

<p style="text-align: center;"><u>MEETING</u></p> <p style="text-align: center;">STRATEGIC PLANNING COMMITTEE</p>
<p style="text-align: center;"><u>DATE AND TIME</u></p> <p style="text-align: center;">THURSDAY 16TH JUNE, 2022</p> <p style="text-align: center;">AT 7.00 PM</p>
<p style="text-align: center;"><u>VENUE</u></p> <p style="text-align: center;">HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ</p>

TO: MEMBERS OF STRATEGIC PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Nigel Young
Vice Chairman: Councillor Tim Roberts

Councillors

Claire Farrier	Ammar Naqvi	Richard Cornelius
Richard Barnes	Eva Greenspan	
Nagus Narenthira	Val Duschinsky	

Substitute Members

Gill Sargeant	Arjun Mittra	Tony Vourou
Danny Rich	Melvin Cohen	Nick Mearing-Smith

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

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is Monday 13 June 2022 at 10AM. Requests must be submitted to StrategicPlanning.Committee@Barnet.gov.uk

Andrew Charlwood – Head of Governance

ASSURANCE GROUP

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

Governance Service contact: StrategicPlanning.Committee@barnet.gov.uk
Media Relations contact: Tristan Garrick 020 8359 2454

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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 other interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Land Adjacent to 114 Coppetts Road London N10 1JS 22/1308/FUL Friern Barnet	7 - 44
7.	Rushgrove Park London NW9 6RD 20/3817/FUL Colindale	45 - 68
8.	Exempt - Planning Appeal report	69 - 102
9.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Strategic Planning Committee

23 March 2022

AGENDA ITEM 1

Members Present:-

Councillor Eva Greenspan (Chairman)
Councillor Mark Shooter (Vice-Chairman)

Councillors:

Councillor Melvin Cohen	Councillor Julian Teare	Councillor
Councillor	Councillor Tim Roberts	Nagus Narenthira
Golnar Bokaei	Councillor Claire Farrier	Councillor Jess Brayne
Councillor		
Stephen Sowerby		

Apologies for Absence

Councillor Reuben Thompstone Councillor Laurie Williams

1. MINUTES OF THE LAST MEETING

The Chairman noted that there was a duplication under Item 7. The second set of reasons for refusal were an incorrect duplication and should be removed.

RESOLVED that the minutes of the meeting held on 22 February 2022 be agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies were received from Councillor Reuben Thompstone and Councillor Laurie Williams. There were no substitutes.

3. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

Cllr Sowerby declared a non-pecuniary interest in relation to Item 6, by virtue of the fact that he lives in a street adjacent to Moxon Street. He noted that he has made no public or private comment 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 individual agenda items. The addendum was published and circulated prior to the meeting.

6. 50 MOXON STREET BARNET EN5 5TS 21/6488/FUL

The report and addendum were introduced and slides were presented by the Planning Officer.

Mr Robin Bishop spoke on behalf of The Barnet Society in objection to the application.

Mr Ian Kingham, Barnet Special Education Trust spoke on behalf of the applicant.

Further to discussion of the item, the Chairman moved to a vote on the planning officer's recommendation (approval subject to conditions).

For (approval) - 10

Against (approval) – 0

RESOLVED that the application was approved subject to conditions as outlined in the report.

7. 21/3726/FUL BARNET HOUSE 1255 HIGH ROAD LONDON N20 0EJ

The Planning Officer reported that the Strategic Planning Committee refused the application 21/3726/FUL Barnet House, 1255 High Road, N20 0EJ on 22nd February 2022. The report recommends approving additional authority to the Head of Planning to negotiate a Section 106 Agreement in the event that the application is subsequently granted following appeal.

The Committee unanimously RESOLVED to grant delegated authority to negotiate and complete a Section 106 Agreement.

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

Cllr Shooter, Vice Chairman of the Committee thanked the Chairman on behalf of the Committee for her hard work over the last two years for chairing a smooth-running Committee.

The Chairman thanked the Members and officers for their time, patience and hard work, from governance to planning officers.

Cllr Narenthira thanked planning officers for their hard work and clear explanations on the applications. Cllr Farrier thanked the governance officers for their hard work.

The meeting finished at 7.45 pm

Location	Land Adj To 114 Coppetts Road London N10 1JS	
Reference:	22/1308/FUL	Received: 11th March 2022
		Accepted: 11th March 2022
Ward:	Friern Barnet	Expiry 10th June 2022
 Case Officer:	 Dominic Duffin	
Applicant:	Mr Ryan Walker	
 Proposal:	 Redevelopment to provide 9no. self-contained flats and 6no. terraced houses in two blocks of 3 to 4 storeys with associated amenity space, hard and soft landscaping, car and cycle parking	

AGENDA ITEM 6

OFFICER'S 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. 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. 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. Affordable Housing

-An obligation to secure the details of the affordable housing provision of this 100% affordable scheme.

4. Highways

1. Introduction of waiting restrictions on Martins Walk (layout to be agreed) - To facilitate emergency access and discourage obstructive parking
2. Install tactile paving and dropped kerbs at the junction of Martins Walk and Coppetts Road - To improve pedestrian safety
3. Stopping up of part of the highway on Martins Walk - To facilitate the development

5. Meeting the Council's costs of monitoring the planning obligation

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director for 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 for Planning and Building Control:

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

LOCATION PLAN - RCK-ZZ- XX-DR-A-00100
EXISTING BLOCK PLAN - RCK-SW-ZZ-DR-A-08-101
PROPOSED BLOCK PLAN - RCK-SW-ZZ-DR-A-08101 Revision P05

LANDSCAPING DETAILS - 060-100 (May 2022)
URBAN GREENING FACTOR CALCULATIONS - Revision P01

EXISTING SITE SECTIONS AA AND BB - RCK-SW- ZZ-DR-A-00-300
PROPOSED SITE SECTIONS AA AND BB - RCK-SW- ZZ-DR-A-08-300 P01
PROPOSED PLANT ROOM - CRD-TGA-BA-00-DR-N-800001

BLOCK A NORTH ELEVATION - RCK-BA-XX- DR-A-08-200 Revision P05
BLOCK A WEST ELEVATION - RCK-BA- XX-DR-A-08-201 Revision P04
BLOCK A SOUTH ELEVATION - RCK-BA-BA- DR-A-08-202 Revision P05
BLOCK A EAST ELEVATION - RCK-BA-XX-DR-A-08-203 Revision P05

BLOCK A ROOF PLAN - RCK-BA- ROO-DR-A-08-103 Revision P02
BLOCK A LOWER GROUND FLOOR PLAN - RCK-BA- ROO-DR-A-08104
Revision P02
BLOCK A GROUND AND FIRST FLOOR PLANS - RCK-BA-XX-DR-A-08-100
Revision P06
BLOCK A SECOND AND THIRD FLOOR PLANS - RCK-BA-XX-DR-A-08-102
Revision P06

BLOCK B NORTH ELEVATION - RCK-BB- XX-DR-A-08200 Revision P05
BLOCK B WEST ELEVATIONS - RCK-BB- XX-DR-A-08201 Revision P05
BLOCK B SOUTH ELEVATION - RCK-BB- XX-DR-A-08202 Revision P05
BLOCK B EAST ELEVATION - RCK-BB-BB- DR-A-08-203 Revision P04
BLOCK B ROOF PLAN - RCK-BA- ROO-DR-A-08-103 Revision P02

BLOCK B GROUND FLOOR PLAN - RCK-BB-L00- DR-A-08-100 Revision P07
BLOCK B SECOND FLOOR PLAN - RCK-BB- RL02-DR-A-08-102 Revision P07
BLOCK B FIRST FLOOR PLAN - RCK-BB-L01- DR-A-08-101 Revision P07

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 shall take place other than demolition works, 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.

- 4 a) No development above ground floor slab level works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies D3, D4, D5 and D6 of the London Plan 2021.

- 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.

For major sites, 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 SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 6 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/>

Reason: In the interest of good air quality in accordance with Policy DM04 of the Barnet Local Plan Development Management Policies (2012) and Policy SI1 of the London Plan 2021.

- 7 a) 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

b) 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 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 2016) and Policy D14 of the London Plan 2021.

- 8 The level of noise emitted from any plant installed 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 D14 of the London Plan 2021.

- 9 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 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 2016) and Policies D13 and D14 of the London Plan 2021.

10 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).

- 11 Prior to the first occupation of the development hereby approved, details shall be submitted to, and approved, in writing, by the Local Planning Authority to demonstrate that the building can achieve full 'Secured by Design' Accreditation and 'Secured by Design' accreditation shall be obtained for the approved development.

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.

- 12 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 G.7 of the London Plan 2021.

- 13 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 G.7 of the London Plan

- 14 a) 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).

- 15 a) No lighting shall be fixed on the external faces of the building hereby approved, unless and until details of external lighting are submitted to and approved in writing by the Local Planning Authority beforehand.

Any lighting 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/>.

b) The lighting shall be installed in accordance with the details approved before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse effect on protected species in accordance with Policy DM16 of Barnet's Development Management Policies Document (DPD) 2012 and London Plan Policy G.6

- 16 Prior to occupation of the development hereby approved, a Biodiversity Net Gain assessment and supporting plan that demonstrates biodiversity net gain including any watercourses and details of landscape enhancements shall be submitted and approved by the local planning authority.

A) This document shall include details of habitat creation, enhancement measures for biodiversity gains using an appropriate DEFRA Biodiversity Metric calculator. This shall be incorporated into the scheme of the hard and soft landscaping, of the development. This scheme will include details of existing trees to be retained and size, species, planting heights, densities, positions of any soft landscaping, and habitat enhancements such as bird and bat boxes, log piles etc appropriate to location 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 and biodiversity enhancements shall be carried at the most optimal time wildlife and plantings. be all works must be completed within 12 months after occupation before the end of the first planting and seeding season and when most optimal for when following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse affect on protected species in accordance with DPD policies DM01 & DM16, Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan 2021 and Environment Act 2021

- 17 Prior to commencement of works a Construction & Environment Management Plan (CEMP) for Biodiversity shall be submitted and approved by the local planning authority. Details within the CEMP shall include the following aspects; to ensure that habitat T8 (applicants tree protection plan) is adequately protected throughout all phases of the development in accordance with Legislation and policy. Details to protect species shall include within the Ecological Mitigation Strategy within the CEMP.

Ecological Mitigation Strategy (EMS). The document will outline the methods, responsibilities and timing for all mitigation affecting the protected/notable species,

habitats and the Silk Stream & Burnt Oak SNCI on site. The details of the EMS will include the following: Bats and Nesting Bird Mitigation Strategies The strategy will ensure compliance with the mitigation hierarchy as described within BS4042: 2014 Biodiversity clause 5.2 Mitigation hierarchy.

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse affect on protected species in accordance with DPD policies DM01 & DM16, Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan 2021 and Environment Act 2021

- 18 A) Prior to the occupation of the hereby approved development, details of a Biodiversity, Landscape & Ecological Management Plan for all areas for a minimum period of 30 years have been submitted to and approved in writing by the Local Planning Authority.
- B) The Biodiversity, Landscape & Ecological Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules, replacement planting provisions for existing retained trees, and any new soft landscaping to be planted as part of the approved Combined Biodiversity and Landscape Net Gain scheme.
- C) This management plan will ensure compliance with the approved level of biodiversity net gain for the approved development.
- D The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse affect on protected species in accordance with DPD policies DM01 & DM16, Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan 2021 and Environment Act 2021

- 19 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.
- b) 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 October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

- 20 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 significantly impact / cause failure of local underground sewerage utility infrastructure in accordance with Policy SI 13 of the London Plan 2021.

- 21 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).

- 22 Prior to the first occupation of the new dwellinghouses (Use Class C3) hereby approved they shall 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. Each residential phase of 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 SI5 of the London Plan 2021.

- 23 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 Policy D7 of the London Plan 2021.

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

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (adopted October 2016); and Policies D6 and SI7 of the London Plan 2021

- 25 Before the building hereby permitted is first occupied the proposed window openings in the south elevation of Block A at first and second floor level, serving the bathrooms of A.0.2 and A.2.2, and the windows at first and second floor level in the East Elevation (rear) of Block B, shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 26 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no further windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the buildings approved.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 27 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, B, C, D, E and F of Part 1 of Schedule 2 of that Order shall be carried

out within the area of the new terrace dwellings hereby approved as Block B.

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

- 28 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% 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), Policy SI2 of the London Plan 2021.

- 29 Notwithstanding the parking layout submitted with the planning application, prior to commencement of the of the development; a detailed parking layout plan showing the exact dimensions of the proposed off-street parking spaces including disabled spaces within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the 14 off-street parking spaces including 2 disabled bays shall be provided and used for no other purpose than the parking and turning of vehicles in connection with 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 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.

- 30 Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 38 cycle parking spaces (32 long stay and 6 short stay) in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided 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 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.

- 31 No works on the public highway including installation of tactile paving and introduction of waiting restrictions on Martins Walk shall be carried out until detailed

design drawings have been submitted and approved by the Highway 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 278/184 of the Highways Act for these works and reinstatement of the footway along the site frontage and any consequential damage to the public highway resulting from the proposed development. All off-site highway works shall be carried out fully implemented to the satisfaction of the Local Highway Authority prior to first occupation of the 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

- 32 Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved delivery service plan.

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.

- 33 Prior to occupation of the development full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of a minimum of 3 active and 11 passive electric vehicle charging points. 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

- 34 Before the permitted development is occupied, details of parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved parking management plan.

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

- 35 Prior to occupation of the development, drawings showing the areas of highway land /rights of way to be stopped up under s247 of the TCPA 1990 shall be submitted to and approved in writing by the Local Planning Authority. The

development thereafter shall only be operated in accordance with the approved drawings.

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.

RECOMMENDATION III:

- 1 That upon completion of the agreement specified in Recommendation I, the Service Director for 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 for Planning and Building Control:
- 2 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 30 September 2022, 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 the provision of a policy compliant level of affordable housing. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy, policy DM10 of the Development Plan DPD (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

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.

We believe that your development is liable for 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 first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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.

- 3 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.

- 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 No works shall be undertaken during outside of the species specific activity period. Guidance can be found within BS 8683: 2021 A process for designing and implementing biodiversity net gain and BS42040:2013: Biodiversity - Code of practice for planning and development, and documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval.
Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan 2021 and Environment Act 2021
- 6 In the event of a protected species being found works must stop and the project ecologist consulted and the correct level of additional surveys and mitigation applied including any licences needed as referenced within Construction & Environment Management Plan (CEMP). Following the appropriate level of approval works may resume.
- 7 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. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 8 For works on the public highway, the applicant will be required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW at least 4-6 weeks before the start of works on the public highway.
- 9 To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition

survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

10 Damage to Gullies and Sewers

Informative: 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.

Informative: 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.

OFFICER'S ASSESSMENT

1. Site Description

This application relates to a plot of land located to the east of Coppetts Road and north of Martins Walk. The existing frontage to Coppetts Road includes the access road to Coppetts Wood Primary School, and a vacant plot which previously contained a single storey flat roofed building which had housed a community hall used by the Somali Bravanese Welfare Association (SBWA) since 2000. The building was destroyed in a fire and has been cleared from the site, with the slab of the previous building secured by palisade fencing.

To the northern side of the site (ie north of the access road to the school) is land used as allotments. To the southern side of the site (south of the former SBWA site) is a terrace of two storey residential accommodation, with Martins Walk beyond. Martins Walk is a cul-de-sac containing two storey buildings to its northern side and three storey buildings to its southern side, arranged around a central grassed area. To the north of Martins Walk are

two single storey garage blocks, accessed via a drive from Martins Walk. Coppetts Wood Primary School is to the east of the application site and comprises primarily two storey buildings. A new residential development, known as 'The Folium', comprising 3-6 storeys is under construction, delivering circa. 80 new houses, opposite the site.

2. Relevant Site History

Reference: 15/06412/FUL

Address: Land Adjacent To 114 Coppetts Road And To The Rear Of 102-114 Coppetts Road, And Land Between Coppetts Wood Primary School And Allotment Garden, London, N10 1JS

Decision: No decision made

Description: Demolition of existing garages and redevelopment of site to provide 12 residential units (use class C3-Dwelling Houses) comprising 6 houses and an apartment block containing 6 flats accessed from Martins Walk with associated car parking, hard and soft landscaping and refuse areas. Provision of new staff car park for 30 cars within Coppetts Wood Primary School grounds between Children's Centre and allotment land and accessed from upgraded driveway off Coppetts Road.

3. Proposal

This development has been proposed by Barnet Homes, the Council's Arms Length (ALMO) social housing provider. The application seeks planning permission for the redevelopment of the plot to provide 9no. self-contained flats and 6no. terraced houses in two blocks of 3 to 4 storeys with associated amenity space, hard and soft landscaping, car and cycle parking. The garage blocks would be demolished to accommodate the works. The submission states that all units would provide affordable living accommodation.

The buildings would be arranged in two blocks (Block A and B). To the south, in the area of the existing garage blocks, a parking court providing 14 parking spaces would be developed. The site would be landscaped, including a central courtyard area, access to the parking would be from Martins Walk and a pedestrian access would be provided from Coppetts Road. A bike/bin store would be provided in place of one of the garage blocks, adjacent to the rear gardens of houses in Martins Walk, fronting Coppetts Road.

Block A:

Block A would provide 9no. residential flats and would front Coppetts Road. The building would be three and four stories in height, four stories fronting Coppetts Road, with the rear corner removed, with a staggered flat roof. The building would have a footprint measuring 12.5m wide x 18.9m deep to a total height of 14.0m. Balcony areas would provide private amenity space. A plant room would be provided in the basement.

The block would provide two 3 bed maisonettes, four 2 bed/4 person and three 1 bed/2 person units.

Block B:

Block B would provide a terrace of 6no. residential dwellings to the front of Coppetts Wood Primary School. The units would be 4 bed/6 person houses. The building would be three

storeys in height with a flat roof. The building would measure 38.4 wide with a staggered ground floor rear elevation to a total depth of 11.0m. Each unit would be served by a small garden area.

The buildings would be primarily finished in brick.

4. Public Consultation

Consultation letters were sent to 90 neighbouring properties.

45 responses have been received, comprising 44 letters of objection and 1 letter of support.

The objections received can be summarised as follows:

- The area has already been over-developed in the last few years.
- The proposal contravenes local plan policies and is a poor design.
- The proposal will result in loss of daylight/sunlight to adjoining properties.
- The proposal will lead to an over-development of the site and wider area.
- Concern about noise disturbance during the construction phase.
- The proposal will put extra pressure on local services, doctors, dentists etc.
- There will be overlooking and loss of privacy to neighbouring properties.

- Concern about issues of highway safety with regards to the adjoining school.
- No considerations given to impact on the adjoining school.
- There are no safeguards in place to prevent potential offenders living in disturbingly close proximity to vulnerable children. The homes will overlook classrooms and playgrounds.
- Any disruption to the learning of these students and students within the school community as a whole is simply not right
- This community school has a large number of SEN children, many of whom have sensory issues
- The loss of the school car park and the difficulties that school staff will have trying to find parking in nearby residential streets will directly impact the ability of the school to recruit and retain high quality teaching staff.
- The development could impede emergency access to the school.
- The block B proposals are completely unacceptable. This block is far too close to the school, and is merely meters away from the school's space for children with sensory impairments.
- The construction period will also leave that room useless for the purposes of its function, as the sights and sounds of construction are deeply unhelpful in managing sensory impairment.
- In planning terms, the impact of having a building so close to the school's sensory impairment room would be contrary to planning policy DM04 by locating noisy development close to noise sensitive areas.
- The development is a huge safeguarding concern where the occupants of the property will be able to look straight into the school.
- Object to the development as it will impact children (attending the school)'s health and wellbeing.
- The area needs more greenery, playground, playing courts not more flats.
- Concerned about blocking of natural sunlight onto the school hall, and dust and noise related to the construction which will be harmful physically and emotionally towards the healthy development of all the school children.
- The school community requiring local on street parking due to losing any overspill space will further put pressure onto local residents, causing increased congestion.

- The proposal will lead to parking stress locally.
- The area is poorly served by public transport.
- Martins Walk will be swamped with cars.
- Noise level will increase creating problems for the school and community.
- The community centre should be rebuilt for use by local residents instead.
- Not enough social amenities for everyone.
- The need for social housing should not be at the expense of the school children, many of whom have special needs.

The letter of support received can be summarised as follows:

I fully support this development. There is a housing crisis in London and trying to buy/rent a house that is good quality is extremely difficult - the new affordable homes should be welcomed.

It's clear that detailed thought has gone into the design of the buildings and public realm. It is a very sustainable development, and therefore I think Barnet Council should approve this development.

Internal Consultations

Environmental Health Officer: No objection subject to conditions.

Refuse/Recycling: No objection.

External Consultations

Thames Water: Piling method Statement requested.

TfL: No objection subject to conditions and parking permit restriction.

MET Police Design Out Crime Officer: Concerns with proposed layout and suggest revisions, including gating both ends of pedestrian lane, to meet Secured by Design requirements.

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 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous 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, CS2, CS3, CS4, CS5, CS6, CS9, CS14, CS15.

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM10, DM13, DM16, DM17.

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.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

Residential Design Guidance SPD (2016)

- Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. 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 developments 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 it states that developments 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.
- *Barnet Trees Policy (October 2013)*
- Planning Obligation SPD (adopted April 2013)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of Development;
- Impact on the character and appearance of the application site, the street scene and the wider locality;
- Trees and Soft Landscaping
- Impact of the proposal on the amenity of neighbouring residents;
- Impact of the proposal on the amenity of future occupants of the development;
- Highway and Pedestrian Safety;
- Refuse and Recycling;
- Ecology and Biodiversity

5.3 Assessment of proposals

Principle of Development

Community Facility

The host site previously contained a community hall. It is some years from the site has been used as a community facility. The building was destroyed in a fire in 2013 and the facilities have since been relocated elsewhere. On the basis that the pre-existing community facility on site has been re-provided, the proposed development would not be

considered to involve the loss of a community facility and therefore there is no conflict with Policy DM13 of Barnet's Local Plan.

Previously Developed Land

The NPPF, London Plan and Barnet's Local Plan are relevant and support the provision of residential development in appropriate locations. Paragraph 120 of the NPPF advises that LPA's should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. The location of the proposed development on a under-utilised and previously developed site therefore meets the objectives of the NPPF which reiterates the Government's ongoing commitment to boosting housing supply and upholds the presumption in favour of sustainable development.

Affordable Housing

As the proposed scheme would provide more than 10 units, it is required to provide affordable housing in line with Policy DM10 below:

Having regard to the borough-wide target that 40% of housing provision should be affordable, the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites providing 10 or more units gross or covering an area of 0.4 hectares or more.

This development has been proposed by Barnet Homes, the Council's Arms Length (ALMO) social housing provider. The redevelopment of the site to provide residential accommodation is considered to be acceptable in principle. The applicant has indicated that the proposals would provide 100% affordable housing, which would meet the requirements of Policy DM10.

Unit Mix

The proposed development provides the following mix of units:

- o 3 x 1-bedroom units;
- o 4 x 2-bedroom units;
- o 2 x 3-bedroom units;
- o 6 x 4-bedroom units;

Policy DM08 of the Development Management Policies states that:

Development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough.

Dwelling size priorities are:

- i. For social rented housing - homes with 3 bedrooms are the highest priority
- ii. For intermediate affordable housing - homes with 3/4 bedrooms are the highest priority
- iii. For market housing - homes with 4 bedrooms are the highest priority, homes with 3 bedrooms are a medium priority.'

The scheme includes a good mix of larger units as identified as priority accommodation. This aspect of the scheme is therefore considered acceptable.

Impact of the proposal on character and appearance of the application site, the street scene and the wider locality.

Development proposals involving the redevelopment of sites are required to reflect the character of their street and the scale and proportion of surrounding houses. This is supported by Policy DM01 of Council's Development Management Policies which states that development should understand local characteristics and 'preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

The proposal would provide a 3 to 4 storey building to the front of the site facing Coppetts Road, with a 3 storey terrace located to the rear adjacent to the school.

Whilst the dominant character of the area is traditional two storey dwellings, there are taller buildings in the wider area, including standalone blocks of flats, and the new development opposite the site, which is three storey to the front with a set-back six storey section.

The adjoining development at Martins Walk is traditional two storey dwellings, but it also includes three storey blocks of flats. It is not considered that the three-storey block at the rear of the plot would appear seriously out of character. The proposed parking court further creates separation to Martins Walk and adds to the standalone nature of the site. It is accepted the school is a lower set development, but by its use and layout, it in itself is standalone in nature. It is accepted that the proposed houses are served by shallow garden areas, when houses with gardens locally tend to be deeper, but again, the standalone aspect of Block B lends itself to accepting this shallow rear amenity area. The proposed finish of brick is in keeping with the materials palette of the wider area. Further details could be secured by condition. The use of a flat roof on a standalone site can be accepted.

Block A would be located adjacent to two storey residential properties on Coppetts Road, albeit there would be a slight separation of circa 5.0m to provide a pedestrian access along the flank of this building. As detailed above the predominant character of the area is two storey, but there is a mix including the new build scheme opposite the site. The submission has removed the rear corner of the building to step down to three storey, but a full four storey building would front Coppetts Road.

It is accepted that there would be an immediate step-up in built form from the two storey dwellings in Martins Walk and this new development. It is also accepted that four storey development is not prevalent in the wider area, albeit the building opposite does have a setback six storey element. Whilst set back the six-storey aspect is readily apparent within the streetscene.

The council will always seek to optimise the development potential of vacant sites. The recently adopted London Plan at policy D3 "Optimising site capacity through the design-led approach" at "Form and Layout" also requires that new developments: enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

It is considered that to some degree the character of the wider area is changing. It is also the case that standalone flatted developments are a component part of the emerging street hierarchy along Coppetts Road. It is not considered that the step up to four storey

would appear seriously discordant, the site benefits from the development free allotments to north, to ensure this scheme is a bookend development, as opposed to introducing a stark step up in a continued streetscene, and it also benefits from the new build scheme opposite the site. It is considered the proposed scheme provides a reasonable balance which would optimise the potential of the site without resulting in an over-development. The proposed four storey height can be accepted.

The scheme includes balcony features to provide private amenity space which would introduce a new element into the streetscene along Coppetts Road, albeit there are shallower balconies serving flat properties nearby at Osier Crescent. It is desirable to provide some private amenity space for new residential properties, this has been brought sharper into focus during the recent pandemic, and on a new build scheme, with a standalone design, it is not considered these elements would seriously harm the character of the area.

Impact of the proposal on the amenities of neighbours

One of the Council's key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbour's amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Any development, particularly in a constrained site should ensure that the amenities of neighbouring occupiers are respected.

Policy DM01 in Council's Development Management Policies DPD stipulates that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Barnet's Sustainable Design and Construction SPD (2016) contains standards of distancing for new development to prevent overlooking and loss of privacy. It states that a minimum of 21 metres is required between facing windows of habitable rooms and a minimum of 10.5 metres between windows and neighbouring amenity spaces.

Block A is located adjacent to no.114 Coppetts Road. Block B would be located in front of Coppetts Wood Primary School and behind a row of properties on Martins Walk.

The rear corner of Block A has been removed at third floor level to reduce potential overbearing impacts on the adjoining dwelling. The rear section contains blind windows and windows which could be conditioned as obscure glazed. It is not considered the proposal would seriously impact the amenity levels of occupants at no.114. Good levels of daylight/sunlight to rear facing windows would continue and the proposal would not appear excessively overbearing, given that a 5.5m separation distance would be retained to the flank boundary of no.114. There are no habitable room windows in the side elevation of this dwelling.

Block B is separated from Martins Walk by a parking area and this would remove any potential for impacts on dwellings to the south. A suitable separation distance is retained to rear facing windows and the rear boundary to gardens at 110-114 Coppetts Road (16m and 28m).

With regards to the relationship with the school, the rear wall of the new terrace would be

located in close proximity to the front elevation of the school. It is noted that there has been a number of third party representations with regards to impacts on the school, and pupils; some who have sensory needs.

Concern is cited with noise and disturbance during the construction phase. Whilst this is accepted, it is considered a robust Demolition, Construction and Logistics Management Plan (DCLMP) would reduce any impacts. With building works close to the school ground, it is the case that there will be disturbance particularly during the construction phase of the works. However this will be a temporary scenario, typical of most developments, and it is not considered that a refusal on these grounds would be sustainable. There is a pressing need to bring forward housing, including affordable units, given the identified local need, and wider London housing crisis, and the limited and temporary levels of disturbance associated with bringing forward development schemes are an unfortunate necessity, given the nature of the activity. The council can secure a DCLMP which will ensure disturbance is minimised.

There is the wider concern that the proposal will result in the ongoing impact on the school given the close proximity of the proposed building to the school. The rear wall of the terrace will extend for some distance close to the common boundary with the school (4.0m to boundary, 11-14m to the school). The scheme has been designed so that rear facing windows above ground floor level could be conditioned as obscure glazed to guard against overlooking.

In terms of daylight/sunlight a report has been submitted (Hollis Report, 22 March 2022), the majority of windows at the school facing the new development would continue to receive adequate levels of daylight and sunlight. 78% of windows, 18 out of 23 (78%) would continue to meet the Vertical Sky Component requirements for daylight, the majority of the windows falling just short of the target. Of the 19 windows requiring assessment for sunlight, 17 meet the target requirements. The 2 windows failing are set within a recess on the building. These are however good results and a high level of compliance.

Concern has been expressed that the construction of a new building so close to the school will impact on existing amenity levels. It is accepted there will be change in aspect to the front of the school. However, time spent in classrooms is limited, and any impact would not be comparable to levels of impact on residential properties. The school is set in relatively expansive grounds, served by playing pitches, and it is not considered any infringement would be serious or to a level to warrant refusal. There is sympathy that some of the children have sensory needs, but any potential impact must be balanced against policy aims, which direct officers to seek to significantly boost the supply of housing, and to optimise provision on brownfield sites. On balance, it is considered that this scheme can be justified.

Concern has also been expressed about the loss of school parking, which is understood to currently take place on an informal basis, and therefore could at any time come to an end. Any issues with regards to parking are addressed in the highway considerations section below.

Impact on amenity of future occupiers

Internal Space Standards:

In terms of the amenity for future occupiers, the Planning Authority expects a high standard of internal design and layout in new residential development in order to provide

an adequate standard of accommodation. The London Plan and Barnet's Sustainable Design and Construction SPD sets out the minimum space requirements for residential units.

(1 Bedroom/1 person): London Plan requirement = 39m²
(1 Bedroom/2 persons): London Plan requirement = 50m²
(2 bedroom/3 person): London Plan requirement = 61m²
(2 Bedroom/4 person): London Plan requirement = 70m²
(3 Bedroom/5 person): London Plan requirement = 86m², 2 storey - 93m²
(4 Bedroom/6 person): London Plan requirement = 122 m² (3 storey)

The units all meet or exceed, these required minimum areas.

The SPD standards for bedrooms require double bedrooms to provide a minimum floor area of 11.5sqm and single bedrooms a minimum floor area of 7.5sqm. Each of the proposed bedrooms complies with this requirement.

The London Plan states that a minimum ceiling height of 2.5 metres is required for at least 75% of the gross internal area of a dwelling. Each of the proposed units complies with this requirement.

Daylight/Sunlight/Outlook:

All proposed residential development should provide suitable outlook and daylight for future occupants.

The submitted Daylight/Sunlight Report demonstrates good levels of compliance for a new development with all but one room meeting the Average Daylight Factor requirement and 41 of 43 rooms meeting the BRE sunlight requirement.

In terms of outlook all units are dual aspect. It is noted that the distance between the rear elevation of Block A and the front elevation of Block B is 18.0m, 16.0m when measured from the edge of rear balconies.

Residential SPG requires a separation distance of 21.0m between elevations with habitable room windows. Shorter distances can be accepted on new build schemes where there are material justifications.

The London Plan SPG guidance also states that the 21.0m guidance can often restrict greater densities and as such a degree of flexibility exists.

For the most part this is a scheme which will deliver good levels of amenity, and the inclusion of a high percentage of 3 and 4 bedrooms is to be welcomed. It is not considered that this deviation from the guidance, which results in facing elevations overlooking a generous communal garden area would seriously impact on the amenity of future occupiers. The council should seek to optimise the redevelopment of the site, the units are well laid out, and this aspect can be accepted, given site confines and the desire to ensure a redevelopment that provide a suitable level of units.

Officers have agreed the removal of rear balconies so that an 18.0m distance can be retained. This separation distance can be accepted. The scheme will bring forward 100% affordable housing, any increase to 21.0m would result in the loss of units and this infraction, which can be mitigated with planting in the communal garden can be accepted.

Room Stacking:-

The proposed internal stacking of the units is considered acceptable.

Amenity Space Provision:

Section 2.3 of the Sustainable Design & Construction SPD (2016) sets out the minimum external amenity space standards for a flat, which is 5m² per habitable room. A room measuring 20m² or more is calculated as two habitable rooms.

For houses, amenity space should be provided in the form of individual rear gardens. The requirement for dwellings is as follows;

For Houses:

- 40 m² of space for up to four habitable rooms
- 55 m² of space for up to five habitable rooms
- 70 m² of space for up to six habitable rooms
- 85 m² of space for up to seven or more habitable rooms

It was evident that all units would be served by modest areas of private amenity space in the form of balconies for flats (7.7 sq. m) and rear garden areas for dwellings, 24-33 sq. m. As above officers have required the removal of three balconies to the rear to address other amenity concerns.

It is evident that individually a number of units would fall well short of provision, particularly the 4 bedroom houses (70 sq. m), and now some units will be served by no private space. Overall the scheme would have a requirement of circa 500 sq. m for private amenity space. Whilst the overall private amenity space would fall short of the target (250 sq. m), a generous communal area of 280 sq. m would be provided. This area is seen as a real asset for the development and guidance does recognise that private space can be supplanted by a communal provision. Whilst there is some concern about the level of provision for four bedroom family sized dwellings, on balance, and given the desire to optimise the sites redevelopment, this shortfall for the four bedroom units can be accepted. The scheme provides a good mix of affordable units and the compromise on private space for dwellings is considered acceptable.

Accessibility:

The proposed development would be designed to comply with M4(2) and M4(3) standards. This would have been secured via condition.

Highway and Pedestrian Safety

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.

The council's Highways Officer has commented on this submission and his considerations are detailed below.

1.Site Characteristics:

1.1 The site lies behind a block of flats which fronts directly onto Coppetts Road and it is directly adjacent Coppetts School. Coppetts Road is residential in nature with blocks of flats and houses. Coppetts Road is a local distributor road and it is used by through traffic.

1.2 The site has a public transport accessibility level (PTAL) rating of 2 (low). This is on a scale of 1 to 6 where, 1 represents poor accessibility to public transport and 6 represents excellent access to public transport. Four bus routes (234, 134, 43, 232) can be accessed from stops within 3-7 minutes walking distance of the site. The nearest bus stop is directly in front of the site. New Southgate rail station and Bounds Green tube station are 1.7km and 1.4 km away from the site. The site is not in a CPZ but there are yellow lines waiting restrictions, school keep clear markings, bus stops and pedestrian crossings and islands in the vicinity of the site.

2.Parking:

2.1 The proposal comprises of redevelopment of the site to provide 15 residential units (3 x 1bed, 4 x 2bed, 2 x 3bed, 6 x 4bed). Based on Policy DM 17, a maximum allowable parking provision of 15-24 spaces are required. Given the PTAL rating of the site is 2, the provision of 22 spaces would be acceptable. 14 spaces including 2 disabled spaces are proposed which means that potentially up to 8 spaces could be displaced on-street. The applicant has carried out overnight parking surveys which indicate that there were 49 vehicles parked with 39 spaces available and a parking stress of 56%. Based on this, Highways would accept the proposed parking provision subject to evidence that the 19 garages to be demolished as part of the development are not in use.

In response to the highways request, the applicant confirmed that a maximum of 5 garages are used for parking, but that the garages do not appear suitable for the parking of modern vehicles. 5 are used for private storage with the rest apparently unused. Based on this further information, and the results of the Parking Survey, Highways confirm they support the scheme from a vehicle parking perspective.

2.3 Electric vehicle charging points are to be provided at 20% active and an additional 80% passive infrastructure which equates to 3 active points and 11 passive infrastructure for future provision. Hence, a total of 9 electric vehicle charging points are required (active and passive) in accordance with London Plan standards.

2.4 The type of charging points to be installed is requested. Details of electric vehicle charging points are therefore requested by way of a planning condition.

2.5 Based on London Plan standards, a minimum of 29 long and 2 short stay(visitor) cycle spaces are required. The development will provide 32 long stay cycle parking spaces including 2 spaces for larger bikes in a communal store to the south of the site and 6 short stay spaces in the form of Sheffield stands. All long stay cycle parking should be provided in a covered, secure, lockable and enclosed compound while short stay cycle parking should be provided in a covered, secure and lockable environment. Also the type of stands used must allow both wheels and the frame of the bicycle to be locked. Details of cycle

parking are therefore requested by way of a planning condition.

3. Internal layout, Access and Servicing

3.1 Vehicle access to the site is from Martins Walk and pedestrian can access the site from both Martins Walk and Coppetts. This layout would require sections of the adopted highway to be stopped up under section 247 of the Town and Country Planning Act. It is recommended that the stopping up process should be completed prior to the start of works on-site.. Minimum visibility splay requirements based on Manual for Street standards must be met at the access.

3.2 Swept path drawings of a car have been provided and these show that both can enter and exit the site in forward gear. It is proposed that refuse collection takes place on-street and the refuse store needs to be within 10 metres of the collection point otherwise a management plan needs to be put in place to bring the bins to a holding area near the road on collection days. Swept paths of a fire tender have also been provided and these show that a fire tender can access the site in an emergency. However, to prevent obstructive parking and improve the pedestrian environment it is requested that waiting restrictions in the form of double yellow lines on Martins Walk and tactile paving are introduced at the junction of Martins Walk.

3.4. A servicing management plan including refuse storage/collection arrangements are requested and this must include the type of storage, elevations and dimensions of the bin stores. This is to be secured by way of a planning condition.

4. Parking Management Plan

4.1 To deter illegal and obstructive parking, a parking management plan for the site which sets out proposals for parking enforcement and allocation of spaces is thus requested. A parking management plan condition is therefore recommended.

5. Road Safety

5.1 An analysis of collisions over the five year period between 2017 -2021(inclusive) has been undertaken using CrashMap. This covered the section Coppetts Road between Trott Road and Osier Crescent Road

5.2 The results show that there were 2 slight accidents within the survey area. The accident history suggests that there is no significant road safety problem in this section of the Coppetts Road.

6. Trip generation

6.1 An analysis of the potential trip generation from the site has been carried using industry standard database called TRICS. The results show that the development will generate 5 two-way vehicle movements during the AM peak (8-9am) and 4 two-way vehicle movements during PM peak. The corresponding two way person trips are 12 in the AM peak and 6 in the PM peak.

6.2 The impact of this level of trip generation on the surrounding highway network is unlikely to be significant.

7. Construction Management Plan

7.1 For such a large development, the construction work is likely to have an impact on surrounding roads and must therefore be carried out in a sensitive manner.

A demolition and construction management and logistics plan is therefore requested by

way of a planning condition. Also a "before and after" condition survey is requested and this is to be secured by way of a planning condition.

8. Off-site Highway Works (s278)

8.1 Highways would requested that the provision of dropped kerbs and tactile paving at the entrance and the introduction of waiting restrictions on Martins Walk are requested. All off-site highway works will need to be completed to the satisfaction of the Local Highways Authority prior to the first occupation of the development.

9.Recommendation: -

9.1 Highways would raise no objection to the proposal subject to the following planning obligations and conditions:

Planning Obligations:

1. Introduction of waiting restrictions on Martins Walk (layout to be agreed) - To facilitate emergency access and discourage obstructive parking
2. Install tactile paving and dropped kerbs at the junction of Martins Walk and Coppetts Road - To improve pedestrian safety
3. Stopping up of part of the highway on Martins Walk - To facilitate the development

In light of the above, there are no highway issues with the proposed development which would warrant a refusal of the application.

Trees and Soft Landscaping

Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area. The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

The council's Trees Officer has assessed the submission including the submitted arboricultural information;

Discussion

The main area of the development within the site was a former garage site which was surfaced with hard standing. The trees of significant prominence are located on the boundary with the public highway and an allotment site.

T1 and T3 - T7 are recommended for removal due to conflict with the proposed development. These trees have established through the hard standing and have no significant visual tree amenity.

The arboricultural report has not specified any facilitation pruning that is likely to be needed to allow construction to proceed. Existing hard standing protects trees rooting areas. The proposed buildings are located outside of the root protection areas of the important offsite trees. No details of services have been provided.

The proposed block plan has omitted to detail T8 the oak tree on the boundary of the site with Coppetts Road. This tree should be detailed as it is being retained.

There are no significant arboricultural reasons to object to this application, subject to conditions agreeing tree protection, landscaping and ecological enhancements.

Ecology and Biodiversity

The applicant has provided a Preliminary Ecological Appraisal by Brindle and Green, incorporating a Phase 1 Habitat Survey and Protected Species Assessment. The report concludes that there is a low potential for bats in a nearby tree and any site clearance should be carried out outside the bird breeding season. Ecological enhancements could be agreed by condition.

Flood Risk and Drainage

National standards for SUDs require the Council as Lead Local Flood Authority (LLFA) to be satisfied that major development meets the minimum standards of operation and that there are clear arrangements in place for on-going maintenance over the lifetime of the development. Suds details can be agreed by condition.

ul MET Police

The Crime Prevention Officer has reviewed the submission and though initially highlighting some design concerns, the applicant has revised the submission in response to comments, including the use of a gated entrance/exit, as per the comments. It is recommended that a planning condition be attached to any approval whereby this development must achieve Secured By Design accreditation, prior to occupation. Any approval could be conditioned accordingly, where details can be secured.

Environmental Health Comments

The Environmental Health section of the council raise no objection subject to conditions. These include requirements regarding acoustic mitigation, a Demolition and Construction Management and Logistics Plan , and a contaminated land risk assessment.

Refuse/Recycling

Refuse collection would be from Martins Walk with a dedicated bin storage building being provided. Refuse would be put out on the street in the same way existing residents along the street put their refuse out on collection days. The bin provision and storage area are acceptable to the Street Scene Operations team. Further details can be agreed by condition.

Sustainability

London Plan Policy SI.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
- Be seen: monitor, verify and report on energy performance

The London Plan goes on to set out the sustainable design and construction measures required in new 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.

A minimum on-site reduction of at least 35 per cent beyond Building Regulations¹⁵² is required for major development.

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.

The application is accompanied by an Energy Statement from TGA Consulting (March 2022) which sets out how the development accords to the London Plan energy hierarchy.

Be Lean

For the Be Lean scenario, a combination of all feasible passive measures has been incorporated to all the units of the development. These measures are assessed as providing a 32.88% reduction in regulated CO₂ emissions which is just below the required 35%

Be Clean

Greater London Energy Assessment Guidance advises for either connection to a local existing or planned heat network where feasible and to be categorised under the 'Be Clean' scheme. However, a heat network serving the site was deemed unsuitable for this scheme due to there not being a local network nearby or planned for the future, and the scale of the development.

Be Green

The 'Be Green' building achieves a Buildings Emission Rate (BER) of 13.42 tonne.CO₂/annum. This is an improvement of 49.1% in the minimum carbon reduction targets in line with Part L of the Building Regulations A reduction of 35.% in regulated CO₂ emissions, over the Building Regulations Part L 2013 Baseline, has been achieved for the new-build residential units (15 flats) for the "Be Green" case of the Energy Hierarchy.

Summary

There are two key energy targets for the development:

- Achieve a reduction in carbon over Part L Building Regulation requirements (2013)
- Provide energy for the development from Low Carbon Energy or Renewable Energy

Applying Be Lean design measures reduce the energy consumption and carbon emissions of the development. Incorporating Be Lean design measures provides a 32.3% saving in carbon emissions over Part L Building Regulations requirements (2013) which falls short of the 35% reduction target. There are also no Low or Zero Carbon technologies incorporated, therefore failing both goals set out for the development.

Introducing Be Green design principles provides a 49.1% reduction in carbon emissions over Part L Building Regulations requirements (2013). Be Green also provides energy from Low or Zero Carbon sources, therefore both key energy targets for the development are met.

The proposed development therefore could be conditioned to meet the necessary sustainability and efficiency requirements of the London Plan in the event of an approval.

5.4 Response to Public Consultation

It is considered that the majority of third-party comment have been addressed within the report.

- The area has already been over-developed in the last few years.
- The proposal contravenes local plan policies and is a poor design.
- The proposal will result in loss of daylight/sunlight to adjoining properties.
- The proposal will lead to an over-development of the site and wider area.
- Concern about noise disturbance during the construction phase.
- The proposal will put extra pressure on local services, doctors, dentists etc.
- There will be overlooking and loss of privacy to neighbouring properties.

Officer Comment: It is considered the scheme strikes an appropriate balance in optimising the redevelopment of the site without overdeveloping.

- Concern about issues of highway safety with regards to the adjoining school.
- No considerations given to impact on the adjoining school.
- There are no safeguards in place to prevent potential offenders living in disturbingly close proximity to vulnerable children. The homes will overlook classrooms and playgrounds.
- Any disruption to the learning of these students and students within the school community as a whole is simply not right
- This community school has a large number of SEN children, many of whom have sensory issues
- The loss of the school car park and the difficulties that school staff will have trying to find parking in nearby residential streets will directly impact the ability of the school to recruit and retain high quality teaching staff.
- The development could impede emergency access to the school.
- The block B proposals are completely unacceptable. This block is far too close to the school, and is merely meters away from the school's space for children with sensory impairments.
- The construction period will also leave that room useless for the purposes of it's function, as the sights and sounds of construction are deeply unhelpful in managing sensory impairment.
- In planning terms, the impact of having a building so close to the school's sensory

impairment room would be contrary to planning policy DM04 by locating noisy development close to noise sensitive areas.

- The development is a huge safeguarding concern where the occupants of the property will be able to look straight into the school.

- Noise level will increase creating problems for the school and community.

- The community centre should be rebuilt for use by local residents instead.

- Not enough social amenities for everyone.

- The need for social housing should not be at the expense of the school children, many of whom have special needs.

- Object to the development as it will impact children (attending the school)'s health and wellbeing.

- The area needs more greenery, playground, playing courts not more flats.

- Concerned about blocking of natural sunlight onto the school hall, and dust and noise related to the construction which will be harmful physically and emotionally towards the healthy development of all the school children.

- The school community requiring local on street parking due to losing any overspill space will further put pressure onto local residents, causing increased congestion.

Officer comment: it is considered that any impacts on the school will be relatively limited, and some of which can be mitigated, and not outweighed by the scheme benefits. It is understood that any parking is on an informal basis, and essentially pending the redevelopment of this site. The applicant has provided the following commentary;

- o The land in question is Housing land and not Education land. It had been leased to the Rendezvous club and then the Somali Bravenese association until it was destroyed by fire in 2013. While the council reserved rights for the land to be used as playground during school hours there was no right of parking granted to the school.

- o Since the site was destroyed by fire and cleared, the school have been permitted to use the site on a temporary basis while the development proposals were developed. This is a community school so the council are the owner/occupiers of both sites.

- o The school are fully aware of the situation and previous applications considered relocating parking onto the school site. While this is not viable with a 100% affordable housing scheme, the school / education has the option to seek funding, if available, and pursue locating some parking for the school within the perimeters of the education land, subject to planning, but relinquishing housing development land held in the HRA to provide parking for education is not a feasible option.

- The proposal will lead to parking stress locally.

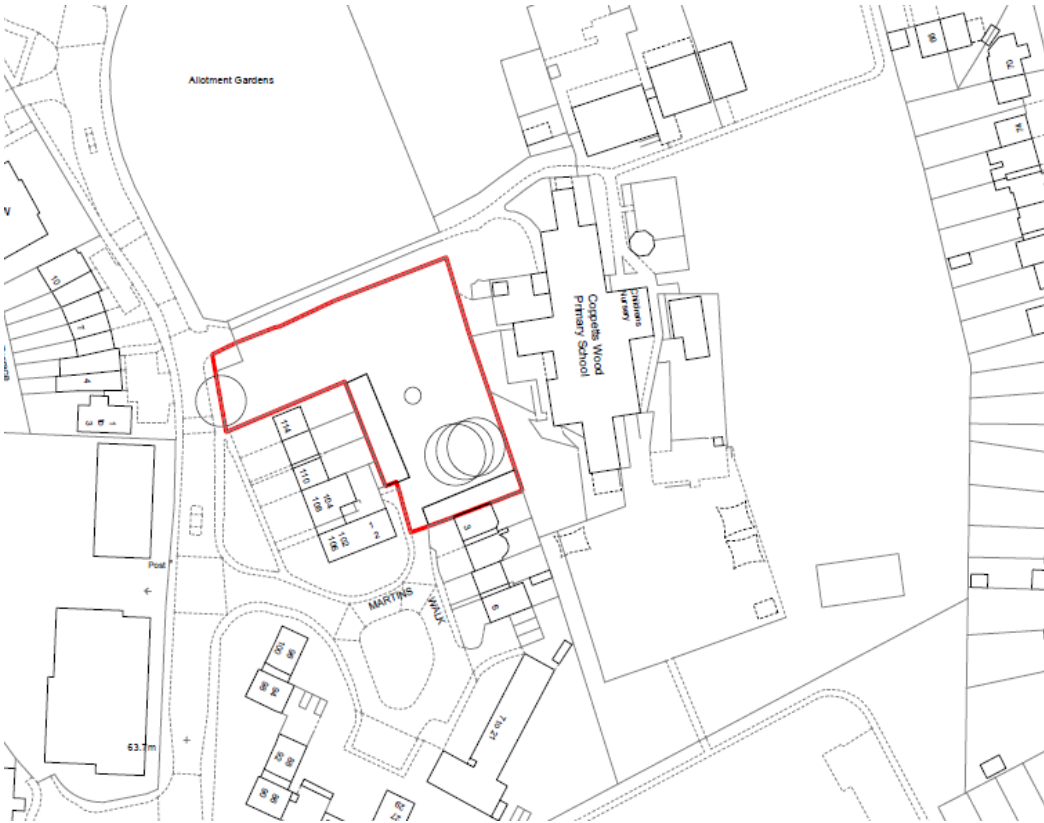
- The area is poorly served by public transport.

- Martins Walk will be swamped with cars.

Officer comment: Addressed in the highways section above.

7. Conclusion

In light of the above appraisal, it is considered that the proposed scheme is broadly in compliance with the relevant policy framework. The scheme will bring forward much needed affordable housing and make a more efficient use of a brownfield site. It is therefore recommended consent is granted subject to conditions.



Location **Rushgrove Park London NW9 6RD**

Reference: **20/3817/FUL**

Received: 19th August 2020

Accepted: 20th August 2020

Ward: Colindale

Expiry 15th October 2020

AGENDA ITEM 7

Case Officer: **Elizabeth Thomas**

Applicant: Ruth Miller

Proposal:

Upgrade to existing park including: Vegetation removal works along Silkstream. Minor regrading of river bank to form flood alleviation wetland. Minor works to connect existing pond to river via swale. Two new pedestrian bridges across river. New boardwalk across proposed wetland. Make good and rerouting to some existing pathway. New playground. New planting. New scooter path. New outdoor gym trail. New entrance feature for Rushgrove Avenue

OFFICER'S RECOMMENDATION

Approve subject to conditions

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)

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

027-RUS-ST2-000 Rev C
027-RUS-ST2-001 Rev C
027-RUS-ST2-002 Rev C
027-RUS-ST2-011 Rev C
027-RUS-ST2-013 Rev C
027-RUS-ST2-010 Rev C
027-RUS-ST3-011 Rev C

027-RUS-ST3-012 Rev C
027-RUS-ST3-013 Rev C
027-RUS-ST3-014 Rev C
027-RUS-ST3-015 Rev C
027-RUS-ST3-016 Rev C
027-RUS-ST3-017 Rev C
027-RUS-ST3-021 Rev C
027-RUS-ST3-031 Rev C
DR-0002 P01
DR-0003 P01
1001 P01
0001 Rev P01
SK-0007 Rev P01

EVA studio ecological appraisal May 2021
Civic engineers flood risk assessment 26 March 2021
LUC extended phase 1 habitat survey
Writtle Forest Consultancy tree survey and tree constraints plan

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 materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

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

b) The treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1no 13 x 13cm ground level access 'hedgehog hole' between the application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM16, 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).

5 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.

6 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.

- 7 Prior to the commencement of works, details of a Sensitive Lighting Strategy shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for the park; including lighting relating to works during the operational phase, shall be in accordance with Bats Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series. The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To safeguard protected species and nature conservation in accordance with Policy DM01 and DM16 of the Barnet Local Plan, Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) Policy G5, G6 & G7 of the London Plan and 2021 Environment Act 2021.

- 8 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason: To ensure improvements the biodiversity of the site in order to comply with

Policy DM16 of the Barnet Local Plan (2012).

- 9 No development shall take place, including demolition, ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the local planning authority. The purpose of the strategy shall be to ensure works and improvements to the river and the local nature reserve are within Rushmore Park secured. The content of the Strategy shall include the following.
- a) Aims and objectives of monitoring to match the stated purpose.
 - b) Identification of adequate baseline conditions prior to the start of development.
 - c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
 - d) Methods for data gathering and analysis.
 - e) Location of monitoring.
 - f) Timing and duration of monitoring.
 - g) Responsible persons and lines of communication.
 - h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy will be implemented in accordance with the approved details. 1 For instance, to establish the effectiveness of new nesting and roost features in a barn conversion by monitoring their use (recording distribution and abundance) by locally occurring bird and bats species.

Reason: To ensure improvements the biodiversity of the site in order to comply with Policy DM16 of the Barnet Local Plan (2012).

- 10 a.) No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation, enhancement and restoration of Rushgrove Park ecological features, has been submitted to and approved in writing by the local planning authority. The EDS shall include the following.
- a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
 - d) Extent and location/area of proposed works on appropriate scale maps and plans.
 - e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare and long-term maintenance.
 - i) Details for monitoring and remedial measures.

j) Details for disposal of any wastes arising from works.

b.) The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter

Reason: To ensure improvements the biodiversity of the site in order to comply with Policy DM16 of the Barnet Local Plan (2012).

- 11 Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Giant hogweed, Himalayan balsam and Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

Reason: To help prevent the spread of the two species of Japanese knotweed and other invasive species identified on site in accordance with policies DM04 and DM16 of the Development Management Policies DPD (Adopted) September 2012.

- 12 No development shall take place until a landscape and ecological management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:
- details of maintenance regimes
 - details of any new habitat created on site
 - details of treatment of site boundaries and/or buffers around water bodies
 - details of management responsibilities
 - details of INNS identified on site and the management plan in place to control them

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM04, DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2016).

- 13 No development shall take place until a scheme for the provision and management of an 8 metre wide buffer zone alongside the watercourse has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:
- plans showing the extent and layout of the buffer zone.
 - details of any proposed planting scheme (for example, native species).
 - details demonstrating how the buffer zone will be protected during development

and
managed over the longer term including adequate financial provision and named
body
responsible for management plus production of detailed management plan.
- details of any proposed footpaths, fencing, lighting, etc.
- details of any proposed bridges over the watercourse.
- details of any bank reprofiling or in-channel changes.

Reasons:

To protect the existing biodiversity within the area, the watercourses and wildlife in accordance with policies CSNPPF, CS5, and CS7 of the Core Strategy DPD (Adopted) September 2012; policies DM01, DM04 and DM16 of the Development Management Policies DPD (Adopted) September 2012; Policies 5.12, 7.18 and 7.19 of London Plan (2016); and the NPPF

- 14 a) A scheme of defensive landscape planting, including details of size, species, planting heights, densities and positions of defensible landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the works to upgrade the park.
- b) All work comprised in the approved scheme of defensive 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 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 security and appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01, DM02 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 The landscape proposals will be maintained by Barnet Council's Parks and Green Spaces therefore as the client for this application it is assumed the proposals are to their design.

New tree planting proposals will offset the loss of trees removed and provide a good level of enhancement.

The landscape planting palette will need to be guided by the recommendations given by the project ecologist to strengthen the SINC and riverside bio-diversity.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

- 2 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

- 3 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. 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.
- 4 For use of herbicides in or near to water, prior consultation and approval from the Environment Agency is required before the first application. This is to ensure that the herbicides will not have a detrimental effect on the riverine habitat.

OFFICER'S ASSESSMENT

1. Site Description

Rushgrove Park is a small local park (2.69 hectares) within a suburban setting located in Colindale.

The Park runs north to south and its boundary is marked on the northern side by Colindeep Lane and the Crossway to the south. Along the east and west sides, the park is surrounded by semi-detached houses most of which back onto the park.

The park currently benefits from a Multi-Use Games Area (MUGA) and tennis court along its southern boundary. The park also has a small children's playground.

A footpath currently runs the full length of the park adjacent to Rushgrove Avenue connecting Colindeep Lane and Crossway.

There are 4 pedestrian access points at the moment with the entrances located on Rushgrove Avenue, Colindeep Lane (western corner) and Crossway. The topography of Rushgrove Park is broadly level across the park, with the streets around the site on an incline with houses set at a higher level to the park with rear gardens sloping down towards the park. The park features the Silk Stream, which cuts off the eastern edge of the park and runs the full north to south length. With a low-level base in comparison to the surrounding housing, the park is prone to flooding, with a higher risk along the banks of the stream.

Rushgrove Park has an extensive area covered by tree canopy, predominantly down the eastern border, along with the water body.

2. Site History

N/A

Other relevant

17/1929/FUL

Montrose Playing Fields, Montrose Avenue, Colindale, NW9 5BY

The refurbishment of Silkstream Park and Montrose Playing Fields; the creation of new entrances; the installation of new footpaths and cycleways with 9 racks which would accommodate 18 bicycles; the installation of new hard paved public realm areas; the installation of new bridges and refurbishment of an existing bridge; the creation of a new pedestrian and cycle crossing of Montrose Avenue; the installation of new road surfaces and road design details on Montrose Avenue; the demolition of the existing pavilion building; the refurbishment of the existing tramshed building; the creation of new flood attenuation areas through amendments to levels and cut and fill operations; the installation of new playground facilities; the installation of new skateboarding facilities; the installation of new outdoor sports facilities including a multi-use games area, tennis courts, a green gym and basketball hoops; the provision of two no. 9 x 9 grass football pitches; the installation of occasional play equipment; new tree planting; new soft landscape planting
Approved subject to conditions committee decision 21st February 2018.

This scheme was for the refurbishment of two parks within the Colindale area which were identified within the Colindale Area Action Plan. The improvements to the Montrose and Silkstream Park have some similarities to those now proposed at Rushgrove including new entrance points and bridge links over the Silkstream; new play facilities and gym equipment; the creation of a skate park - comparable to the proposed scooter track.

3. Proposal

The proposal is submitted on behalf of the Council and relates to the upgrade of Rushgrove Park. As part of this upgrade new entrances will be provided to give increased permeability through the site and connectivity to the residential streets at this part of Colindale. New pedestrian bridges will allow for access over the existing silkstream.

Upgrade to existing park including: Vegetation removal works along Silkstream. Minor regrading of river bank to form flood alleviation wetland. Minor works to connect existing pond to river via swale. Two new pedestrian bridges across river. New boardwalk across proposed wetland. Make good and rerouting to some existing pathway. New playground. New planting. New scooter path. New outdoor gym trail. New entrance feature for Rushgrove Avenue

4. Public Consultation

Consultation letters were sent to 222 neighbouring properties.

21 responses have been received, comprising 19 letters of objection, 2 letters of comment.

Site notice was also posted on 21st August 2020.

The objections received can be summarised as follows:

Concerns about rates of burglary particularly for homes backing on to the park.

Anti-social behaviour; smoking; drug taking.

Opening entrance behind Colin Crescent and Colin Gardens will increase safety concerns and opportunity for burglaries. Easier access to houses with the new entrance.

Increased littering and fire risk if the wooden area is opened up

Money better used on roads and infrastructure.

FOI will be requested as to how much money spent on the project

Safety concerns about opening entrance through the tree lined area

Littering is an existing problem and should be addressed.

The cost of the bridge from Colin Crescent will be enormous with no real benefit. There are sufficient entrances as established.

No indication how children will be safeguarded from the stream. When in full flood this can be extremely dangerous. If the constraints are removed the lack of access from Colin Gardens side and the existing undergrowth on the park side, this would make it a safety concern.

The bridge will be dangerous to cross especially when dark as leads into a heavily tree screened area

Loss of trees and landscaping

Loss of ecology and wildlife - herons; kingfishers have been spotted. Owls and bats also roost in these areas.

Houses are on a flood plain - need reassurance this will not increase likelihood of flooding.

Scooter ramp will increase noise; late night loiterers and gangs.

5. Statutory Consultees

Natural England - No objections

Environment Agency - During the lifetime of the application a Flood Risk Assessment was submitted. The EA withdrew their initial objection to the proposal. The EA are supportive of the application subject to conditions securing details on the riverside buffer zone area and landscape plan.

Environmental Health - No objections with the inclusion of a construction method statement condition being secured. Particular reference to the scooter park has been considered in terms of potential noise generated - the EH team consider that given the siting this is unlikely to generate noise and the position has been sited with consideration to minimise noise to neighbours.

Trees - No objection subject to conditions to secure additional information

Ecology - No objection subject to conditions to secure additional information

Designing out crime team - Additional security measures have been recommended. Addressed within the report.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The Mayor's London Plan 2021

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.

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, DM02, DM03, DM04, DM15, DM16.

The Council's approach to development as set out in Policy DM01 is to minimise the 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. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to

minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's Local Plan (2021)

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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

Supplementary Planning Documents

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.

Green Infrastructure 2017

This document identifies that 'the provision of Green Infrastructure in and around urban areas contributes towards creating places where people want to live, work and invest; delivering benefits not only to the environment but also to the development of better places. Green infrastructure planning enables a co-ordinated and cross-sectorial approach to be taken across many different sectors. It can increase access to open spaces, contribute to urban cooling, allow greater appreciation of valued landscapes and support healthy living'.

This document states that:

Colindale Parks Improvement scheme 5.3.23 The improvement and enhancement of parks in Colindale will deliver significant support to the Council's regeneration initiatives in that area. In support of the Council's regeneration area policies new investment in the parks and open spaces of Colindale and Burnt Oak includes improvements to Montrose Playing Fields, Silkstream Park, Heybourne Park and Colindale Park to be completed by 2021. The application for planning consent for the Silkstream Valley Park project has been submitted and work has commenced on the development of proposals for improvements to Colindale and Rushgrove Parks.

Barnet Parks and Open Spaces Strategy (2016)

The strategy proposes that parks and open spaces can deliver a range of positive benefits for the borough and its residents in respect of economic, social and environmental outcomes. 42 23 This strategy 'recognises that a clear vision is needed to deliver a whole range of benefits for people who live and work in the borough.' The benefits identified in this document include: - enhancing the physical and mental health of residents - making Barnet a better place to live, work, learn and play - joining communities together by creating new green links between different parts of the borough - preparing the borough for the impacts of climate change by controlling flooding, - reducing pollution and moderating temperatures - protecting and enhancing the borough's cultural and natural heritage.

The proposal complies with the aims of this strategy as it makes improvements to water courses, increases accessibility to green spaces and preserves and provides improved opportunities for play and sport with the creation of an enhanced playground and new scooter track and the upgrade of a MUGA for sport.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing park, the street scene and the wider locality;
- Whether harm would be caused to the ecology of the site;
- Whether harm would be caused trees and landscaping;
- Impact on the flood risk;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Impact on safety and security to surrounding residents and residential properties

5.3 Assessment of proposals

Background

Rushgrove Park is situated in one of Barnet's main regeneration areas, Colindale; where over 10 000 new homes will be built.

There are key initiatives within the CAAP (Colindale Area Action Plan) that are relevant to both Colindale and Rushgrove Parks and should be considered as part of the development of Colindale and Rushgrove parks:

Editions development, adjacent to Colindale Park on the site of the former British Library Newspaper site housing over 350 new homes.

Redrow's Colindale Gardens on the former police training ground will eventually contain 3000 homes with first blocks completed in December 2017. As part of the CAAP and Redrow planning permission, a new pedestrian and cycle link is being opened from Colindeep lane, under the London Underground track through to Colindale gardens new green space and primary school. This new pedestrian link will have been an important consideration for the design of Rushgrove Park

Montrose and Silkstream parks as identified in both the CAAP and the Colindale Open Spaces Strategy are the first parks to be improved in line with both the PASS (Open Spaces Strategy) and SPP (Playing Pitch Strategy). Planning permission was granted for the upgrade of Montrose and Silkstream park to create better connectivity between the two parks and Improved facilities.

Rushgrove Park is the next existing open space to upgraded with improved connectivity and enhanced facilities.

The Colindale Area Action Plan sets out the objective of creating a network of green routes to connect public open spaces.

Public spaces will be connected to help support safe and attractive walking and cycling within and around Colindale and the surrounding area. The network will incorporate a number of green routes of high environmental quality and ecological diversity,

incorporating tree planting, linking the main open spaces of Montrose Park, Grahame Park and Aerodrome Park within the Colindale AAP area, Watling Park to the north east of Colindale and the smaller open spaces including Colindale Park, Rushgrove Park, Silkstream Park, Woodcroft Park, Lyndhurst Park and new proposed open spaces in Grahame Park Estate and Beaufort Park. Mature trees will be retained wherever possible through the redevelopment of the area.

The proposals currently under review support this objective and would enhance the connectivity of the site with the wider area.

The proposal seeks to upgrade and enhance the existing park providing improved and new facilities for local residents, the growing population within Colindale and the associated increased demand for improved facilities and open space for play, relaxation and sports. The proposal will provide better connectivity across this part of the borough and the new areas of re-development. The proposals include:

- New children's playground - with an aeronautical theme to reference Colindale's history. Play equipment to be provided for both younger and older children
- New humped scooter track - to be sited next to the children's play area. The scooter ramp will loop round a wildflower meadow in the middle.
- Picnic and seating areas
- Outdoor gym equipment
- New Multi use games area to replace the existing MUGA and new fencing and line parking and new surface.
- New entrance point from Rushgrove Avenue referencing aeronautical history of Colindale and creating a sense of entrance and arrival.
- New footbridge over the Silkstream and pedestrian access from Colin Crescent
- New footbridge over Silkstream and pedestrian access from Crossway
- New planting and landscaping
- Flood alleviation wetland and re-grading of Silkstream
- Existing water feature to be incorporated into swale collecting runoff from park feeding back into Silkstream and providing opportunity for biodiversity, whilst maintaining existing trees where possible. Existing pump house to remain. New composite boardwalk with steel column and beam structure and 3 new benches for enjoyment of the wetland/woodland/ecological area

The proposal has been broadly categorised into commute; discover; play and socialise. Each of these themes will be supported by the proposal.

The supporting text to policy G4 of the London Plan 2021 states that proposals to enhance open spaces to provide a wider range of benefits for Londoners will be encouraged. Examples could include improved public access, inclusive design, recreation facilities, habitat creation, landscaping improvement or Sustainable Drainage Systems (SuDS).

This is reinforced by the supporting text to policy DM15 which says that people need a variety of open spaces close to where they live. Open space can provide the opportunity for relaxation, play, socialising and sporting activity which contributes to healthy lifestyles. In providing enhanced connectivity and improved and new facilities to Rushgrove Park the development proposal is considered to meet the aims of policy G4 and DM15.

Play

The proposed refurbishment of the existing playground seeks to introduce a variety of play

equipment to serve the local community and improve the current facilities. The play equipment will cater for all ages. A new equipment-based playground will be re-provided in a similar position to the existing play equipment. An area of 180sqm will be fenced off to provide a safe and secure environment for younger children whilst an open area of 635sqm will cater for older children with larger equipment. The playspace has an air travel theme to continue the theme of the main entrance to the park. The ground surface of the play area design has been designed to continue the air travel theme providing opportunities for imaginative play. The siting of the playground is comparable to the existing and, therefore, in terms of any noise and disturbance to neighbouring residents it is not considered to significantly alter the current situation.

A new humped scooter ramp is to be provided adjacent to the enhanced playground. This proposed facility is considered appropriate for a park as it is a recreational use. The track will enclose an area of wild meadow flowers. The proposed scooter ramp is located centrally within the park and far enough from residential properties to not have a detrimental impact in terms of noise and disturbance.

A new outdoor gym trail will be created along an existing, underutilized path stretching from the boardwalk south along the stream. This will provide opportunities for moments of exercise amidst the rich display of natural scenery.

Finally, at the south end of the park, upgrade works will be carried out to the existing tennis court, to provide a Multi-Use Game Area, complete with new fencing and line marking. These proposed new surfaces provide a range of opportunities for sport and exercise and are, therefore, supported by the Local Planning Authority. Although there will be no further allocation of formal pitches or play surfaces opportunities for informal ball games and play across the site will be retained.

On review of Policy GG3 of the London Plan 2021, the scheme is noted to create opportunities for play, recreation and sports to the betterment of physical and mental health of the participants and spectators of the space. The upgrade of existing facilities sports facilities and new outdoor gym equipment (as is typical in other parks within the Borough) is considered to be in accordance with the aims of policy GG3 and will provide enhanced opportunities for sports and recreation within Rushgrove Park. Therefore, the proposed development is considered to be acceptable in principle.

Commute

New entrances are to be provided from Colin Crescent and Colindeep Lane which will include the provision of new bridges across the Silk stream. This will serve to open up and create connections between residential roads and create enhanced linkages to and from the current redevelopment projects underway within Colindale.

Discover

The proposal will seek to take advantage of the rich biodiversity and ecology at the park, particularly centred around the Silkstream. A new woodland walk and Boardwalk will be provided, allowing users to engage and enjoy the biodiversity of the wider park.

The proposals also take advantage of the biodiversity at the site with the creation of a new wetland; walk way and new boardwalk with associated benches for nature observation.

This area of the park enables members of the public to engage with, and enjoy, the natural and ecological setting of the park.

New planting will be provided throughout the park to contribute to the natural landscaping of the site. Meadow wildflowers will be planted to soften the appearance of the scooter track.

Socialise

The upgraded park will include provision for benches and areas to relax and socialise. A new dedicated picnic area is to be provided with picnic benches located close to the playground. The improved park will enhance opportunities for relaxation and socialising in dedicated spaces but also informal areas throughout the park.

Impact on the character of the area

The proposed new features are those that would be generally expected within a public park including play equipment and a sports area with associated fencing. The upgrade of the park is considered to improve the appearance of the park and its contribution to the wider character of the area. The design has taken reference to the area's history in aviation and this has been incorporated into the new entrance from Crossway and the play area. The new entrance will provide a sense of place and arrival at the park which is welcomed.

The proposal has also been designed to take advantage of the ecological and biodiversity features of the site allowing users to interact and enjoy the more natural areas of the site, including the provision of a new boardwalk and benches along the stream to allow for nature observation. The proposal will allow for a quiet enjoyment of the open space away from the activity hubs of the playground and MUGA. The proposal will provide new fencing and line marking to demarcate the sports area.

New planting across the park will further enhance the appearance of the site. The proposals are considered to incorporate an appropriate mix of both new artificial features such as play equipment and natural landscaping to provide a well-designed area which caters for a variety of users.

Impact on ecology

Policy DM16 requires that when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity. The proposal is considered to meet the requirement of the retention of biodiversity.

The proposed application relates to an upgrade to the existing park and vegetation and includes works along the Silk Stream and its riverbanks. The site is within The Silk Stream and Burnt Oak Brooks Site of Borough Importance for Nature Conservation (SINC). The Site also falls within the Impact Risk Zone (IRZ) of Brent Reservoir Site of Special Scientific Interest (SSSI).

As a result, particular regard must be had to the Silk Stream and Burnt Oak Brook SINC due to potential changes in hydrology and habitat.

It is acknowledged that the application may have an adverse effect on the Silk Stream and Burnt Oak Brook SINC due to changes in hydrology and habitat change and/or loss within Rushgrove Park. Furthermore, changes to hydrology within the Silk Stream due to the proposal may also have an adverse effect upon the downstream Brent Reservoir SSSI. Removal of riverine trees can alter riverine processes further from near natural. This is because their roots can hold the banks together and prevent erosion of the riverbanks in time of flood, indeed their removal could degrade in-river habitat for species such as fish and invertebrates. In addition, any removal of trees could alter the hydrology of the river, not only in the immediate locality, but a significant distance upstream and downstream of the site and this may mean there is an impact on the Brent Reservoir SSSI which is downstream of the site. As a result, understanding the likely ecological impact of the proposal is critical in the overall assessment.

Natural England have been consulted on the application and have raised no objection to the proposal noting that based on the plans submitted there would not be a significant adverse impact on statutorily protected nature conservation sites or landscapes.

Policy DM16 Biodiversity of the Barnet Local Plan (Development Management Policies 2012) states that: 'when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity; where development will affect a Site of Importance for Nature Conservation and/or species of importance the council will expect the proposal to meet the requirements of London Plan Policy 7.19E which states that 'When considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, the following hierarchy will apply: 1. avoid adverse impact to the biodiversity interest 2. minimize impact and seek mitigation 3. only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

No works in connection with the development should commence unless the site protection measures have been implemented in full in accordance with the approved CEMP. All protective fencing and warning signs shall be retained during the construction period in accordance with the approved details as well as a mitigation and enhancement package to ensure no net loss of biodiversity. In reviewing the application and with discussion with the Councils Ecology Team further clarification was provided in respect of the removal of trees. This further clarification as outlined in paragraph 4.19 of the ecological appraisal noted that no trees with bat root potential will be removed. The applicants ecology consultant provided the following additional commentary: Vegetation removal is restricted to selective areas of low-lying scrub, with trees/tree cover being retained where feasible and no proposed lighting along the river corridor. Therefore, it is expected that the overall ecological connectivity and foraging/commuting opportunities provided by the Silk Stream will not be adversely impacted as a result of the proposals, but in fact strengthened given the provision of new habitats (wetland), riparian planting along the river bank, and proposed management of retained tree/scrub along the bank. It is also considered that any impacts associated with the selective removal of vegetation on local foraging/commuting bats would be minimal and temporary provided the clearance works are undertaken and proposed enhancements are implemented outside of the active season for bats.

Based on the submitted information, which includes additional detail as well as an ecological appraisal dated May 2021, the ecology team are satisfied that, subject to conditions, the proposal would not have a harmful impact on the ecology and biodiversity of the site.

Impact on the flood risk

This application lies within Flood Zone 3, which is land defined by the planning practice guidance (PPG) as having a high probability of flooding.

The Environment Agency (EA) were consulted on the application and originally raised an objection to the proposal on the basis of the Flood Risk Assessment (FRA). The EA provided guidance to the applicant as to how to overcome the objection and subsequently a revised FRA was submitted. The revised FRA included an assessment of the 1% annual probability (1 in 100 year), plus an allowance for climate change flood event, and has used this information to demonstrate how the proposed development will be safe from flooding for its lifetime, without increasing the risk of flooding elsewhere.

The EA were then consulted on the revised FRA and withdrew their objection stating that the revised FRA dated 26 March 2021 met the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA adequately assesses the flood risk of the development by including an assessment on flood depths. Conditions have been imposed to secure further details.

The proposal will also involve re-grading the silkstream banks to help with flood alleviation. An existing water feature at the site will be incorporated into a swale to help collect water runoff from the park and feedback to the stream. This will enhance the existing feature and bring it back into use and will help alleviate any flood risk at the site and to surrounding properties.

Impact on surrounding residential amenities

With regards to the impact on neighbouring residential amenity it is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy D6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

The park is a long-standing area of open space that has been enjoyed by residents for some time. The applicants design and access statement indicates that Rushgrove Park was first laid out as a recreation ground by the mid-1950s and was known as Colindeep Open Space. As a result, this application does not seek to introduce a park, along with the likely activities that take place within, where none exist at present. However, additional facilities are proposed as part of this application, the impact of which does need to be assessed. The proposed new playground, scooter ramp and multipurpose sports ground and new features which will be the focus of activity and are located at a distance from neighbouring residential properties. These are considered to be the areas where the most noise is likely to be generated from the increased activities.

The scooter ramp at its closest point being approximately 33m from the back boundary of properties on Colin Gardens and 14.5m from the rear boundary of properties on Rushgrove Avenue. The proposed playground is located a significant distance from residential properties. This separation distance is considered sufficient to mitigate any disturbance resulting from the increased activity in these areas.

The MUGA will be sited approximately 18m from the nearest rear boundary of properties on Rushgrove Avenue and 37m from Colin Gardens. Whilst the play area will be at the

shortest distance 14m from the rear boundary to Rushgrove Avenue and 44m to Colin Gardens.

Furthermore, it should be noted that the playground and sports ground will replace existing facilities to a higher standard, but these are broadly being replaced in the same location.

The Councils Environmental Health team have reviewed the proposals and do not consider that the upgrade to the park would lead to undue noise and disturbance to the surrounding residential occupiers that would be likely to result in a nuisance to residents.

Security and safety

The park is an existing public open space and accordingly the assessment of security and safety should be proportionate in the context of the new facilities being provided.

A significant change is the introduction of a new entrance to Colin Crescent which is currently fenced off with trees and vegetation and the brook separating the residential street from the park. Currently anyone from this side would need to enter the park via Colindeep Lane. Objections have been received from surrounding occupiers in regard to the increased fear of crime as a result of the upgrade works, in particular the new entrance path created on Colin Crescent. The objections largely relate to the new entrance creating an opportunity for break-ins to the rear of properties which are currently backs on to an area of undergrowth and trees lined area and separated from the park by the silkstream which makes access to the rear of these properties difficult.

In consultation with the Metropolitan Police Designing Out Crime officer, a condition has been imposed to secure details of defensive planting within the area of land adjacent to the new footpath and entrance off Colin Crescent. The purpose of the defensive planting is to restrict movement alongside, and to the rear of, the private dwellings. Suitable planting such as Hawthorn would be successful in restricting movement reducing the ability of individuals to access this part of the park and, consequently, reducing the likelihood of break ins from the rear of the properties.

In assessing the impact of a new entrance and associated footpath adjacent to residential properties, it should also be noted that the existing footpaths into the park already run alongside residential properties, so in that respect the principle of public footpaths adjacent to private dwellings is not uncommon. It is noted that the rear of residential properties on Rushgrove Avenue back directly on to the park with varying types of boundary treatment. It is not considered that the introduction of a new entrance at Colin Crescent would be any more susceptible to crime than these properties.

From the point of view of enhancing the residents offer for recreation that the park provides, permeability is important in this context to allow for ease of use and access to the park with the hope that it would increase usage. A route through to create connections in this part of Colindale, with the new and proposed redevelopment areas, is considered to be important and a key part of the proposal.

Sightlines within the park are important to allow for park users to see what is ahead of them and increase safety accordingly. As a result, the footpaths through the park are direct and can be overseen from other areas of the park. It is considered that with adequate planting (details to be secured via condition) the proposal would mitigate any perceived vulnerability to increased crime to the rear of properties along Colin Crescent and Colin Gardens.

The Park will undergo regular maintenance to remove flytipping, the improvements to the park is hoped to discourage the area from being used as flytipping as it becomes a well used and visited facility for the local residents.

In assessing the application, it has been determined that the proposals will have a number of physical and mental wellbeing benefits. The proposal accords with the aims and objectives of the London Plan that recognises the importance of outdoor space for residents' wellbeing. Taking the benefits, the upgrade of the park will bring into consideration and weighing it against the fear of increased crime, which is of course recognised, the proposal is considered to be acceptable.

It should be noted that comments made by the Police designing out crime officer such as benches potentially attracting anti-social behaviour can be managed outside the scope of the planning application. The Park is managed and maintained by the Council and a flexible approach to the siting of benches can be taken to reflect any increased incidents of anti-social behaviour. This would take place whether, or not, this planning application had been submitted.

Overall, in weighing up the planning balance, it is considered that the significant public benefits resulting from the upgrade of the park including improved play facilities; improved sports and exercise facilities; general improvements to the park and improving linkages in this part of the Borough the fear of crime, whilst it is acknowledged and careful consideration of these concerns has been made, any increased fear is outweighed by the overall benefits of the scheme and appropriate mitigation measures to limit the risk of crime. Measures have been incorporated into the scheme, as described above, to ensure that any increased vulnerability to surrounding properties has been mitigated to an appropriate degree.

Summary of assessment

In assessing the application the proposal has been considered against adopted policies and the key benefits of the proposal. Increase use of park and provide new and improved facilities for the growing population, provide linkages in this part of the Borough, alleviate flooding concerns and provide play and recreation opportunities.

The concerns of local residents in regards to potential increase in crime and anti-social behaviour have been carefully considered and through discussion with the designing out crime officer the vulnerability of opening a new entrance on Colin Gardens has been mitigated with the provision of effective defensible planting with details to be secured by way of condition.

Officers worked with the Police to agree mitigations that will help to discourage ASB whilst at the same time not detrimentally impacting on the improvements proposed for the park.

The proposals will comply with Policy GG3 of the London Plan 2021, the scheme is noted to create opportunities for play, recreation and sports to the betterment of physical and mental health of the participants and spectators of the space. On this basis approval is recommended.

5.4 Response to Public Consultation

The cost of the project is not a planning consideration.

The ecology team have reviewed the proposals and consider that the proposal can be appropriately implemented without harm to the ecology and biodiversity of the site. The application is subject to a number of conditions to provide further detail prior to commencement of works. Both the ecology team and Natural England are satisfied with the proposal and the suggested mitigation measures to manage any impact on ecology.

The trees team have reviewed the submitted information and consider the proposals to be satisfactory and appropriate.

In consultation with the designing out crime officer the proposal is considered to mitigate any increased risk of crime or anti-social behaviour. It is also considered that on balance the public benefit of enhanced facilities outweighs any perception and increased fear of crime.

The park will be locked at night in line with the management of other parks within the borough.

The new bridge to Colin Crescent will not be lit, however, this is considered to be beneficial as it will not create a welcoming environment for users and therefore people using the park will be more inclined to use the lit pathways.

Issues such as littering and flytipping will be part of the general maintenance of the park. This is not controlled as part of the planning process but would be for the Councils' Greenspaces team to consider.

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.
- marriage or civil partnership

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. 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. Including the provision of new entrance points to improve connectivity across the site. The entrances to the park have been designed considering the need to provide safe and convenient pathways for those using mobility aids and pushchairs and those with limited mobility unable to travel significant distance.

A number of pieces of equipment in the playground have been chosen as they provide opportunities for play for those with physical disabilities including the provision of an access spinner and an access whirl which are both designed to be DDA compliant. The air travel theme supergraphics across the play surface also allows opportunities for imaginative play.

The proposal has a range of opportunities for the enjoyment of the space, including recreation, socialising, enjoyment of the natural landscape and opportunities for play and sport. Overall the proposal will provide a safe and inclusive environment for users including those falling within a protected characteristic.

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

AGENDA ITEM 8

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