred to in the rest of this constitution as the Forum.

## **1. Area of Benefit**

The Forum will pursue its objectives in the area known as West Finchley Neighbourhood (see appendix I, map of the area) for the benefit of the inhabitants of the area including business operators, properly constituted community and voluntary groups and individual residents.

To avoid doubt, this area is the area designated by the London Borough of Barnet for the purpose of the preparation of a Neighbourhood Plan under the Localism Act 2011.

## **2. Objectives**

The objectives of the Forum shall be to:

- To prepare in partnership with the local planning authority a Neighbourhood Plan for the area.
- To encourage the goodwill and involvement of the wider community in the preparation, production and implementation of a Neighbourhood Plan.
- To foster community spirit and encourage civic pride.
- To promote or improve the social, economic and environmental well-being of the West Finchley area.
- Any other appropriate purpose agreed by the Forum.

## **3. Powers**

In furtherance of the objects, but not otherwise, the Management Committee of the Forum may exercise the power to:

- Invite and receive contributions and raise funds where appropriate, to finance the work of the Forum, and to open a bank account to manage such funds.
- Publicise and promote the work of the Forum and organise meetings, training courses, events or seminars etc.
- Work with groups of a similar nature and exchange information, advice and knowledge with them, including co-operation with other voluntary bodies, charities, statutory and non- statutory organisations.
- Employ staff and volunteers (who shall not be members of the Management Committee) as are necessary to conduct activities to meet the objectives.
- Take any form of action that is lawful, which is necessary to achieve the objectives of the Forum, including taking out any contracts which it may see fit.

## **4. Membership**

Members will apply for membership and the Management Committee shall have the power to accept members.

The Management Committee may refuse membership, or may terminate or suspend the membership of any member by resolution passed at a Management Committee meeting where it is considered membership would be detrimental to the objectives and activities of the Forum.

Membership is open to all who live in the area of benefit of the Forum.

Membership is open to all business operators and traders in the area of benefit of the Forum

Membership is open to all constituted voluntary and community groups which operate in the area of benefit of the Forum.

Membership is open to elected Council members who represent the West Finchley ward.

Membership shall be drawn from different places in the area of benefit and different sections of the community in the area of benefit to reflect the diversity, character and inclusivity of the area.

Any member of the Forum may resign his/her membership by providing the Secretary with written notice.

The Forum shall have a minimum of twenty one (21) members before any decision on neighbourhood planning may be made. The Secretary shall maintain a register of members at all times and publish this online.

## **5. Meetings**

### **a) General Meetings**

All the members of the Forum shall be invited to general meetings at least four (4) times per year.

For General Meeting business to be conducted, a quorum of 30% of the members must be present at the meeting.

All members shall be given at least fourteen (14) days' notice of when a meeting is due to take place.

### **b) Annual General Meetings and Special Meetings**

One of the General Meetings of the Forum held shall be its Annual General Meeting (AGM) where the management committee will be elected and a report of activities in relation to each of the Forums objectives by the Chairperson and a statement of income and expenditure will be presented by the Treasurer.

For AGM business to be conducted, a quorum of at least 30% of the membership must be present at the meeting.

All members are entitled to vote at the AGM. Voting shall be made by a show of hands on a majority basis. In the case of a tied vote, the Chairperson or an appointed deputy shall make the final decision.

All members shall be given at least twenty eight (28) days' notice of when a meeting is due to take place by either e mail or text and all meetings will be publicised on the Forum web site.

Special Meetings may be called from time to time by the Management Committee solely to consider amendments to the constitution or dissolution of the Forum. These shall be subject to the same rules as for conduct of Annual General Meetings.

**c) Management Committee Meetings**

The Management Committee shall meet at least 6 (six) times a year. Meetings shall enable the Committee members to discuss actions and monitor progress to date, and to consider future developments.

All committee members shall be given at least fourteen (14) days' notice of when a meeting is to be held by e mail or telephone, or as otherwise agreed at a meeting of the Management Committee.

At least two thirds (2/3rds) of committee members must be present in order for a meeting to take place.

## **6. Management Committee**

The Forum shall be administered by a management committee of no less than five (5) people and no more than ten (10), who must be at least eighteen (18) years of age.

Members of the Management Committee will be elected for a period of up to one (1) year, but must stand for re-election at the Forum's Annual General Meeting.

## **7. Officers of the Management Committee**

The Forum Management Committee shall be elected at the inaugural meeting of the Forum and will be re-elected at subsequent Annual General Meetings of the Forum. It will elect officers consisting of:

- The Chair. It shall be the responsibility of the Chairperson to chair all meetings or a designated deputy in his/her absence. And to ensure that meetings are held in accordance with the provisions of the Forum constitution.
- The Treasurer. It shall be the responsibility of the Treasurer to ensure that the finance provisions of the constitution (see clause 9 below) are carried out.
- The Secretary. It shall be the responsibility of the Secretary to keep a register of members, ensure that minutes are taken of all Management Committee, Special General and Annual General meetings and that the minutes are accessible to all members via the Forum's website.

Other committee members to be appointed as appropriate.

## **8. The Finances of the Forum**

Any money acquired by the Forum, including donations, contributions and bequests, shall be paid into an account operated by the Management Committee in the name of the Forum.

All funds must be applied to the objectives of the Forum and for no other purpose.

Bank accounts shall be opened in the name of the Forum. Any deeds, cheques etc relating to the Forum's bank account shall be signed by at least two (2) of the following committee members: Chairperson, Treasurer, Secretary.

Any income/expenditure shall be the responsibility of the Treasurer who will be accountable to ensure funds are utilised effectively and that the Forum stays within budget.

Official accounts shall be maintained, and will be examined annually by an independent accountant who is not a member of the Forum.

An annual financial report shall be presented at the AGM. The Forum's accounting year shall run from 01 April to 31 March.

## **9. Neighbourhood Planning**

Any decision to undertake, consult on or submit to the local planning authority for approval any Neighbourhood Plan shall be subject to a vote at a General Meeting of the Forum.

All consultation on the Neighbourhood Plan will be subject to all residents and businesses whether members of the Forum or not.

The Forum shall set up a website to publicise the neighbourhood planning process, record it and seek views of the public.

The Management Committee shall be delegated to work with the local planning authority and any independent experts and advisors on the neighbourhood plan as they see fit.

At the discretion of the Forum a "Neighbourhood Plan Team" can be delegated the tasks of preparing the Neighbourhood Plan as outlined above.

The membership of this team shall be decided by a full meeting of the Forum and the team may co-opt members as it sees fit.

## **10. Alteration of the Constitution**

Any changes to this constitution must be agreed by a majority vote at a Special General Meeting, called specifically for the purpose under the same conditions that apply to Annual General Meetings specified above.

Proposed amendments to this Constitution or dissolution of the Forum must be conveyed to the Secretary formally in writing. The Secretary and other Officers shall then decide whether to put the proposed amendments to a Special General Meeting of the Forum for discussion.

## **11. Dissolution**

The Forum may be dissolved if deemed necessary by the members in a majority vote at a Special Meeting. Any assets or remaining funds after debts have been paid shall be returned

to their providers or transferred to local charities or similar groups at the discretion of the Management Committee.

## **12. Duration**

The duration of the Forum shall be five (5) years from designation date.

This constitution was adopted at a Meeting of the Forum held at Gordon Hall on 16 May 2016 by:

Signed:

Signature

Print Name

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Chairperson

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Treasurer

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Secretary

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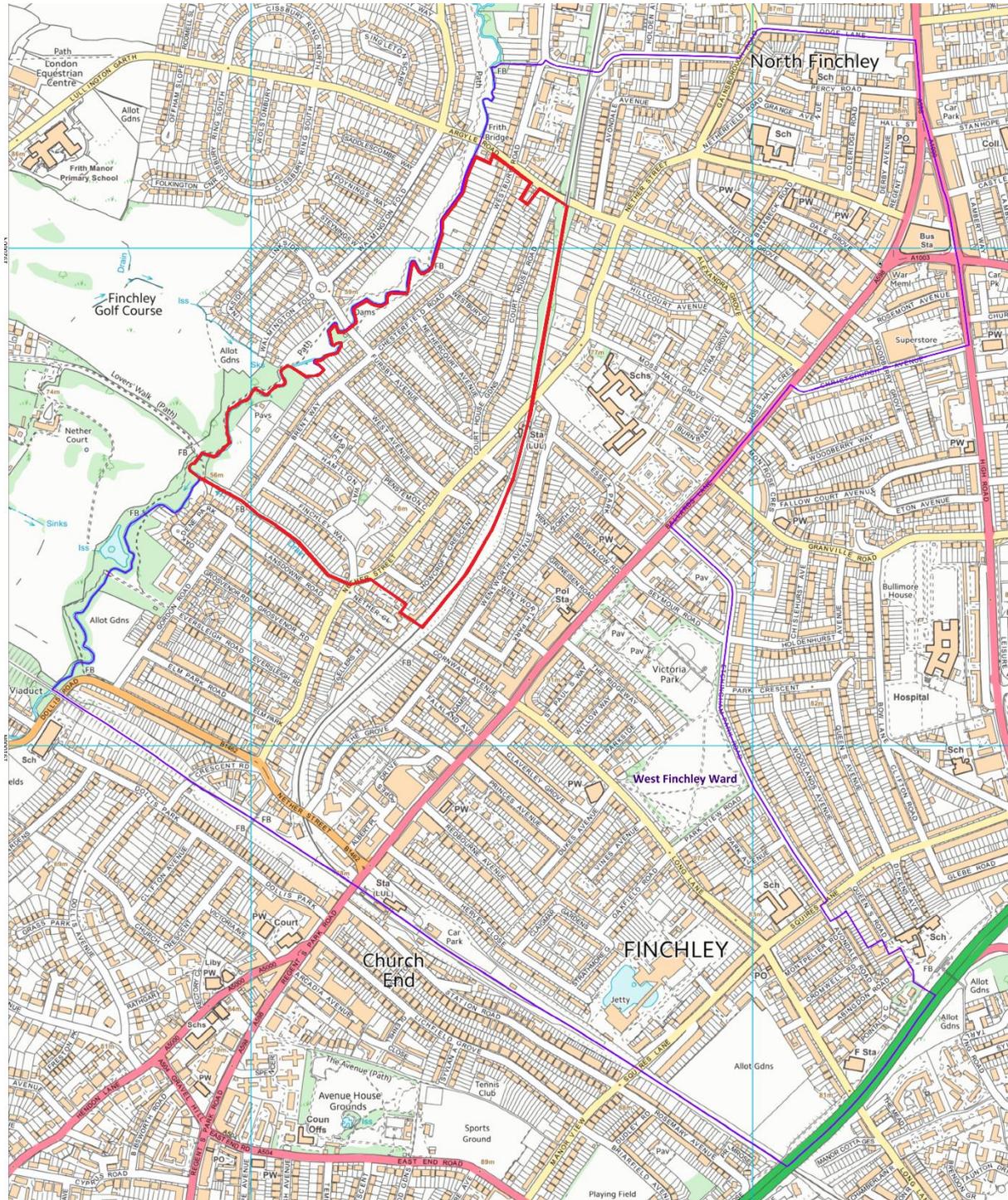
Member

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Member

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## Appendix I. Neighbourhood Area





### Neighbourhood Area Boundary

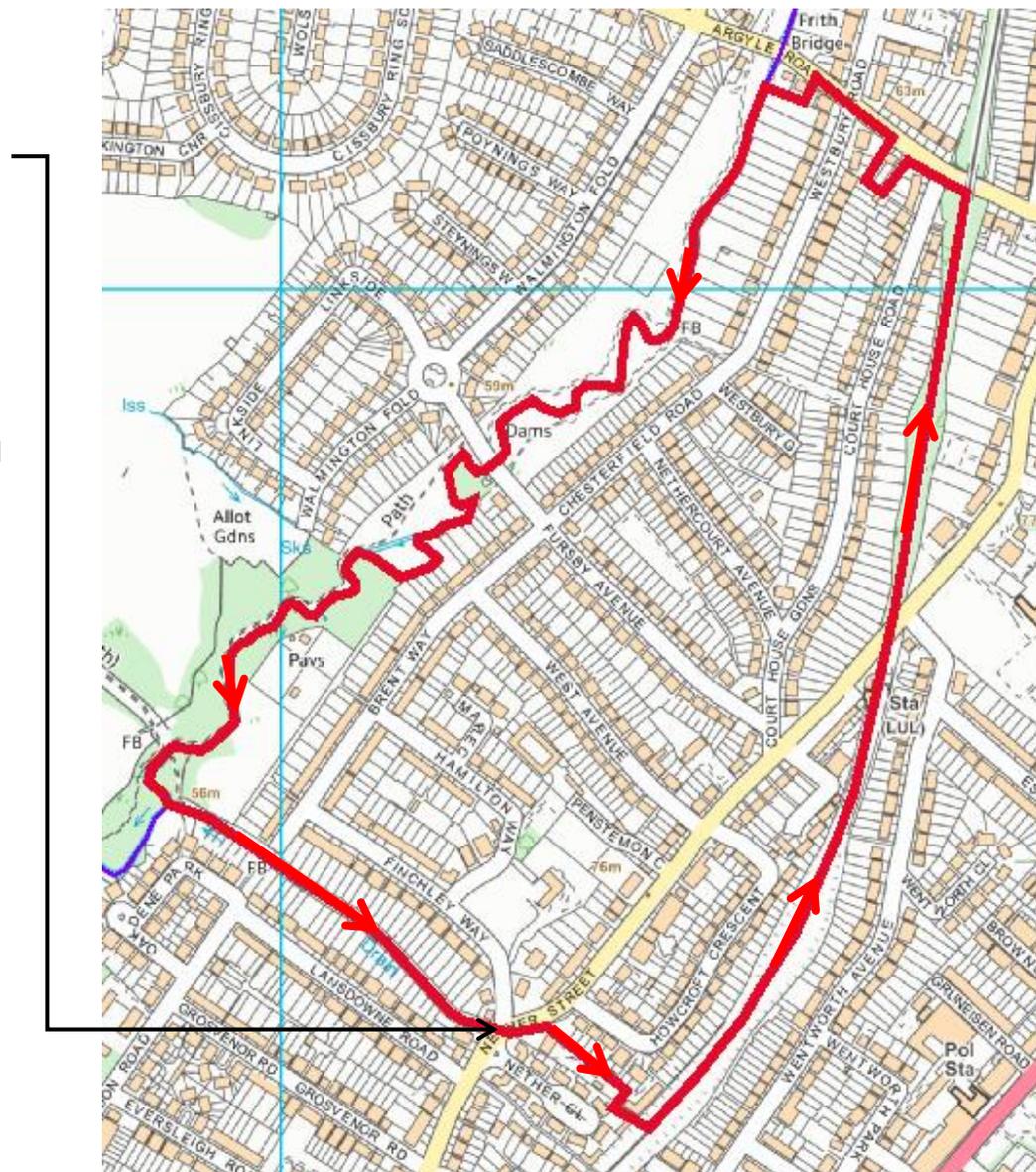
Commencing in the centre of the roundabout at the junction of Finchley Way N3 and Nether Street N3, the Boundary goes along the middle of Nether Street then East **along the back** of the properties on the south side of Howcroft Crescent N3 thus including all the properties in Howcroft Crescent as well as the properties in Salento Close.

The Boundary continues **along the back** of the properties in Howcroft Crescent/ the Underground railway line and the back of properties on the East side of Courthouse Gardens N3 and Courthouse Road NI2/ the railway line to the point where the railway line intersects with Argyle Road NI2.

The Boundary continues **along the back** of the properties on the south side of Argyle Road to the Dollis Brook.

The Boundary continues south along the eastern side of the Dollis Brook to Lovers Walk.

The Boundary continues along the north side of Lovers Walk/ **along the back** of the properties on the south side of Finchley Way to Nether Street N3 and thence along the centre of Nether Street to the centre of the roundabout at the junction of Finchley Way N3 and Nether Street N3.



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Ref	Consultee	Comments	Council's Response
1	Natural England	Natural England does not wish to make comment on the suitability of the proposed plan area or the proposed neighbourhood planning body.	We welcome these comments from Natural England.
2	Historic England	Thank you for consulting us on the above consultation. We have no comments to make in historic environment terms. If any specific heritage issues arise as a result of the consultation please not hesitate to contact us.	We welcome these comments from Historic England.
3	The Finchley Society	The Finchley Society notes that the West Finchley Neighbourhood Forum must apply for formal designation beyond 26th November 2020 for another five years because the process of approving their Neighbourhood Plan will not have been completed by that date, in particular because COVID19 means that the statutorily required referendum will not take place until 2021. In July 2019 the Finchley Society welcomed the initiative of the West Finchley Neighbourhood Forum and stated that the draft West Finchley Neighbourhood Plan was very much in line with the Society's objects, and hoped that it would soon be adopted and become part of the planning regime of the London Borough of Barnet. Proposal 9 of the White Paper 'Planning for the Future' of August 2020 indicates the importance that the Government attaches to neighbourhood planning as a means of community input. In the Society's view it would be wrong and contrary to the Government's intentions for the production of a West Finchley Neighbourhood Plan to be aborted because of the totally unforeseeable coronavirus pandemic. We therefore support the redesignation.	The Council is working to take the Neighbourhood Plan forward to a referendum and notes your support for the Forum's work on the Neighbourhood Plan.
4	Mike Freer Conservative Member of Parliament for Finchley & Golders Green	The West Finchley Neighbourhood Plan has been successful in ensuring that local residents are a part of local planning decisions to improve their local communities. The WFNF has a wide and active membership, an elected committee and meets regularly throughout the year to retain a democratic and open dialogue with the local community about planning proposals. The WFNF has also undertaken wide consultation with local residents both in-person and online. As a largely routine application for re-designation – having gained formal	Following the receipt of the Examiners Report the Council has published the Decision Statement and clarified that the WFNP now is a material consideration in planning applications in the West Finchley Neighbourhood Area. The Council is working to take the Neighbourhood Plan forward to a confirmatory referendum in 2021.

		<p>designation in 2015 – the merits for the Forum remain the same as they did five years ago, especially as no changes are being proposed to the designated Neighbourhood area. Though it is positive that the NFNF have made efforts to improve commitments to policies on the Design Guide (RD1), Local Character and Heritage (S1) and Public Realm Improvements (S2) so its future development is carried out in a way that reflects the area's interwar architectural history. I would be grateful if they could be taken into account alongside others writing in support of the application.</p>	
5	FORAB	<p>Via the West Finchley Residents Association the Borough-wide organisation that I chair, The Federation of Residents Associations in Barnet (FORAB), has been regularly updated on the activities of the Forum and in particular the creation of the Neighbourhood Plan. We consider this an important piece of work with lessons for communities across the Borough and it should be brought to a conclusion. With the impending changes to planning law indicated in the Government's recently launched consultation, neighbourhood groups will be all the more important in addressing local planning policy issues. We therefore support the re-designation of the West Finchley Neighbourhood Forum.</p>	<p>The Council notes your support for the Forum's work on the Neighbourhood Plan.</p>
6	West Finchley Ward Councillors	<p>I am writing on behalf of the local West Finchley ward councillors to express our full support for the excellent work of the West Finchley Neighbourhood Forum and our full support for the Forum to be designated as a neighbourhood forum for the next five years. The work of the Forum has made very good progress and the independent planning inspector has completed her report, which commented that "the West Finchley Neighbourhood Forum has worked very hard over the past five years to develop its Neighbourhood Plan... I congratulate the Forum on producing such a concise but comprehensive Plan". It is partly due to the Covid-19 pandemic that there will be a delay in putting the Neighbourhood Plan to a referendum of West Finchley neighbourhood residents. I hope and trust officers will recommend the designation for the next five years.</p>	<p>Following publication of the Decision Statement the WFNP now is a material consideration in planning applications in the West Finchley Neighbourhood Area. The Council expects it to be adopted in 2021 subject to a confirmatory referendum. Upon adoption the WFNP will form part of Barnet's Development Plan.</p>

7	Resident	I fully support the redesignation of the West Finchley Neighbourhood Forum.	The Council notes your support.
8	Resident	As a resident of West Finchley for 50 years and having raised my family in West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.. I am happy that the Forum represents the views of the residents in the neighbourhood and want to see the work of the Forum continue. I know that the Forum has consulted residents through door to door and events. I and my family intend to stay in West Finchley long term and believe that the neighbourhood Plan will be a valuable asset for the future of our neighbourhood.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
9	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated. I am happy that the forum represents the views of the neighbourhood and I have been adequately consulted on it.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
10	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated. A great deal of work has been put in to this, and all West Finchley residents have been kept informed of progress and say they are very happy with the good work that has been done on their behalf.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
11	Resident	We write in support of the Neighbourhood Plan compiled by the West Finchley Residents' Association, of which we are members. We also support the Forum and very much hope it will continue its highly successful work, thereby ensuring a better future for the neighbourhood. The WFRA has made extensive efforts to consult residents widely through a variety of means and we think that the final documents do represent the views of the neighbourhood. We hope that the Planning Committee will see fit to endorse the Plan.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
12	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
13	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.

14	Resident	<ul style="list-style-type: none"> <li>• I believe the Neighbourhood Plan will be a valuable contribution regarding the future of the neighbourhood</li> <li>• I support the work of the Forum and want to see it continue</li> <li>• I am happy that the Forum represents the views of the neighbourhood</li> <li>• I Feel that the Forum has consulted residents door to door and through events</li> </ul> <p>As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.</p>	The Council notes your support for the Forum's work on the Neighbourhood Plan.
15	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
16	Resident	As a resident of West Finchley I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated. I am happy the Forum represents the views of the neighbourhood and believe it will be a valuable contribution as regards the future of the neighbourhood.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
17	Resident	I write in support of the application for the re-designation of the West Finchley Neighbourhood Forum. The Forum has responsibly represented the views of local residents over the last 5 years and I wish it to continue in order to complete the work of the Neighbourhood Plan. Local residents have been consulted and fully informed throughout the process by the Forum via face to face presentations, on the doorstep and through leafleting. We hope the Council Planning Office will approve the application for re-designation.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
18	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated	The Council notes your support for the Forum's work on the Neighbourhood Plan.
19	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
20	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.

21	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
22	Resident	I have lived in West Finchley for the last 15 years as an owner-occupier at [REDACTED] I am very happy with the past work of the West Finchley Residents Association Forum in developing the local Neighbourhood Plan, and I would like to see it re-designated for the next five years.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
23	Resident	<p>As a resident of West Finchley for many years I oppose the West Finchley Neighbourhood Plan Forum move to seek re-designation by Barnet Council in order to manage the final phase of the Neighbourhood Planning process. I do not support the work of the Forum in its current Form</p> <ul style="list-style-type: none"> <li>• There is a lower than average density of households in West Finchley because of our high percentage of houses and few flats. It is policy at all government levels to increase density.</li> <li>• There is a lack of diversity as singles and couples are not able to afford whole houses. Poor affordability causes discrimination against other groups on the basis of age and ethnicity which shows itself in the homogeneity of the local population</li> <li>• Many of the houses can be split into two dwellings, to be available for purchase or rent and therefore become available as affordable or starter homes.</li> <li>• The houses in these West Finchley streets are no different to lots of very similar houses in streets all over London &amp; like those houses should meet the changing needs of the population &amp; that need is housing.</li> <li>• An increase in density will benefit the low use West Finchley Underground station and adjacent shops. Our good public transport is attractive to singles and couples who will not have to own cars.</li> <li>• It is unfair that singles and couples cannot enjoy the many amenities of the area, they are being</li> </ul>	The place for these issues to be highlighted is through the public consultation stages and at Examination. The Council has issued its Decision Statement which now makes the WFNP a material consideration, along with the Local Plan, London Plan and National Planning Policy Framework in planning decision making for applications in the Neighbourhood Area.

		<p>discriminated against. Its grossly unfair that families with young children are expected to live on the main road above shops in Ballards Lane with the pollution &amp; lack of garden space.</p> <p>I would be grateful if my views were taken into account when Barnet Council considers this matter</p>	
24	Resident	<p>As residents of West Finchley, we strongly support the re-designation of the West Finchley Neighbourhood Plan Forum as a neighbourhood forum for another five years. We support the work of the Forum and want to see it continue. It represents the views of the neighbourhood, having consulted widely in the neighbourhood. Overall it makes a valuable positive contribution to the future of the neighbourhood.</p>	<p>The Council notes your support for the Forum's work on the Neighbourhood Plan.</p>
25	Resident	<p>As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated</p>	<p>The Council notes your support for the Forum's work on the Neighbourhood Plan.</p>
26	Resident	<p>As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated. I support the very hard work of the Forum and want to see it continue. The Forum represents the views of the neighbourhood and has consulted residents door to door and through events. The Neighbourhood Plan will be a valuable contribution regarding the future of the neighbourhood.</p>	<p>The Council notes your support for the Forum's work on the Neighbourhood Plan.</p>
27	Resident	<p>As a resident of West Finchley, I support the work of the West Finchley Neighbourhood Plan Forum in developing our Neighbourhood Plan and wish to see it re-designated for the future. It represents the views of the neighbourhood, and I have been consulted by them.</p>	<p>The Council notes your support for the Forum's work on the Neighbourhood Plan.\</p>
28	Resident	<p>As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.</p>	<p>The Council notes your support for the Forum's work on the Neighbourhood Plan.</p>
29	Resident	<p>As a resident of West Finchley, I have witnessed at first hand the passion, commitment and hard work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated. I share their belief that we should all take responsibility for the neighbourhood we live in and contribute</p>	<p>The Council notes your support for the Forum's work on the Neighbourhood Plan.</p>

		<p>wherever possible to improving the environment not only for ourselves but more importantly future generations. I am so grateful to the forum for taking on such a monumental task and keeping us all fully briefed at every stage. I look forward to the day the process is concluded in our favour and urge Barnet Council to give a huge thumbs-up to the West Finchley Neighbourhood Plan.</p>	
30	Resident	I support the work of the forum and wish it to continue.	The Council notes your support.
31	Resident	I am writing as a resident of West Finchley (address below) to let you know that I support the work of the Forum in developing our neighbourhood plan and wish to see it redesignated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
32	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
33	Resident	As a resident of West Finchley, I support the valuable work of the forum in developing our Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
34	Resident	As a resident of West Finchley, I support the work of the West Finchley Neighbourhood Plan Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
35	Resident	I wish to confirm my support for the re-designation of the West Finchley neighbourhood planning forum. I believe the forum will be invaluable in assisting with the forward planning of our neighbourhood and is essential the forum continues it's good work.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
36	Resident	I am pleased to write in wholehearted support of the West Finchley Neighbourhood Plan. I have been following the Plan from the beginning, assisting where I could. I have to say how impressed I am by the thought, attention to detail and sheer professionalism with which the entire process has been conducted. Every effort has been made to address every resident within the designated area, and to explain all at every stage through regular meetings (most with slides giving statistical details and showing the salient features). Having returned on retirement 30 years ago to the family house (purchased by my parents in 1946 or thereabouts) after working outside London, I appreciate the need for an	The Council notes your support for the Forum's work on the Neighbourhood Plan.

		Association that brings the local area together and encourages a sense of responsibility among its residents. I have been pleased to see the organisers reach out as much as they can to the more transient members of the community—conducting door-to-door surveys and persuading as many of us as possible to participate in order to ensure that the views of all have been taken account of and are represented. The Plan will be a valuable contribution to the future of a neighbourhood that takes pride in caring for itself and its residents. At this stage I understand re-designation is called for. I fully support this move and state my wish that the West Finchley Neighbourhood Plan be re-designated and ready to proceed to the next stage.	
37	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
38	Resident	As residents we support its work very strongly and wish to see it redesignated.	The Council notes your support.
39	Resident	I totally support the West Finchley Neighbourhood Plan. It covers so many aspects of the resident's lives who appear to be very much in favour of it. I am pleased to say that I and my neighbours have been fully consulted on this plan via door to door discussions. There have been ongoing meetings and displays at our social events to keep everyone up to date on the progress. I sincerely hope that this will continue for the next 5 years – It can only be good for the neighbourhood and local community in preserving the integrity of this pleasant place. Members of The Neighbourhood Forum have worked so hard over the previous years to make it happen. I sincerely hope that Barnet Council will re-designate the Forum in order to manage the final phase of the Neighbourhood Planning process.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
40	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated. A great deal of work has been put in to this, and all West Finchley residents have been kept informed	The Council notes your support for the Forum's work on the Neighbourhood Plan.

		of progress and say they are very happy with the good work that has been done on their behalf.	
41	Resident	As a resident of West Finchley, I have been impressed by the work the Forum has done for the future of our neighbourhood and the opportunity given to me to discuss their plans. I support their work in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
42	Resident	We wish to support the work of the Forum which we believe is most efficiently carrying out valuable work on behalf of the West Finchley area. Communication with residents both inside the designated Neighbourhood and to those of us on the borders is excellent. We would be very happy to see the West Finchley Neighbourhood Plan Forum re-designated for a further 5 years and urge Barnet Council to grant this application.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
43	Resident	I am a resident in West Finchley and a member of the residents' association. I support the work of the Forum in developing our Neighbourhood Plan and would like to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
44	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
45	Resident	As a resident of West Finchley, I support the work of the West Finchley Neighbourhood Plan Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
46	Resident	I am mailing to ask that the WFRA West Finchley Neighbourhood Plan Forum is redesignated. The forum does a great job of consulting across the neighbourhood and we appreciate the work done.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
47	Resident	As a resident of West Finchley I fully support the work of the Forum, particularly the development of the neighbourhood plan and wish to see it continue.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
48	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
49	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan, I am consulted	The Council notes your support for the Forum's work on the Neighbourhood Plan.

		and believe the views of residents are fairly represented and wish to see it re-designated.	
50	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
51	Resident	I am a resident in West Finchley. I support the work of the Forum in developing our Neighbourhood plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
52	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated as follows <ul style="list-style-type: none"> <li>• I support the work of the Forum and want to see it continue</li> <li>• I am happy that the Forum represents the views of the neighbourhood</li> <li>• I feel that the Forum has consulted residents door to door and through events</li> <li>• I believe the Neighbourhood Plan will be a valuable contribution regarding the future of the neighbourhood</li> </ul>	The Council notes your support for the Forum's work on the Neighbourhood Plan.
53	Resident	As a resident of West Finchley I support the work of the Forum in developing our neighbourhood plan and wish to see it re-designated. The forum have worked incredibly hard to produce this plan which represents the views of WF and they have taken great care to ensure the Plan will continue to be a valuable contribution for the future of West Finchley.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
54	Resident	As a resident of West Finchley, I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated. Hopefully all the hard work of the forum will be rewarded	The Council notes your support for the Forum's work on the Neighbourhood Plan.
55	Resident	As a resident of the West Finchley, my husband and I, very much support the work of the Forum. This Forum has consulted the residents door to door plus through events and very much represent the views of the Neighbourhood. We believe this Neighbourhood Plan will be a valuable contribution regarding the future of this Neighbourhood and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.

56	Resident	We are writing in support of the work of the West Finchley Neighbourhood Plan Forum on the Neighbourhood Plan and we support the redesignation of the Plan. We appreciate the work that the Forum has been doing and feel that it will benefit the future of our neighbourhood and local community.	The Council notes your support for the Forum's work on the Neighbourhood Plan.
57	Resident	I write as a resident of West Finchley; my husband and I have lived here for twenty years, our children, all their lives. I support the work of the Forum in developing our Neighbourhood Plan and wish to see it re-designated.	The Council notes your support for the Forum's work on the Neighbourhood Plan.

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