

MEETING

STRATEGIC PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 7TH SEPTEMBER, 2022

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF STRATEGIC PLANNING COMMITTEE (Quorum 3)

Chair: Councillor Nigel Young
Vice Chair: 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 Friday 2 September 2022 at 10AM. Requests must be submitted to planning.committees@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 Tristan.Garrick@Barnet.gov.uk

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ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Absence of Members	
2.	Declarations of Members' disclosable pecuniary interests and other interests	
3.	Minutes of the last meeting	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Land At Central Avenue (adjacent to) The Grange Estate High Road London N2 22/3539/FUL East Finchley	5 - 58
7.	Land At High Road (Between East View House And Hilton House) The Grange Estate High Road London N2 22/3544/FUL East Finchley	59 - 110
8.	Broadfields Estate Bushfield Crescent Edgware HA8 8XH 20/3742/FUL Edgware	111 - 164
9.	Any item(s) that the Chairman decides are urgent	

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Location Land At Central Avenue (adjacent to) The Grange Estate High Road London N2

Reference: 22/3539/FUL Received: 7th July 2022 **AGENDA ITEM 6**
Accepted: 12th July 2022

Ward: East Finchley Expiry 6th September 2022

Case Officer: James Langsmead

Applicant: Barnet Homes

Proposal: Development of the site to provide 8 affordable homes (Class C3) in a 3 storey building, together with associated public realm, landscaping and playspace improvements, and car and cycle parking

OFFICER'S RECOMMENDATION

Approve subject to a Unilateral Undertaking and 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)

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 by Unilateral Undertaking and any other legislation which is considered necessary for the purposes of seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Provision of Affordable Housing
Provision of 8no. units (8 x London Affordable Rent).
4. Highways/Public Right of way works
Associated highway works under S278/S184 or other relevant legislation/legal mechanism.
 1. Stopping up of a footpath along Willow Walk

5. Monitoring of Legal agreement
Contribution towards monitoring of the legal agreement.

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:

- Central Avenue - Existing Block Plan 3729-LB-CA-00-DP-A-102004 Rev. P2
- Central Avenue - Proposed Block Plan 3729-LB-CA-00-DP-A-110005 Rev. P1
- Central Avenue - GA Ground Floor Plan 3729-LB-CA-00-DP-A-120040 Rev. P13
- Central Avenue - GA First Floor Plan 3729-LB-CA-01-DP-A-120041 Rev. P11
- Central Avenue Overlooking Distance Study 3729-LB-CA-01-DP-A-400040 Rev. P2
- Central Avenue - GA Second Floor Plan 3729-LB-CA-02-DP-A-120042 Rev. P12
- Central Avenue - GA Roof Plan 3729-LB-CA-03-DP-A-120043 Rev. P11
- Central Avenue - Proposed Elevations 3729-LB-CA-XX-DE-A-130031 Rev. P5
- Existing Site Location Plan - Central Avenue 3729-LB-CA-XX-DP-A-101002 Rev. P1
- Central Avenue - Demolition Plans 3729-LB-CA-XX-DR-A-158040 Rev. P2
- Central Avenue - Existing Section 3729-LB-CA-XX-DS-A-104004 Rev. P1
- Central Avenue - Proposed Section 3729-LB-CA-XX-DS-A-140040 Rev. P4
- Central Avenue Tree Removals BA017-GW-CA-DR-L-401 Rev. P2
- Central Avenue Levels Plan BA017-GW-CA-DR-L-402 Rev. P3
- Central Avenue GA Plan BA017-GW-CA-DR-L-403 Rev. P3
- Central Avenue Planting Plan BA017-GW-CA-DR-L-404 Rev. P3

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 commence above ground floor slab level, until details of the materials to be used for the external surfaces of the building 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 The hereby approved development shall be implemented in accordance with the topographical levels details contained within approved drawing no. BA017-GW-CA-DR-L-402 Rev. P3, and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

5 Before development commences other than for investigative work:

Part 1

a) A site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model within the 'Preliminary Investigation Report' produced by Soils Limited (Doc ref: 18620/PIR_R26; September 2020). 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.

b) 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

c) 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).

6 No site works including demolition or construction work shall commence until a final Demolition and Construction Management and Logistics Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Statement submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provision 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 contractor's 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.
- xi. Provision of a competent banksman.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

7 Before the building hereby permitted is first occupied the proposed windows illustrated to be glazed with obscured glass in the hereby approved plans and shall be installed and 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).

8 Prior to occupation of the development, the accessible blue badge parking spaces as illustrated on drawing no. 3729-LB-CA-00-DP-A-110005 Rev. P1 shall be provided and used only as agreed and not for any purpose other 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 T6.1 of the London Plan (2021); 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.

9 a) No development associated with the hereby approved development shall commence above ground floor slab level until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the ventilation/extraction plant incorporated into the development, 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 The level of noise emitted from any mechanical ventilation plant incorporated into the development hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and D14 of the London Plan 2021.

11 Prior to occupation of the development full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. The active charging points shall be implemented in full accordance with the approved details prior to first occupation and thereafter 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 T6.1 of the London Plan 2021.

12 No works on the public highway including creation or modification of a vehicular access or reinstatement of redundant accesses, signage and lining works as well as new tactile paving at the access as a result of the proposed development 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 184/278 of the Highways Act, for these works and reinstatement of any consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on the public highway are carried out to the satisfaction of the highway authority in the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

13 Details of cycle parking including the type of stands, gaps between stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 15 cycle parking spaces (13 long-stay and 2 short stay) comprising 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 Policy T5 of the London Plan; London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012; and Policy DM17 of Barnet's Development Management Policies (Adopted) September 2012.

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 ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012)

and Policy G7 of the London Plan 2021.

15 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016) and the Sustainable Design and Construction SPD (adopted October 2016).

16 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "before" survey shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented, as approved, within 3 months of first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway, in accordance with Policy DM17 of Barnet's Local Plan Development Management Policies (adopted September 2012).

17 a) Prior to carrying out works above slab level, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such parts of a building can achieve full 'Secured by Design' Accreditation.

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

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

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012, and Policy D11 of the London Plan 2021.

18 Prior to occupation of the development, it shall have been constructed in full accordance with the air quality mitigation recommendations, as set out within the hereby approved report 'Air Quality Assessment' produced by IDOM (Doc ref: AQA-22417-22-186

REV A; dated: 28-06-22).

Reason: To ensure that the development improves and maintains air quality in the interest of protecting residential amenities, in accordance with policies DM01, DM02 and DM04 of the Barnet Development Management Policies document (2012), Policies SI1, SI2, SI4, and D6 of the London Plan 2021.

19 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 and piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure, therefore, this should be adequately mitigated in accordance with Policy SI5 of the London Plan (2021).

20 No development other than demolition, site clearance and temporary enabling works, shall commence until a Sustainable Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme have been submitted to and approved in writing by the Local Planning Authority.

The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason:

To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted 2016) and Policy SI13 of the London Plan 2021.

21 The development shall be implemented and the refuse and recycling facilities provided in full accordance within the refuse and recycling strategy provided with the hereby approved plans and design and access statement, before the development is first occupied and the development shall be managed in accordance with this strategy in perpetuity once occupation of the site has commenced.

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

22 Prior to the erection and installation of photovoltaic panels, details of the size,

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan (2012).

23 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interest of good air quality in accordance with Policy DM04 of Barnet's adopted Development Management Policies DPD (2012) and Policy SI1 of the London Plan 2021.

24 a) Notwithstanding the details submitted with the hereby approved documents and plans, a final scheme of hard and soft landscaping, including details of replacement trees, 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.

Tree and shrub species selected for landscaping/replacement planting must provide long term resilience to pest, diseases and climate change. A 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 immediately 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.

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 Policy G7 of the London Plan 2021

25 a) Prior to the first occupation of the hereby approved development, details of the proposed green roof shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and Policy G7 of the London Plan 2021.

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

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G7 of the London Plan 2021.

27 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.

a) 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, species enhancement measures (including bat roost and bird boxes, and log pile) and any new soft landscaping to be planted as part of the approved Biodiversity Net Gain scheme.

b) This management plan will ensure compliance with the approved level of biodiversity net gain for the approved development.

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

Reason: To ensure that biodiversity and ecology is preserved and enhanced in accordance with Barnet's Local Plan (2012) Development Management 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 the Environment Act 2021

28 Prior to completion of works 2 x Vivara Pro Woodstone Bat or similar brand alternative and 2 x Woodstone Nest Box or a similar shall be installed onto a mature tree (or building) located at least 5m high on the S, SE, or SW orientation, ideally and with enough space for bats to fly under the box easily in accordance with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)'. Photographs of the bat boxes/bricks shall be submitted as evidence of compliance which shall be approved by the local planning authority. These installations shall be maintained and replaced as necessary for the lifetime of the building as directed by an appropriately qualified and licenced bat ecologist.

Reason: In the interest of enhancing biodiversity on site and preserving ecology for the wider area, in accordance with Barnet Local Plan (2012) Policy DM01, Policies CS5 and CS7 of the Local Plan (2012) Core Strategy DPD and Policies G6 and G7 of the London Plan 2021.

29 Prior to works above ground floor slab level, details of a Sensitive Lighting Strategy shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for the project, including 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 scheme shall be implemented in full accordance with the approved details, prior to occupation of the development.

Reason: In the interest of protecting bats, in accordance with Policy DM16 of Barnet's adopted Local Plan Development Management Policies DPD (2012) and the Policy G6 of the Mayor's London Plan (2021).

30 Prior to occupation of the development the details of the location, dimension, orientation of at least two dead log piles, designed with the input of a suitably qualified and experienced ecologist, shall be submitted to and approved in writing by the Local Planning

Authority. The log piles must not be constructed of non-native wood or chemically treated woods.

These dead log piles shall be installed and maintained onsite, in accordance with the details approved under this condition for the lifetime of the project.

Reason: To ensure that the development enhances, preserves and protects protected species in accordance with Policy DM16 of Barnet's adopted Local Plan Development Management Policies DPD (2012) and the Policy G6 of the Mayor's London Plan (2021).

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

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

32 Prior to the first occupation of the development, the dwellings 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 DM03 of Barnet's Local Plan (Development Management Policies) DPD 2012 and Policy D7 of the London Plan 2021.

33 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the wholesome 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. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

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), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

34 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operations or development shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

- The installation of any structures or apparatus for purposes relating to telecommunications or any part of the development hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that order.

- The upwards extension, by virtue of adding additional stories, to the building.

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

35 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).

36 Notwithstanding the parking layout submitted with the planning application, prior to commencement of the development; a revised parking layout plan showing the exact dimensions of the existing/proposed crossovers and proposed 24 off-street parking spaces including 2 disabled spaces within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the 24 off-street parking spaces 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.

37 Prior to occupation the hereby approved development shall be constructed and maintained thereafter in full accordance with the details set out in the Fire Safety Strategy (Report Ref: SO12854R - Issue 01 - 23/06/2022 - produced by Warringtonfire Consulting Ltd) submitted with the application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that sufficient precautions have been taken with respect to fire safety of the building, in accordance with Policy D12 of the Mayor's London Plan (2021).

38 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016), the Planning Obligations SPD (adopted April 2013) and Policy S4 of the London Plan 2021.

39 The hereby approved development shall be carried out in accordance with the Travel Plan Statement (ref: 20045 d8a; dated: 28th June 2022) produced by Lime Transport).

Reason: To encourage the use of sustainable forms of transport to the site in accordance with Policies DM17 and CS9 of the Barnet Local Plan Core Strategy and Development Management Policies DPD (2012)

Informative(s):

1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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 that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

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

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

4 While it is understood that there is a risk that nesting birds maybe negatively impact by the proposed vegetation clearance works should the works commence during the active

nesting bird season. Nesting birds and their active birds' nests are protected from damage of disturbance under the Wildlife and Countryside Act 1981, as amended (Section 1).

Generally trees, buildings and scrub may contain nesting birds between 1st March and 31st August inclusive. It is considered that nesting birds are likely to be present between the above dates. You are advised to seek the advice of a competent ecologist prior to undertaking any works which could affect nesting birds during the period outlined above.

5 Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.
<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.thameswater.co.uk%2Fdevelopers%2Flarger-scale-developments%2Fplanning-your-development%2Fworking-near-our-pipes&data=05%7C01%7CJames.Langsmead%40Barnet.gov.uk%7C68750a6c03644d1a689208da6af402ec%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C637939893487886611%7CUnknown%7CTWfPbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=%2Buzyp3gUz0txaLhjqEG%2F4n9GFJ0JFu2WdoF7IQ%2FxpQpc%3D&reserved=0>

6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

7 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

8 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.

9 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.

10 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.

11 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.

12 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.

RECOMMENDATION III:

That if the above agreement has not been completed has not been submitted by 31st December 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 meet the costs of provision of affordable housing and highways mitigation. The proposal would therefore not address the impacts of the development, contrary to Policies CS5 and CS9 of the Local Plan Core Strategy (adopted September 2012), policies DM01, DM04, DM10 and DM17 of the Development Management Policies (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

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

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

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

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

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

Revised 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 20 July 2021. 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 Revised NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The Revised 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 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 2041. 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 development in London achieves growth that is socially and economically inclusive and environmentally sustainable.

The following Policies are relevant:

GG2 (Making Best Use of Land),
SD1 (Opportunity Areas),
G5 (Urban Greening),
G6 (Biodiversity and access to nature),
G7 (Tree and woodlands),
D1 (London's form, character and capacity for growth),
D2 Infrastructure requirements for sustainable densities,
D3 (Optimising site capacity through the design-led approach),
D5 (Inclusive design),
D6 (Housing quality standards),
D7 (Accessible housing),
D8 (Public realm),
D11 (Safety, security & resilience to emergency)
D12 (Fire safety)
D14 (Noise),
H1 (Increasing housing supply),
H4 (Delivering affordable housing),
H5 (Threshold approach to applications),
H6 (Monitoring affordable housing),
H10 (Housing size mix),
S4 (Play and informal recreation),
T5 (Cycling),
T6.1 (Residential Parking),
S11 (Improving air quality),
S12 (Minimising greenhouse gas emission),
S15 (Water infrastructure),
S112 (Flood risk management),
S113 (Sustainable drainage),
DF1 (Delivery of the plan and Planning Obligations).

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 (Adopted 2012):

CS NPPF (National Planning Policy Framework - Presumption in favour of sustainable development)
CS1 (Barnet's Place Shaping Strategy - Protection, enhancement and consolidated growth)

- The three strands approach)
- CS3 (Distribution of growth in meeting housing aspirations)
- CS4 (Providing quality homes and housing choice in Barnet)
- CS5 (Protecting and enhancing Barnet's character to create high quality places)
- CS7 (Enhancing and protecting Barnet's open spaces)
- CS9 (Providing safe, effective and efficient travel)
- CS11 (Improving health and wellbeing in Barnet)
- CS12 (Making Barnet a safer place)
- CS13 (Ensuring the efficient use of natural resources)
- CS14 (Dealing with our waste)
- CS15 (Delivering the Core Strategy)

Relevant Development Management Policies:

- DM01 (Protecting Barnet's character and amenity)
- DM02 (Development standards)
- DM03 (Accessibility and inclusive design)
- DM04 (Environmental considerations for development)
- DM08 (Ensuring a variety of sizes of new homes to meet housing need)
- DM10 (Affordable housing contributions)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

Barnet's Local Plan (Reg 22) 2021

The Council is in the process of reviewing and updating the Borough's planning policies in a document, known as the Local Plan. It forms a 15-year strategy which emphasises Barnet's many strengths as a place to live, work and visit. The Local Plan sets out a vision for how the Borough will change as a place over the next 15 years.

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

- Delivery Skills, Employment, Enterprise, and Training from Development through S106 SPD (October 2014)
- Green Infrastructure SPD (October 2017)
- Planning Obligations SPD (April 2013)
- Residential Design Guidance SPD (April 2016)
- Sustainable Design and Construction SPD (April 2016)
- Affordable Housing SPD (February 2007)

PLANNING ASSESSMENT

Site Description

The application site is located within the Grange Estate, located within East Finchley, to the west of the High Road (A1000) and to the south of the North Circular (A406). The Grange Estate is a housing estate covering approximately 6 acres along the western side of the High Road. Formerly, the Grange Estate was an industrial factory site, before being developed for residential purposes in the 1930s. The Estate now comprises a mixture of flatted development and houses, ranging from two to four storeys.

The application site is 0.44 hectares infill site. It concerns an unmarked vehicular hardstanding that is currently used for parking on the south-eastern half of a courtyard between the residential buildings of Willow House (an 'L' shaped building, three storey building) and Craven House (a three storey building). In the centre of the courtyard is a further area of hardstanding and some informal green space, inclusive of trees, surrounding this.

The wider surrounding area in the estate and beyond is predominantly suburban and residential in nature, primarily consisting of two-storey terraced housing and three and four storey flatted development.

Further to the south, along High Road (A1000) and towards the District Town Centre (DTC) of East Finchley there are a range of commercial and retail uses which provide facilities and services for local residents. East Finchley Northern Line London Underground station is located within the DTC.

The area is served by Martin Primary School, and both Bishop Douglass and The Archer Academy secondary schools.

In terms of public transport accessibility, the eastern part of the site has a PTAL of 1b (worst), and a small section of the western part has a PTAL of 0 (worst). Notwithstanding, the site is accessibly located with regards to the East Finchley District Town Centre (DTC) by foot in approximately 8 mins (0.4-0.5 miles) and there are also regular main bus routes servicing the High Road that stop at the DTC.

The Islington and St Pancras Cemetery, a Grade II* listed Park, is located opposite the site on High Road. Additionally, the 'Gatehouses to St Pancras and Islington Cemetery', a Grade II listed structure, is located to the north of the site, at the junction of Exit Road and High Road. Oak Lane Clinic is also designated as a locally listed building. The site is not situated within a Conservation Area.

The site is situated within Flood Zone 1, being at low risk of fluvial floodings, however it is located within a critical drainage area.

Proposed Development

This application seeks planning permission for the erection of a three storey building, to provide accommodation for 8 affordable homes (Use Class C3). In addition, the existing courtyard area will be re-designed to make improvements to the public realm, landscaping, playspace, parking and waste & recycling arrangements.

Car parking alterations and cycle parking provision are also proposed. Of the existing 24 parking spaces provided within the central courtyard's parking area, 12 spaces would be re-

provided (including two accessible spaces for the two accessible dwellings). A secure and sheltered cycle store for up to 20 bikes (two-tier), would be provided externally – 14 spaces for residents and a further 6 for existing residents.

Site History

No relevant prior planning history for the site.

Public Consultation

Consultation letters were sent to 269 neighbouring properties. The application was also advertised by Site Notices displayed 13.07.2022.

48 responses have been received, comprising 48 letters of objection.

The objections received can be summarised as follows:

- Increase in parking pressures within the surrounding roads.
- Insufficient parking provision.
- Inaccuracies in the predicted/surveyed level of parking provision on the estate
- Increase in volume of traffic and speeding
- Constraints of existing roads, resulting in vehicles mounting kerbs and creating pedestrian/motorist dangers.
- Existing roads are narrow, with lack of safe passing places, leading to congestion and increased collisions/altercations.
- Increase in the number of delivery drivers that create further obstruction and congestion.
- There is a lack of understanding of the reality of living on the surrounding roads
- There is substantial school traffic within the area, and this will contribute towards that, creating danger for the parents and children. A child has already been knocked down.
- The parking survey information is inaccurate and the transport statement relies on 2011 census data for its justifications, which is out of date.
- People who do not live on the estate use it for free parking to access local businesses, services and the tube.
- Supporting information does not adequately consider the access arrangements (i.e. via Elmfield Road/King Street) which are deemed to be inappropriate.
- The Grange needs a parking management strategy, which should form part of a revised application.
- Electric vehicles will not address pollution and congestion on the estate. They require just as much space.
- Negative impacts on utility and safety.
- Insufficient details about how traffic will be handled during construction phase
- Displacement of existing parking to nearby roads is ill considered and will reduce utility for existing neighbours.
- Narrow streets will make it difficult for the development to be constructed, without damaging cars and creating blockages.
- The development is very close to key major roads and therefore residents are more likely than in many other areas to be relying on a car to support their lifestyles.
- In section 3.4 of the travel plan statement the only roads that have been mentioned in the 'description of the local highway network in the vicinity of the site' are the North Circular Road, High Road/A1000 & Oak Lane, none of which can be used to actually gain access directly to the proposed development.
- The Council will be held accountable by the residents for harm to individuals and

- property as a consequence of any approval of the scheme. The Council disregards the views and opinions of the community.
- Too much development within the area, without consideration for local infrastructure (roads, doctors surgeries, school places etc)
 - There has been a lack of discussion about the delivery of childrens playspace in the courtyard. This is inappropriate now that there are flats being proposed within the space.
 - Noise, pollution and general disruption during the construction phase of the development affecting neighbour amenities and health.
 - All Willow House tenants object to this application.
 - Similar developments proposals nearby were rejected because of resident objections, however the residents of The Grange do not understand the the process and have not been given a fair opportunity to object.
 - It will increase crime rates
 - It will result in a loss of open space for children to play
 - Overcrowding
 - Barnet Homes neglects routine estate maintenance, including drainage, unblocking gullies, clearing of hoppers to ensure that flats are free of ingress, repairing fallen walls, maintaining brickwork and exteriors on blocks.
 - Barnet Homes only respond to Councillors
 - Barnet Homes does not address flytipping and will not install CCTV to help prevent this
 - Planners have not been transparent in the consultation process and have not taken into account the added congestion that will be caused to an already stressed road network with real possibility of harm to residents
 - Building more homes in the estate will not improve current issues
 - The scheme will result in a loss of habitat and trees.
 - The scheme will result in loss of views, loss of light and therefore have an adverse impact of residential amenities for those living in Adelphi Court.
 - Overlooking and loss of privacy.
 - Cramped, overdevelopment of the space which should be enhanced as it is.
 - Lack of community engagement and involvement in the scheme.
 - Consultation period is too short and not enough residents will have been made aware of the scheme.
 - Loss of area for drying clothes
 - Loss of bike shed
 - It will be dangerous for children to play outside during construction
 - The building will be overbearing and intrusive, thereby bad for the mental health of existing neighbouring residents.
 - Lack of Sustainable Urban Drainage.
 - The estate cannot cope with more flats and the site should be turned into a grassed area and playground.

Responses from Internal/External Consultees

Environmental Health

No objection, subject to conditions.

Drainage / Lead Local Flood Authority

No objection, subject to conditions.

Traffic and Development

No objection, subject to recommended heads of terms and conditions attached to this recommendation. Further details provided within the parking and highway section of the report.

Waste & Recycling

No objection.

Metropolitan Police Service

No objection, subject to a condition requiring the development achieves Secured by Design accreditation.

Thames Water

No objection, subject to informatives.

Arboricultural Officer

No objection, subject to conditions.

Ecology

No objection, subject to conditions.

London Fire & Rescue Service

No comment.

OFFICER ASSESSMENT

Principle of development

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policies GG2 (Making the best use of land), D2 (Infrastructure requirements for sustainable densities) and D3 (Optimising site capacity through the design-led approach) of the Mayor's London Plan (2021) seek to make the best use of land, optimising density through a design-led approach, to support the delivery of additional homes that are much needed across London. Optimising a site's capacity for additional density means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context (e.g. local character and distinctiveness) and capacity for growth. Policy D6 (Housing quality and standards), inter alia, states that particular consideration should be given to the site context, its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) and the capacity of

surrounding infrastructure.

Policies H4 (Delivering affordable housing) and GG4 (Delivering the homes that Londoners need) of the Mayor's London Plan (2021) establishes a strategic target that aims to ensure that 50 per cent of all new homes delivered across London are genuinely affordable. H4 further states that public sector land should deliver at least 50 percent affordable housing on each site. Policy H5 (Threshold approach to applications) reinforces this objective. Policy H6 (Affordable housing tenure) seeks to prescribe the tenure of affordable housing provision, being a minimum of 30 per cent low-cost rented homes (either London Affordable Rent or Social Rent), 30 per cent intermediate products which meet the definition of genuinely affordable housing (including London Living Rent and London Shared ownership) and the remaining 40 percent to be determined by the borough as low-cost rented homes or intermediate products based on identified need.

The Council's approach to density is set out in Policy CS3 of Barnet's adopted Local Plan Core Strategy DPD Document (2012) which refers to the superseded density matrix of the London Plan (2016), however, it subsequently states that the Council will seek to optimise density to reflect local context, public transport accessibility and provision of social infrastructure. Policy CS4 of the Barnet Core Strategy DPD (2012) seeks to ensure the Council secures a mix of housing products in affordable and market sectors to provide choice for all households.

Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) of the Barnet Development Management Policies DPD (2012) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision.

Both Policy DM10 of the Barnet Development Management Policies DPD (2012) and Policy HOU01 (Affordable housing) of the emerging Barnet Local Plan (Regulation 19 submission draft – current under Reg 22 examination) do not seek affordable housing provision on schemes of less than 10 dwellings.

The site to which this application relates is considered to be previously developed land, given that the development is to be constructed within the curtilage of existing residential developments within the Grange Estate. It would infill an area of land between two established residential blocks which currently comprises of a vehicular hard standing. The finer design aspects of the scheme will be examined in a later section of this report, however, Officers consider that the scheme responds to the context of the site appropriately, being of a size, form and layout, that fits in with the adjacent buildings. In terms of density, eight residential units within a building of this size would not be regarded as out keeping with the prevailing character of the site or surrounding area.

With regards to public transport accessibility, the eastern part of the site has a PTAL of 1b (worst), and a section of the western part has a PTAL of 0 (worst). Notwithstanding, the site is accessible to East Finchley District Town Centre by foot in approximately 8-10 mins (0.4-0.5 miles) and there are main bus routes (bus stop immediately opposite) leading to the town centre via the High Road. North Finchley Town Centre is also to the north (1.2miles), accessible by main bus routes via the High Road, within 12-13mins. Both East Finchley District Town Centre and North Finchley Town Centre, features an array of public services, shops and transport options making the application site a sustainable location for additional residential development.

Significant weight is attributed to the fact that the site falls below the typical threshold for

affordable housing (10 units or more) and the scheme is providing 100% affordable housing in the form of London Affordable Rent, thereby being in excess of London and Barnet strategic objectives. This would be secured by Section 106 agreement, in accordance with local planning policy requirements as set out in Barnet Core Strategy (2012) policy CS15.

In summary the principle of development is considered to be acceptable as the scheme would optimise the use of the site, delivering 100% affordable housing on a previously developed residential estate, that is within reasonable distance of a District Town Centre and Public Transport connections. As such, Officers consider that the proposed development would accord with the objectives of the National Planning Policy Framework (NPPF) 2021; Policies GG2, GG4, D2, D3, D6, H4, H5 and H6 of the Mayor's London Plan 2021; and Policies DM08, DM10, CS3 and CS4 of the Barnet Local Plan (2012).

Housing Quality

Unit Mix / Dwelling Sizes:

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan 2021 Policies H10 and H12; and, the 2012 Barnet Development Management Policies DPD Policy DM08). The Council's Local Plan documents (Core Strategy and Development Management Policies DPD, 2012) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for other unit sizes.

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

Type	Number of Units	Percentage
1 bed 2 person	7	87.5%
2 bed 3 person	1	12.5%
Total	8	

The scheme provides a limited mix of housing size, notwithstanding, as noted in the 'Principle of development' section above, this scheme would provide 100% affordable housing. Further, Officers consider it both reasonable and appropriate to exercise flexibility on the mix, on the basis that the proposal concerns an infill site within an established residential estate and the scheme has been developed with a design-led focus to optimise the density whilst ensuring that the character and amenities of the site and surrounding neighbours are appropriately preserved.

On balance, Officers consider the proposed dwelling mix to be acceptable and in accordance with the objectives of Barnet Local Plan (2012) policies DM08 and CS4.

Standard of accommodation

In terms of the standard of accommodation for the future occupiers of the proposed development, the Council expects a high standard of internal design and layout in new residential development. The standards expected are set out within Barnet's adopted Sustainable Design & Construction SPD (2016), and these align with the objectives and standards that are stipulated in Policy D6 of the Mayor's London Plan (2021), and Policy DM02 of Barnet's adopted Development Management Policies DPD (2012).

In terms of bed numbers and gross internal floorspace area (GIA) requirements, the scheme

would provide the following:

Floor / bedroom numbers	Proposed GIA	Required GIA
Ground Floor: 2 bed 3 person (Cat 3 F)	73m ²	61m ²
Ground Floor: 1 bed 2 person (Cat 3 F)	65.6m ²	50m ²
First Floor: 1 bed 2 person	51m ²	50m ²
First Floor: 1 bed 2 person	52m ²	50m ²
First Floor: 1 bed 2 person	53.5m ²	50m ²
Second Floor: 1 bed 2 person	51m ²	50m ²
Second Floor: 1 bed 2 person	52m ²	50m ²
Second Floor: 1 bed 2 person	53.5m ²	50m ²

All of the proposed residential units would meet the minimum internal space standards, as set out within the Local (2012) and London Plan (2021) policies referenced above.

In terms of ceiling heights and addressing the Urban Heat Island affect, as required by Policy D6 of the Mayor's London Plan (2021), all units will have a ceiling height of 2.5m for at least 75% of the gross internal floor areas. This will ensure that the new housing is of satisfactory quality, especially in terms of daylight penetration, ventilation and cooling, and sense of space.

Daylight, Sunlight & Overshadowing:

Policy D6(D) (Housing quality and standards) of the London Plan (2021) states that *“the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context... whilst minimising overshadowing...”*

Policy DM01(e) of Barnet's Development Management Policies DPD (2012) also requires developments to *“be designed to allow for adequate daylight and sunlight... for adjoining and potential occupiers and users”*.

With regards to daylight and sunlight access, the applicant has provided a Daylight & Sunlight report titled: “Daylight and Sunlight Amenity Report in Respect of Residential Habitable Rooms - Central Avenue, The Grange Estate, London N2” (Version 1; Produced by CONSIL; dated: 28 June 2022), which assesses the development against the BRE's site layout planning for daylight and sunlight guidelines.

BRE guidelines state that Average Daylight Factor (ADF) is the primary measure for daylight in new build accommodation. It states that a kitchen should enjoy daylight levels of 2% ADF; a living room levels of 1.5% ADF; and, bedrooms a level of 1% ADF. Reasonably the assessment provided uses an averaged ADF factor of 1.5% for the combined kitchen / living / dining rooms proposed.

The assessment provided indicates that all habitable rooms examined meet, and in most cases, exceed the requisite ADF requirements.

With regards to sunlight (Annual Probable Sunlight House - 'APSH') the assessment indicates that all but one main living room will receive above the APSH targets recommended by the BRE Guidelines. Nevertheless, the one living room (Ground-R4) achieves 24% APSH, just 1% below the target. Officers concur with the findings of the report, which state that this is still considered to be a good standard within an urban area. Furthermore, the room will still receive Winter Probable Sunlight Hours (WPSH) above the

BRE's target, which is equally important during the winter months. Overall, it is considered that the proposed development would provide acceptable levels of sunlight for future occupiers.

The assessment report identifies no demonstrably adverse overshadowing impacts to the internal units or garden areas throughout the year.

Overall, Officers are satisfied that the proposed units would receive good levels of day light and sun light with no unacceptable overshadowing impacts.

Outlook, Privacy and Overlooking

Policy D3 (D)(7) (Optimising site capacity through the design-led approach) of the London Plan 2021, requires development proposals to deliver appropriate outlook, privacy and amenity. Policy DM01(e) of the Barnet Development Management Policies DPD (2012) aligns with the objectives of the London Plan in this regard.

All of the units are dual aspect and will benefit from a good standard of outlook. The primary outlook to the north and south-east will be largely unrestricted. The secondary windows serving the units - mainly on the north-eastern and south-western elevations of the building - will be obscure glazed due to distances between established neighbouring residential windows being less than 21m in distance (i.e. circa 17.6m on the north-east side and approx. 18m on the south-west side). This will ensure that the privacy of the future occupiers is protected, whilst still providing another means of natural light access and perception of openness for the future occupier.

The external balconies on the north facing side of the building will be fitted with decorative metal screens with obscured glazing to provide privacy to these external areas, and protect the amenities of neighbouring occupiers. There is no requirement for screening on the first and second floor balcony on the south-western side, as the distances between the balcony and neighbouring property to the west is sufficient to protect amenities in accordance with Section 7 (pg 27-28 – "privacy and outlook") of the Council's adopted Residential Design Guidance SPD (2016).

On the ground floor the two units would benefit from private garden terraces. Officers consider that it is important to ensure that the quality of these spaces are not unduly impacted by a sense of enclosure, given their size, and thus, consider it sensible to recommend that the details of enclosure be required by planning condition, to ensure that the right boundary treatments are put in place that provide adequate security, but are also sensitive to the design and amenity considerations of the scheme.

Overall, it is considered that subject to conditions the proposed development would achieve a satisfactory standard of privacy in accordance with the objectives of DM01 of Barnet's adopted Development Management Policies DPD (2012).

Accessible and Inclusive Design

Policies D5 (Inclusive design) and D7 (Accessible housing) seek to promote suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children. Amongst various objectives established within these policies, they promote the design of high quality people focused spaces that are designed to facilitate social interaction and inclusion, with no disabling barriers and facilitating independent access without additional undue effort, separation or special

treatment. Scheme should be able to be entered, used and exited safely, easily and with dignity for all. A specific requirement of Policy D7 is that at least 10% of dwellings should meet Building Regulation requirement M4(3) 'wheelchair user dwellings'; and, the rest of the dwellings should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Policies CS1, CS4, CS5 and DM02 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012), align with the objectives of the above London Plan policies, seeking to ensure that both homes and public spaces are high quality, attractive, accessible, safe and inclusive to the communities they serve.

The proposed scheme will provide two wheel chair accessible units (Building Regulations M4(3) compliant) on the ground floor (1 x 1 bed; and, 1 x 2 bed unit), exceeding both London and Local Plan standards. The remaining units are also designed in accordance with M4(2) of the Building Regulations, thereby complying with the requirements of the London (2021) and Council's Local (2012) Plan policy objectives.

As part of the landscaping proposals for the scheme, there will be improvements to permeability and accessibility of the space across the central courtyard, to ensure that it is open, safe and inclusive to existing and prospective residents of the area.

Overall, it is considered that the proposed development would achieve the accessibility and inclusivity objectives of Policies D5 and D7 of the London Plan 2021; and policies CS1, CS4, CS5; and, DM02 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012).

Amenity Space

Policy D6 (Housing quality & standards) of the Mayor's London Plan (2021) and Barnet's adopted Sustainable Design and Construction (SDC) SPD (2016) require that sufficient, functional amenity space be provided for all new homes and flats, wherever possible. Specifically, the London Plan prescribes a minimum of 5m² for 1-2 person dwellings and an extra 1m² for each additional occupant. Further it requires the space must have a minimum depth of 1.5m. The London Plan gives primacy to higher local standards set within Borough Development Plan Documents, if available.

The Council's adopted Sustainable Design and Construction SPD (2016 – referred to hereon as 'SDC SPD') requires 5m² of space per habitable room, but recognises that this is not always achievable in denser forms of flatted residential development. Accordingly some flexibility may be exercised on aggregate, taking account of communal amenity spaces that are part of the development also; or, in some cases a payment in lieu, as established within the Council's Planning Obligations SPD (2013).

In light of the above, there would be an amenity space requirement of 15m² for the 1bed 2 person units; and 20m² for the 2 bed 3 person unit – equating to an overall requirement of 125m² (i.e. 7 x 15m² + 1 x 20m²).

Amenity space for the ground floor units is provided by means of an enclosed garden terrace (31m² and 25m²; and >1.5m in depth), thereby meeting the requirements of the London Plan (2021), and the Council's SDC SPD (2016). On the first and second floors amenity space is provided to each unit by means of external balconies (circa 6-8m² each, and >1.5m in depth). There is a cumulative shortfall of the amenity space requirement on the upper floors, however it is important to note that all of the units have access to shared communal

amenity space in the middle of the courtyard also which provides in excess of 600m² (mindful of respecting space around existing buildings) of outdoor communal space. Accordingly, it is considered that there would be an acceptable provision of both private and outdoor amenity space for the future occupiers of the development, in accordance with the objectives of Policy D6 of the London Plan (2021) and the Council's adopted Sustainable Design and Construction SPD (2016).

Playspace

Policy S4 (Play and informal recreation) of the London Plan (2021) establishes the requirement for residential development proposals to provide safe and stimulating children's playspace according to the level of projected child yield. 10m² of children's playspace is recommended per child.

Policy CS7 of the Barnet Local Plan Core Strategy (2012) seeks to protect and enhance open spaces and further secure improvements, including provision for children's play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space. Policy DM02 of Barnet's adopted Development Management Policies DPD (2012) states that the requirements for children's playspace will be calculated in accordance the London Plan (2021). The Council's Residential Design Guidance SPG (2016 – referred to as 'RDG SPD', from hereon) states at paragraph 8.19 that playspace will be required for new flatted development that has the potential to contain 10 or more children.

According to the GLA's Population Yield Calculator, the development would yield 2.5 children, and thus, by the Council's policy and guidance threshold set out within the Council's adopted RDG SPD (2016) the scheme would not be required to provide children's playspace. Notwithstanding, the London Plan (2021) establishes no such threshold, and would suggest that 25m² of children's playspace should be provided within the scheme.

In terms of playspace, the scheme proposes to deliver 25m² of new playspace, which would comply the calculated requirements. The Planning Statement and Design and Access Statement advise that the playspace will comprise a dragonfly play sculpture. There are no objections to the quantity and style of the proposed playspace, however Officers consider it appropriate to require details of the playspace layout and equipment by planning condition, in the event of a recommendation for approval, in order to ensure that a high quality and functional design outcome is achieved with regards to this space.

Overall, Officers are satisfied that the development can deliver playspace in accordance with the London (S4) and Local Plan (CS7 & DM02) policies.

Overheating

Policy S14 (Managing Heat Risk) of the London Plan (2021) requires development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.

Policy CS13 of the Barnet Local Plan Core Strategy (2012) sets out the Council's expectation with regards to delivering developments that demonstrate exemplary levels of sustainability, and which mitigate and adapt to the effects of a changing climate.

The application is supported by the submission of a document titled 'The Grange Estate – Site 4 Central Avenue - Overheating Risk Report' produced Thornley & Lumb Partnership

Ltd (Revision B; Doc ref: C7776; dated: 27.06.2022). The risk of overheating has been shown to be low using CIBSE TM59 Overheating Risk assessment methodology with dynamic thermal modelling building simulation. Numerous mitigation measures, including whole house mechanical ventilation with summer bypass to remove high internal gains, have all worked together to minimise the risk of overheating in the modelling of the proposed development.

The Council's Environmental Health team have considered the content of the report and have raised no objections on the grounds of overheating. Officers are therefore satisfied that the scheme would adequately minimise and manage heat risk in accordance with the objectives of Policy SI4 of the Mayor's London Plan (2021) and Policy CS13 of the Barnet Local Plan Core Strategy (2012).

Safety & Security (Secure by Design)

Policy D11 (Safety, security and resilience to emergency) of the London Plan (2021) requires Development proposals should maximise building resilience and minimise potential physical risks, including those arising as a result of extreme weather, fire, flood and related hazards. Development should include measures to design out crime that – in proportion to the risk – deter terrorism, assist in the detection of terrorist activity and help mitigate its effects.

Policies CS5 and DM01(d) of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012) stipulate that proposals should create safe and secure environments and reduce opportunities for crime and minimise the fear of crime. They recommend that the principles set out in the National Police initiative, 'Secure by Design' should be incorporated into the development proposals.

The application has been consulted on with the Metropolitan Police Service's Design Out Crime Unit, and they have advised that they have no objection in principle to the proposed development, but recognise that East Finchley has a moderate record of anti-social behaviour, violence & sexual offences, vehicle crime, theft and burglary offences. In light of this, they have recommended a condition requiring that the development must achieve Secured By Design accreditation, prior to occupation. Officers consider that this would be both reasonable and necessary to ensure the safety and security of the development, and thus, a condition is attached to this recommendation, should the scheme be recommended for approval.

Subject to condition, Officers are therefore satisfied that the scheme would be both safe and secure for the existing neighbouring residents and future occupiers of the development, in accordance with Policy D11 (Safety, security and resilience to emergency) of the London Plan (2021); and Policies CS5 and DM01(d) of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012).

Impact on the character of the area

Design / Layout:

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. High quality design underpins the sustainable development imperative of the NPPF and Policies D1, D3, D5, D6, D7, and D8 of the London Plan (2021).

Policy CS5 of Barnet's Core Strategy (2012) seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high-quality design. Policy DM01 of Barnet's Development Management Policies DPD (2012) states development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces, and streets. This broadly aligns with the principles of the National Design Guide (2021).

The development proposed is a three-storey flat roofed building (circa 10.6m - 11.8m in height, as measured from section drawing no. 3729-LB-CA-XXDS-A-140040 Rev. P4), situated between two three storey buildings identified as Craven House (east) and Willow House (West / North). Adelphi Lodge, a five storey residential building to the east, is situated outside of the court, sited on a higher ground level. Further to the south/south-east adjacent immediately to Adelphi Lodge sits a five-storey residential block called Annette White Lodge. Immediately to the south of the proposed building are a set of single storey garage buildings serving Adelphi Lodge; and to the south-west is Vane House, a five storey residential building.

Officers consider that the proposed building is of a form and scale that fits naturally into the courtyard configuration. Its fit is also aided by the modest height of the building which is broadly in keeping with the variety of building heights that are within the vicinity of the application site. There is sufficient space around the building, relative to other neighbouring buildings (circa. 14m from Adelphi Lodge; 17m from Craven House, Willow House (west); and 29m from Willow House (north) and Vane House (south-west). Officers are therefore satisfied that it would have a suitable visual relationship with the neighbouring buildings, without appearing cramped or overdeveloped.

In terms of its architectural style, the development is different from the more traditional pitched roofed buildings of Willow House and Craven House. Notwithstanding, Adelphi Lodge and Annette White Lodge are both flat roofed buildings, which form part of the immediate character of the site. It is therefore considered that a modern contemporary style flat roof building would not be out of keeping with the site and surrounding area. There would be a logical approach to fenestration and balcony treatments, together with articulated brick patterning, particularly around the top parapet wall, which will conceal the lift overrun and services. This would help break up the massing and bulk of the building and add visual interest.

The Planning Statement states that the "scheme will include a mixture of light and dark-red brick to reference key features of the existing buildings on the estate" and that "the use of two brick types will help to create definition, variety and articulation in the façades". Officers concur with the approach of incorporating a mix of brick, however, it is recommended that further details of the final materials to be used in the external elevations are required to be submitted to, and agreed in writing by the Local Planning Authority, through a planning condition.

It is considered that the architectural style, combined with an appropriate palette of materials will help to ensure that the visual perception of the building's massing is in keeping with the space within which it sits and in context with its immediate surroundings.

Overall, in terms of layout, scale, massing and design, the proposed development is considered to be of high quality and accords with the objectives of the National Planning Policy Framework; Policies D1, D3, D5, D6, D7, and D8 of the London Plan (2021); Policies CS5 and DM01 of Barnet's Local Plan 'Core Strategy' and 'Development Management

Policies' (2012); and the National Design Guide (2021).

Impact on Heritage Assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the decision maker to consider the effects of development on listed buildings and their settings – specifically, having special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Paragraph 194 of the National Planning Policy Framework 2021 requires applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Paragraph 195 require Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Further, Paragraph 199 goes on to state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Aligning with the statutory duty and principles of the above, Policy HC1 (Heritage conservation and growth) of the Mayor's London Plan (2021) states that "Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings... Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process".

Similarly, Policy CS5 of Barnet's Local Plan Core Strategy (2012) and Policy DM06 of Barnet's adopted Development Management Policies DPD (2012) seek to ensure that all heritage assets will be protected in line with their significance, and that development proposals have regard for local historical context. Development is required to demonstrate, where appropriate, amongst other things, the impact of the proposal on the significance of the heritage asset and how the benefits outweigh any harm to the heritage asset.

The site is located approximately 60m from the Viaduct Road entry to St Pancras and Islington Cemetery Grade II* listed Park and Garden, however, there is a three-storey building shielding any views between the site and the heritage asset.

The Grade II listed gatehouses to the north, along Exit Road, are approximately 290m from the site; however, by virtue of its distance and location to the north; and, the site being positioned behind the primary street frontage of the High Road, the site would have no demonstrable impact on these heritage assets.

In light of the above, it is considered that the proposed development would accord with the heritage and conservation objectives (i.e. equating to no harm to the significance or setting of any designated heritage assets) of the Planning (Listed Buildings and Conservation Areas) Act 1990; Section 16 of the NPPF (2021); Policy HC1 of the Mayor's London Plan (2021) and Policies CS5 and DM06 of Barnet's adopted Local Plan (2012).

Impact on the residential amenities of neighbours

Part of the 'Sustainable development' imperative of the NPPF 2021 is pursuing improvements to amenity through the design of the built environment (paragraph 127). In addition, Policy DM01 of Barnet's Development Management Policies DPD (2012), as well as the Sustainable Design and Construction SPD (2016), provide further requirements and guidance, to avoid and mitigate against harmful impacts on neighbouring residential amenities.

Overlooking / Loss of Privacy

Due to the orientation of Adelphi Lodge (sitting at 90 degrees to the site) and the fact that the closest part of the proposed development to this neighbouring property contains the staircore and lift access (14.6m), with obscure glazed windows, it is considered that there would be no demonstrable overlooking and/or loss of privacy for the neighbouring occupiers within this building.

With regards to Vane House (south-west) and the northern section of Willow House, the window to window overlooking distances, at circa 29m far exceed the standards set out within the Council's adopted Residential Design Guidance SPD (2016), and thus, it is not considered that there would be demonstrable overlooking and loss of privacy for the neighbouring occupiers within these buildings.

In respect of Craven House and the western part of Willow House, the window-to-window distances fall short (i.e. 17.6m on the north-east side facing Craven House; and, approx. 18m on the south-west) of the Council's adopted Residential Design Guidance SPD (2016) standard of 21m. However, as noted within the "Quality of Accommodation" section of this assessment report, the flank windows which face these neighbouring buildings are to be glazed with obscured glass, to prevent any overlooking and loss of privacy for the neighbouring occupiers and for the benefit of the occupiers of the development. In addition, the balconies on the north facing elevation of the development will be screened on each end with a decorative metal screen and obscured glazing to prevent view east or west when in use. The south-west facing balconies are sited at an angle and distance (min. 21m) from the neighbouring properties, and thus, mitigation on this feature is not required. Accordingly, it is considered that sufficient mitigation will be incorporated within the development to prevent any demonstrable overlooking and loss of privacy, and thus, refusal on such grounds would not be reasonable.

Although obscured glazing is annotated on the proposed plans, Officers have also recommended a planning condition which requires the proposed flank windows be obscured as illustrated and annotated, and retained permanently in that condition, thereafter.

Whilst balconies of neighbouring developments have the potential to be overlooked, it is clear that these are already overlooked by the courtyard (a public space) and other neighbouring developments windows and balconies within the courtyard.

Overall, Officers are satisfied that there would be no demonstrable overlooking and loss of privacy to neighbouring properties as a result of the proposed development.

Enclosure / Overbearing / Outlook:

It is considered that the proposed building is of a reasonable and proportionate scale and height, relative to the space that it is located within and the context of the neighbouring

buildings. It benefits from adequate spacing around its form, such that it would not create an uncomfortable relationship with the established residential buildings within its vicinity. The buffer distances ranging between 14m-29m will ensure that the scheme will not manifest itself as a visually dominant and overbearing structure that creates a sense of enclosure for neighbouring occupiers. Outlook would not be demonstrably harmed to an extent that would warrant a reason for refusal of the scheme.

Sunlight / Daylight / Overshadowing

Policy D6(D) (Housing quality and standards) of the London Plan (2021) states that “the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context... whilst minimising overshadowing...”

Policy DM01(e) of Barnet’s Development Management Policies DPD (2012) also requires developments to “be designed to allow for adequate daylight and sunlight... for adjoining and potential occupiers and users”.

The application is accompanied by a “Daylight and Sunlight Report (Surrounding Properties)” produced by CONSIL (Revision 1; dated 28th June 2022). The report assesses the effect the proposed development will have upon the levels of daylight and sunlight received by the surrounding residential properties. It identifies Willow House, Craven House and Adelphi Court as being within sufficient proximity and orientation from the Site to be assessed for potential loss of daylight and/or sunlight. The other properties further afield are considered to be sufficiently far away not to be affected by the proposed development.

121 windows were tested across the 3 properties for changes in Vertical Sky Component (VSC), Annual Probable Sunlight Hours (APSH), and 14 rooms in relation to No Sky Line (NSL), where layouts were known. The technical analysis identified that all of the windows and rooms assessed would meet the default recommendations set out in the BRE Guidelines. It was therefore concluded that the occupants of the all the surrounding properties should not notice a change in daylight and sunlight as a result of the redevelopment of the Central Avenue site.

The report does not consider overshadowing, however, owing to the siting, orientation (relative to the tracking of the sun), the height of the proposed building, the height of established buildings with the courtyard, and the results of the daylight and sunlight report, Officers consider it unlikely that the scheme would create overshadowing conditions that would demonstrably harm the amenities of the neighbouring buildings to an extent that would warrant a reason for refusal on such grounds.

Overall, Officers are satisfied that the proposed development would not adversely impact the amenities of neighbouring residential occupiers, in accordance with Policy DM01 of Barnet's adopted Development Management Policies DPD (2012) and Policy D6 of the Mayor's London Plan (2021).

Highways / Parking

Policy T4 (Assessing and mitigating transport impacts) of the London Plan (2021) requires that the highways related impacts and opportunities which arise as a result of development proposals are identified and assessed so that appropriate mitigations and opportunities are secured through the planning process. It is important that development proposals reduce the negative impact of development on the transport network and reduce potentially harmful public health impacts.

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

Residential car parking

It is recognised within the Barnet Local Plan policies that the residential parking standards will be applied flexibly based on different locations and issues related to public transport accessibility, parking stress and controls, ease of access by cycling and walking, and population densities. Appropriate parking for disabled people should always be provided.

Barnet's Local Plan (2012) and the Mayor's London Plan (2021) recommend a range of parking provision for new dwellings based on the site's Public Transport Accessibility Level (PTAL) and the type of unit proposed. Policy DM17 of the Local Plan sets out the parking requirements for different types of units with the range of provision as follows:

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

These are maximum standards (not minimum) and the objective of this policy is to promote more sustainable transport modes i.e. to meet a significant proportion of travel needs through high quality public transport and improvements to walking and cycling facilities.

The Local Plan (2012) policy further states that residential development may be acceptable:

- i) With limited or no parking outside a CPZ but only where it can be demonstrated through a survey that there is sufficient on street parking capacity;
- ii) With limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the application will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

Based on the requirements of Policy DM17 of the current Local Plan, the proposed development has a maximum parking requirement range of 5 - 9 parking spaces. The application site is located within an area with a PTAL rating of 1b/0, although as noted in the principle assessment section of this report, it is close to bus routes (e.g. 263) which access East Finchley District Town Centre and North Finchley District Town Centre from bus stops within 2 minutes walking distance of the site. Furthermore, the site is within reasonable walking distance of East Finchley London Underground Station (approximately 0.8 miles - circa 15 min walk).

Also of note, 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 is currently undergoing Examination by the Planning Inspectorate. 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 draft Local Plan responds to the Mayor's adopted London Plan (2021) parking standards, by adopting similar standards for residential car parking. Owing to the draft nature of Barnet's Regulation 22 Local Plan, only limited weight can be afforded to its policies, and this is therefore of limited significance to the assessment of this scheme. The London Plan's (2021) policies, being more up to date in context with section 38(5) of the Planning and Compulsory Purchase Act 2004, therefore hold more primacy over the current and draft Local Plans.

The London Plan (2021) states that the accessibility of each site should be taken into consideration, including the PTAL, local population density and vehicle ownership, access on foot and by bike and other relevant transport considerations. The standards are also maxima but are lower than those in Barnet's current Local Plan (2012).

For Outer London locations with a PTAL of 0 - 1, Table 10.3 of the London Plan (2021) indicates that the maximum standard should be up to 1.5 parking spaces for 1 and 2 bed units. This would equate to a requirement of 10.5 spaces in the current scheme. Owing to the draft nature of Barnet's Regulation 22 Local Plan, only limited weight can be afforded to this policy, however, such weight can be afforded nonetheless, and the London Plan (2021) standards are regarded as current.

The application is accompanied by a Transport Statement (ref: D7a; dated: 29 June 2022) produced by Lime Transport. The statement details that parking surveys were carried out overnight to establish the maximum demand by residents and identify any space capacity. The survey identified that there were 293 spaces available within 200m of the site – and 203 of these were used during the night, equating to a parking stress of 69%. At present there are currently 24 parking spaces provided within the central courtyard parking area, however, the night-time parking surveys indicate that there were only 18 vehicles parked on the busiest night of the survey.

The scheme proposes to re-design the parking court and re-provide a total of 12 spaces (including two accessible for the two new accessible dwellings), so that landscaping improvements to facilitate the creation of a greener, high-quality, and more child-friendly environment for existing and future residents of can be implemented.

This is a planning gain which should not be dismissed in the overall planning balance, and the Mayor's London Plan (2021) and Transport Strategy (2018) state that their aim is to reduce car use and give priority to affordable housing provision, to ensure the provision of parking does not impact on the level of affordable housing that is viable (para 10.6.13 of London Plan 2021).

Consequent of the development, the Transport Plan identifies that eight of the existing residents currently parking within the courtyard will be displaced (six associated with the loss of parking and two associated with the conversion of two spaces to accessible parking spaces for the development). The Transport Statement concludes that it is likely that the new residents will generate a maximum of eight further parking spaces (in addition to the two accessible parking spaces), thereby estimating that the worst case scenario in the overspill of cars is approximately 16. However, the document identifies several nearby locations which could facilitate the potential overspill, including a parking area at the northern end of Central Avenue (16 spaces), which will be re-opened; and, the proposed reconfigured

parking along Willow Walk (proposing 25 spaces, currently comprises 14 spaces – of which 11 were found to be spare during the survey). The proposed provision of the scheme within the redline boundary therefore equates to 37 parking spaces. In addition, the statement identifies a further 19 spaces across Central Avenue, Elmfield Road and Red Lion Hill.

The Council's Highway Authority have reviewed the Transport Statement and have found the parking proposals within the Central Avenue courtyard and on Willow Walk to be acceptable. They are satisfied with the findings of the parking stress survey undertaken by the applicant (i.e. that it demonstrates that there is sufficient spaces on street to accommodate any potential overspill parking from the site), and this approach accords with the requirements of paragraph (g)(2)(i) of Policy DM17 of the adopted Development Management Policies DPD (2012).

Electric vehicle charging points are required to be provided at 20% active and an additional 80% passive infrastructure for all of the parking provision/reprovision proposed - as required by the London Plan (2021) policy T6.1(C) (Residential Parking). This equates to a provision of 7 spaces with active EV charging and 30 spaces with passive provision. The Highway Authority have also requested details of the specific type of charging points to be installed. The provision of active and pass EV charging, along with the information requested by the Highway Authority can be secured by planning condition, as attached to this recommendation.

The Highway Authority have recommended that a parking management plan should be required by planning condition and that yellow lines be put in place (secured by legal agreement) to deter and manage illegal and obstructive parking. There are currently no parking restrictions throughout the estate. Putting restrictions on the site (i.e. by means of a Parking Management Plan), that prevents residents outside of the site from parking there, but conversely allowing any overspill of parking associated with the residents of the site to park freely elsewhere within the Grange Estate would not be conducive to good neighbourly relations and the overall fairness parking provision. Given the size of the scheme (8 small residential units), the Local Planning Authority has neither the scope nor remit to reasonably address existing parking provisions across the wider Estate through this application. Planning obligations and conditions are intended for the purpose of mitigating and/or compensating for the relative impacts of proposed development, where it is considered that there will be substantive impacts as a consequence of their implementation. Officers consider that substantive impacts would not arise from this development, and thus, for reasons set out above, a parking management plan condition for managing the site's parking arrangements would not be considered appropriate.

Overall, there is no in principle objection to the parking proposals of the scheme.

Cycle Parking

Cycle parking is to be provided in accordance with Policy T5 (Cycling) of the London Plan (2021):

Use Class		Long stay (for residents)	Short stay
C3-C4	Dwellings (all)	<ul style="list-style-type: none"> • 1 space per studio or 1 person 1 bedroom dwelling • 1.5 spaces per 2 person 1 bedroom 	<ul style="list-style-type: none"> • 5 to 40 dwellings: 2 spaces • Thereafter: 1 space per 40 dwellings

		dwelling • 2 spaces per all other dwellings	
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Based on London Plan standards (above), a minimum of 13 long stay and 2 short stay cycle spaces are required. The development will provide 22 cycle parking spaces (20 long term and 2 short term). Long stay spaces will be provided in the form of a secure cycle shelter adjacent to the developments south-east corner by the staircore. The exact details of this will be required by planning condition. The two visitor spaces will be provided adjacent to the secure shelter store, in the form of Sheffield cycle stands, in front of Craven House.

Existing cycle stores within the area are to be relocated along the north-western edge of the courtyard in front of the south facing elevation of Willow House - as illustrated within Section 16.0 (pg. 67 - Transport Strategies) of the submitted Design & Access Statement.

Subject to conditions the proposed cycle storage provisions are considered to be acceptable in accordance with Policy T5 of the London Plan (2021).

Trip Generation / Travel Plan

A TRICs trip rate assessment has been provided in support of the application, which identifies the proposed development could generate four vehicle movements in the AM peak (8am-9am) and three in the PM peak, with a total of 31 vehicle movements throughout the day. The Highway Authority do not raise objection on the grounds of trip generation associated with the development and agree that the development would have a negligible impact on the local highway network.

A draft travel plan has been submitted by the applicant, although the application falls well below the threshold to secure any of its suggested measures by legal agreement. Officers are broadly in agreement with the measures set out within the document, and consider that it makes suitable suggestions for managing travel-related impacts of the development. However, given that there is no reasonable policy basis for securing measures by legal agreement, Officer's consider that the Highways Authority's request for a £5000.00 monitoring contribution would be unjustified.

Internal layout, Access and Servicing

The Council's Highway Authority have raised no objections in principle to the internal layout, access and servicing arrangements of the development, however they have suggested that further information should be submitted with regards to the suitability of the proposed Willow Walk access with regards to refuse vehicles and fire tender vehicles.

The refuse arrangements have been discussed with the Council's refuse and recycling team and they have raised no objections. They have confirmed that their refuse vehicles already reverse from Central Avenue along Willow Walk, and that the existing arrangements would continue you following the implementation of the development.

With regards to the access for Fire & Rescue Service vehicles, the London Fire Service were consulted on the application and did not raise any objections to the development. Fire vehicles cannot currently turn around in the existing turning head, and the access for these vehicles will remain unchanged. Fire service vehicles will be able to get within 45m of the

proposed development from Central Avenue, in the event of an emergency, as required by Part B of the Building Regulations.

In light of the above, Officers consider that the internal layout, access and servicing are suitable for the development to function appropriately.

The Highway Authority have commented that “Willow Walk is not proposed for adoption so if refuse lorries are to use the road an indemnity against damage to the highway will need to be provided by the applicant. The access to Willow Walk and the access to the proposed site are in a poor condition and need to be upgraded. Double yellow lines are requested at junctions and other locations to deter obstructive parking”. They have suggested that these works should be secured by S278 agreement. Officers consider that as there are no works proposed on Central Avenue; the internal road is not adopted; and, that there will be no works to the existing public highway, there is no reasonable justification for the works suggested by the Highway Authority. As previously noted on the parking section above, the scheme is relatively minor in size and scale and would not warrant unreasonable conditions and financial / non financial legal obligations to address highway related matters that are established existing issues.

The Highway Authority have recommended a Delivery and Servicing Plan condition for the development, however, Officers consider that the development, at only 8 residential units in size, within an established residential area, would not require such a condition.

The applicant proposes to remove an existing 1m wide footway alongside Willow Walk as part of the process of reconfiguring the parking provision on Willow Walk. This will need to be stopped-up formally under the relevant legislative mechanisms of the Highways Act and would be secured by Unilateral Undertaking.

Refuse & Recycling

The Council's Waste Management Department have been consulted on the scheme, and is satisfied that adequate refuse and recycling provisions have been provided - i.e. refuse: 1x 1100l, 1x 240l; and, recycling: 1x1100l, and 1x 240l. They have also considered the waste strategy details set out in the design and access report and the planning statement and are satisfied with the approach to the refuse and recycling management.

Construction Management

A draft construction logistics plan (‘Construction Management Logistics Note’ produced by Potter Raper - Ref: B9569 – THE GRANGE ESTATE; undated) has been submitted by the applicant. The Highway Authority has commented more detail is required as it is likely to have an impact on the surrounding roads during the construction phase. Accordingly it is considered appropriate to request a final Construction Management and Logistics plan by a suitably worded planning condition.

In addition the Highway Authority have also requested that a “before and after” condition survey is requested and for this is to be secured by way of a planning condition, in order to ensure that the roads are maintained and/or restored to satisfactory condition, where they may be damaged during the construction phase.

Overall, Officers consider that the proposed scheme would have an acceptable impact on the local highway network in accordance with Policies DM17 and CS9 of the Barnet Local Plan (2012) Development Management Plan Policies and Core Strategy; and Policies T4

and T6.1 of the Mayor's London Plan (2021)

Drainage / SuDs

Policies SI12 (Flood risk management) and SI13 (Sustainable drainage) of the London Plan (2021) require development proposals to take account of flood risk – minimising and mitigating this along with any residual risk. Further, the policies require development proposals to aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible – opting for sustainable green drainage features over grey features, ensuring that they are designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.

Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does not cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".

The application site is in Flood zone 1 and the scheme is accompanied by a Flood Risk Assessment, storm sewer drainage calculations and surface water drainage strategy drawings. These have been assessed by the Council's appointed drainage specialists who, following the submission of further details, have raised no objection to the development, subject to a condition requiring details of Sustainable Urban Drainage provision.

If permission were granted, a condition securing the submission of further details of the surface water drainage scheme is attached. This is considered both reasonable and necessary, in the interest of preventing on site and off site surface water flooding, in accordance with Policies D3, SI12, and SI13 of the London Plan 2021; and, Policy CS13 of the Barnet Core Strategy (2012).

Consultation with Thames Water raised no objections. They have advised that proposed development is located within 15 metres of our underground waste water assets, and the development could cause the assets to fail if appropriate measures are not taken. Notwithstanding, they do not consider there is a need to refuse permission, but have recommended a condition to be attached to any permission and that the applicant get in contact with them prior to commencing works. In accordance with Thames Water advice a condition has been attached to this Officer recommendation.

Environmental Considerations

Policy DM04 of Barnet's adopted Development Management Policies DPD (2012) seeks to reduce and mitigate against the impacts (i.e. noise, air pollution, and land contamination) of development which have an adverse effect on the health of the surrounding environment and the amenities of residents and businesses alike. This is consistent with the objectives of Section 15 of the National Planning Policy Framework (2021), which seeks to ensure that planning decisions conserve and enhance natural environment and avoid significant adverse impacts on health and quality of life.

Contaminated Land:

Policy DM04 of Barnet's Local Plan Development Management Policies DPD (2012)

requires that proposals on land which may be contaminated should be accompanied by an investigation to establish the level of contamination in the soil and/or groundwater/surface waters and identify appropriate mitigation.

The application is accompanied by a 'Preliminary Investigation Report' produced by Soils Limited (Doc ref: 18620/PIR_R26; September 2020). The report takes a desktop and conceptual model-based approach which is consistent with the Council's standard planning conditions. Based on the information obtained during the compilation of this Preliminary Investigation and the preliminary conceptual site model, a potential for a very low to moderate risk of contamination has been identified. It therefore recommends that an intrusive investigation is necessary to further quantify the risks identified.

The Council's Environmental Health team have considered the contents of the report and agree with the recommendations set out within it. They have recommended a planning condition be attached requiring the further intrusive investigation of the site, and where identified as necessary, a remedial strategy to deal with any areas for concern. Accordingly, Officers consider it both reasonable and necessary to recommend a suitably worded pre-commencement condition requiring these further details.

Subject to a pre-commencement condition requiring further details and, remediation where identified necessary, the scheme would accord with Policy DM04 of Barnet's Development Management Policies DPD (2012)

Air Quality:

Policy SI1 (Improving air quality) of the Mayor's London Plan (2021) aligns with the principles of DM04 of Barnet's adopted Development Management Policies DPD (2012), in that it seeks to ensure emission risks associated with development - i.e. air pollution, both existing and as a consequence of the proposed development - are identified, and that a suitable scheme of mitigation is established to mitigate the impacts for the existing environment and receptors (residents/public) as well as future receptors (residents of the development); and, that all new development meet the GLA's Air Quality Neutral benchmarks.

The application is accompanied by an 'Air Quality Assessment' produced by IDOM (Doc ref: AQA-22417-22-186 REV A; dated: 28-06-22). The report concludes:

- Concentrations of NO₂, PM₁₀ and PM_{2.5} are expected to be below the relevant AQOs within the site.
- The site is considered to be suitable for the proposed use and no specific mitigation measures are considered necessary to reduce future occupants' exposure to air pollution
- The risk of dust impacts is considered to be 'low' during all phases of construction. Recommended mitigation measures are outlined in this report and should be incorporated into a future DMP or wider Construction Environmental Management Plan (CEMP).
- The net daily increase in vehicle movements associated with the proposed development on any given road link is below screening thresholds which would trigger the requirement for detailed consideration of traffic impacts.
- The proposed heating strategy is based on an ASHP technology therefore no

emission sources will be introduced as part of the proposed development.

- The scheme has been assessed as 'Air Quality Neutral'. No further action is required in terms of on-site mitigation or offsetting.

The Council's Environmental Health Team have considered the assessment and its conclusions and are satisfied that, subject to adherence to the report's recommended mitigation (for the construction management phase) the scheme during its construction phase would not amount to an unacceptable adverse impact on Local Air Quality. This will be required by planning condition.

Accordingly, subject to conditions the proposed development would ensure that adverse air quality impacts are minimised and mitigated appropriately in accordance with Policy SI1 of the London Plan (2021); and, Policy DM04 of Barnet's Local Plan Development Management Policies DPD (2012).

Noise:

Policy D14 (Noise) of the Mayor's London Plan (2021) recognises that the management of noise is important to promote good health and quality of life, within the wider context of achieving sustainable development. The policy stipulates that mitigation should be a part of the design through the use of distance, screening, layout, orientation, uses and materials. Policy DM04 of Barnet's Development Management Policies DPD (2012) broadly aligns with the objectives and design principles of London Plan (2021) policy D14.

In support of the application an 'Acoustic Assessment Report (Planning)' produced by RBA Acoustics (Revision 1; Doc ref: 11655.RP04.AAR.1, date: 16 June 2022). The Council's Environmental Health Team have reviewed the document and commented that the report comes to an acceptable conclusion regarding the measurement of noise levels to be experienced at the façade of the proposed development. Notwithstanding they have advised that it however does not provide mitigation or specifications for external components with acoustic impacts (walls, vents, glazed components). Such details can be required by planning condition, as agreed with the Environmental Health Team, and as such a planning condition is attached to this recommendation, should the application be recommended for approval.

Overall, it is considered that the proposed development, subject to conditions, could achieve satisfactory internal noise levels, in accordance with the objectives of Policy DM04 of Barnet's adopted Local Plan Development Management Policies DPD (2012), and Policy D14 of the London Plan (2021).

Management of Construction-related Pollution

The applicant has supplied a 'Construction Management Logistics Note' produced by Potter Raper (Ref: B9569 – THE GRANGE ESTATE; undated). The document addresses how construction associated activities and vehicular movements will be managed in the interest of preventing pollution and risks to the safety, function and convenience of the local highway network.

This has been considered by both the Highway Authority and the Environmental Health Team who have suggested that more details are required. Accordingly, in the event of a recommendation for approval, it is considered both reasonable and proportionate to recommend a condition requiring a final Demolition, Construction and Logistics

Management Statement to be submitted to and agreed in writing, in consultation with both Highways and Environmental Health. This will ensure that a holistic approach is taken to the management of pollution during the construction phase of the development, in accordance with Policies SI1 and D14 of the London Plan (2021) and Policy DM04 of Barnet's Development Management Policies DPD (2012).

Sustainability

Water Consumption

Policy SI5 (Water infrastructure) of the London Plan (2021) seeks to ensure that development minimise the use and wastage of mains water, water supplies and resources. Policy CS13 of the Barnet Local Plan 'Core Strategy' (2012) also aligns with this objective – recognising that it is important to minimise waste and ensure efficient use of natural resources.

In terms of water consumption, a condition would be recommended in the event planning permission is granted to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to facilitate the objective of minimising the level of water used by the future occupiers and development in general, to ensure the proposal accords with Barnet's Core Strategy (2012) Policy CS13 and Policy SI5 of the London Plan (2021).

The proposed development, subject to conditions, would therefore meet the necessary sustainability and efficiency requirements of the Barnet Local Plan (2012) and London Plan (2021).

Landscaping, Trees, and Ecology / Biodiversity

Landscape:

London Plan (2021) Policy D8 (Public Realm) states that development proposals should explore opportunities to create new public realm where appropriate. Proposals should also ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable.

Policies CS4, CS5, CS7, DM01, DM02 and DM15 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012) align with the principles of the above London Plan policy – i.e. recognising that high quality, open and attractive outdoor public and communal spaces provide many leisure, recreational and health benefits thereby being essential to healthy, sustainable places and communities. The benefits are further reinforced the Council's Green Infrastructure SPD (2017).

The proposed development will provide additional improved amenity space through a reduction in parking and the subsequent enhancement of the central courtyard, and will therefore result in an improvement in the quantum of green space – reducing the level of hardstanding. The proposals will increase the total amount of quality landscaped amenity space in the courtyard by at least 300m², providing a more attractive environment for existing and future residents. The laundry airing area will be re-provided within the courtyard.

It is important to note that the existing and proposed public space will be fully accessible for the benefit of existing and future residents but also the residents on the wider estate. Thus, the physical and visual enhancement of this space will have widespread benefits beyond the site itself, particularly for those living on the estate who may use it as a cut through to reach their destination. In addition, there are landscaping enhancements proposed to Willow Walk, where a new parking layout is to be provided.

The enhancement to the central courtyard and to Willow Walk will be of a high-quality design, comprising attractive planting and hard and soft landscaping which will boost the aesthetic of the surrounding area. The landscaping proposals seek to deliver new wildflower meadows, species rich wildflower lawns, hedges, trees, shrubs, wildlife features, and play facilities. The details of this have been provided within a planting schedule drawing (Drawing No. BA017-GW-CA-DR-L-404; produced by Groundwork London, 15/06/2022, Rev. P3).

A 'Preliminary Ecological Appraisal' (Doc ref: 551515JB21JUN22DV01_PEA_Central_Avenue; dated: June 2022) document has been submitted with the application to address the biodiversity and ecological impacts of the scheme, which is considered later in this report, however it does demonstrate that the scheme will achieve an Urban Green Factor score of 0.41. This score exceeds that of the UGF target of 0.40 outlined in the London Plan (2021). The provision of species rich lawn and wildflower meadows and the retention of all the urban trees onsite will ensure adequate urban greening of the site in the urban environment of East Finchley.

The Council's Trees and Landscape Officer has considered the proposed landscaping, and has no objections in principle, however, they recommend that a final landscape design proposal/planting schedule is required by planning condition to ensure that the scheme visually optimises green enhancement of the site with appropriate native species. Officers consider this to be both reasonable and proportionate, being in the interest of maximising the enhancement of the character and amenities of the site and surrounding area. Accordingly, subject to conditions it is considered that the development will deliver the objectives Policy D8 of the London Plan (2021); and, Policies CS4, CS5, CS7, DM01, DM02 and DM15 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012).

Trees:

Paragraph 131 of the National Planning Policy Framework (2021), Policies G5, G6 and G7 of the London Plan 2021; and Policy DM01 of Barnet's adopted Local Plan Development Management Policies DPD (2012) all recognise the importance of green infrastructure in the enhancement of biodiversity, sustainable urban drainage, responding to climate change, and enhancing both character and amenity of places, collectively delivering sustainable development.

Policy G7 of the London Plan 2021 seeks to ensure that wherever possible, existing trees of value are retained, and where planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by the CAVAT valuation system. Further it recommends that planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

The application is accompanied by an 'Arboricultural Impact Assessment Survey & Report' (Rev 2; Doc ref: BG20.217.3; dated: 29 June 2022) and 'Arboricultural Method Statement'

(Rev 1; Doc ref: BG20.217.4; dated: 23 June 2022) both produced by Brindle & Green Ltd. The report recommends that two trees are removed identified as T42 and T43.

T43 is a Category U Ash tree which is recommended for removal irrespective of development, because at the time of inspection it exhibited features consistent with *Chalara fraxineus* (fungal disease), including: extensive foliage dieback and darkened lesions to the stem and branches. T42 is a mature, Category C Plum tree (*Pyrus* sp.) is located in close proximity (approximately 1m) from a retaining wall to the west, which provides a level change to the car-park to the east. The removal of T42 is required to facilitate development, but it will be mitigated for via replanting, within the landscaping scheme.

The report recommends mitigatory replanting to offset the loss of the trees, which is welcomed. A planting plan (Drawing No. B BA017-GW-CA-DR-L-404; produced by Groundwork London, dated: 15/06/2022, Rev. P3) for the site details the replanting locations, stock specification and species selection.

The Council's Tree & Landscaping Officer has considered the arboricultural documents and the replacements for T42 and T43 within the planting plan, and has advised that the details provided are broadly acceptable, however, they suggest that the replacements should be agreed and secured through a landscaping condition, which is attached to this recommendation.

In light of the Tree & Landscaping Officer's comments, it is considered that subject to conditions, the scheme would satisfy the objectives of Paragraph 131 of the National Planning Policy Framework (2021), Policies G5, G6 and G7 of the London Plan 2021; and Policy DM01 of Barnet's adopted Local Plan Development Management Policies DPD (2012).

Ecology / Biodiversity:

Policy G6 (Biodiversity and access to nature) of the Mayor's London Plan (2021) requires development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain.

Policies DM01 and DM16 of Barnet's Development Management Policies DPD (2012) seek to ensure that developments incorporate landscaping and measures that facilitate the retention, enhancement and the creation of biodiversity, broadly aligning with the London Plan policy above.

The application is accompanied by a 'Preliminary Ecological Appraisal' (Doc ref: 551515JB21JUN22DV01_PEA_Central_Avenue; dated: June 2022) produced by Greengage. The appraisal identifies that land adjacent to the site (Willow Walk) contains mature trees that create potential for foraging bats; and, there is potential for common nesting bird species within the trees and shrubs scattered across the site. The PEA report also highlights that due to the presence of stag beetle and hedgehog records within 1km of the red line boundary, the site would be benefit with the addition of log piles. Overall, the report concludes that the development would not be unacceptably harmful to ecology if the appropriate mitigation measures are put in place.

The Council's Ecologist has reviewed the submitted document and undertaken a site visit. They concur with the appraisal's findings and recommendations - commenting that there is low risk to bats and that the risk to nesting birds can be removed by avoiding any vegetation clearance during the active bird season. Further they confirm that additional logpiles would

be appropriate for stage beetles and hedgehogs.

The document also contains a Biodiversity Net Gain (BNG) assessment which concludes that assuming all necessary mitigation and recommended enhancement measures are incorporated (to greens walls/screens, species rich grassland, wildlife planting, invertebrate features and bird and bat boxes) into the development, then a BNG score of 13.29% (net gain) could be achieved. The Council's Ecologist concurs with these findings, advising that it would exceed the soon to be mandatory 10% BNG score of the Environment Act 2021.

The Council's Ecologist recommends that: *"the two semi-mature blackthorn (Prunus spinosa) in the southeast corner of the site to be lost should be replaced with an identical planting elsewhere on site as blackthorn is a species of high value to biodiversity including nesting and foraging birds, and pollinating insects.*

Further details on the detailed wildflower meadow and species rich specification are to be included on the detailed planting schedule. Reference to the Boston Seed Low Growing Wildflower Meadow seed BS12P is welcome for the proposed species rich lawn due to its 10% Yellow-rattle (Rhinanthus minor) which within 2 years of planting would suppress the abundance highly competitive plant species such as nettles, thistles and dock which thrive on disturbed and sown soil. Likewise, the proposed use of Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30 is also appreciated given 70/30 ratio of native wildflower to grass species and that all the flowering plant species included are of high value to pollinating insects including bees, butterflies".

These details can be secured by planning condition i.e. requiring a 'final' planting schedule to be submitted prior to occupation of the development.

Officers concur with the recommendations of the submitted Preliminary Ecological Appraisal, that an ecological management plan should be secured by planning condition to secure greater detail on biodiversity and ecological mitigation measures in accordance with BS42020:2013 Biodiversity. Further, the Council's Ecologist has also recommended conditions, which are attached to this recommendation, which will ensure that the development will meet the ecological and biodiversity net gain objectives of the Policy DM16 of Barnet's adopted Local Plan Development Management Policies DPD (2012) and the Policy G6 of the Mayor's London Plan (2021).

Fire Safety

Paragraph 3.12.1 of the Mayor's London Plan (2021) states that fire safety of developments should be considered from the outset. Although such matters are covered by Part B of the Building Regulations, Para 3.12.2 further states that it is necessary that development proposals achieve the highest standards of fire safety, to reduce risk to life, minimise risk of fire spread, and provide suitable and convenient means of escape that building users can have confidence in. In essence, the fire safety should be integral to the design process of development, before it has obtained planning permission and thereby before any building control application is made.

The applicant has provided a Fire Safety Strategy (Report Ref: SO12854R - Issue 01 – 23/06/2022) produced by Warringtonfire Consulting Ltd in support of the application.

The statement confirms that the development is designed to achieve high standards of fire safety in accordance Approved Document B, Volume 1, 2019 (as amended May 2020).

Officers have no reason to doubt that the strategy has been produced by a suitably competent and qualified body, giving sufficient regard for the scheme's design in respect of fire safety, and therefore, Officers consider that it should meet the objectives of Policy D12 of the London Plan (2021).

Utilities

Policy D2 of the London Plan states that boroughs should work with applicants and infrastructure providers to ensure that sufficient capacity will exist at the appropriate time. London Plan Policy SI 6 requires development proposals to provide sufficient internet and mobile connectivity for future users.

A Utilities Report, prepared by Laser Surveys, has been submitted to accompany this application. It outlines the utilities affected by the proposed development. Officers consider that sufficient consideration has been given to the utility requires and impacts of the proposed scheme, in accordance with Policies D2 and SI6 of the London Plan (2021).

Statement of Community Involvement

The application is accompanied by a 'Statement of Community Engagement' (dated: June 2022) produced by Instinctif which details the scope and methods used for the pre-application consultation and engagement with local communities and stakeholders about Barnet Homes development proposals for 8 new homes, in a three-storey building on The Central Road site at The Grange Estate. It also provides details of the outcomes of the consultations and how the proposed development has been influenced through community and stakeholder feedback.

5.4 Response to Public Consultation

Several objections and comments were received in response to the application's publicity via letter and site notice, and these have been considered and addressed, where relevant, through the main body the Officer's assessment of the scheme above. The applicant has also submitted a letter response to comments (dated: 18th August 2022; ref: 31896/A3/AK; Re: "Land at Central Avenue... Application ref:. 22/3539/FUL..."), which Officers broadly concur with. Matters that have not been addressed by Officers or that require further clarification are responded to below.

The recurrent themes evident within many of public objections received relate to:

- the levels parking provision;
- the existing constraints, conditions and functional operation of the roads, both in and around the site, which could lead to accidents and conflicts between both road users and pedestrians (adults and particularly children);
- inaccuracies and validity of the documents supporting the application;
- lack of suitable traffic management strategy for the estate in general.
- the level of consultation and lack of transparency over the development of the scheme;
- capacity of existing infrastructure (transport and social);
- overcrowding;
- lack of facilities (clothes drying area / bike sheds) for residents;
- impacts on natural light, privacy and overlooking – i.e. residential amenity impacts
- increased pollution and noise, obstruction and general disruption during the construction phase.

The Council's Highway Authority has given consideration to the matters of parking and functional operation of the road network on and around the site, and they have not raised any significant concerns with regards to these matters. They are satisfied with methodology used to survey the parking stress within the area, and are further satisfied that there would be sufficient parking provision, within reasonable distance of the respective properties that may be affected. Officers acknowledge that the proposals will bring about changes to the current parking arrangements of the site and its vicinity, however, this is with a view to providing additional enhancements to existing communal areas, which will provide amenity benefits to both the existing and proposed residents.

As noted within the Highway section of the report, the Council's Highway Authority has not raised any concerns with respect to the development and its potential to increase vehicular, cyclist and/or pedestrian conflict. Whilst it is acknowledged that there may be some constraints to the local highway network (e.g. narrow roads), the scale of the proposal is such that it would not create a significant impact on the existing situation. The scale of the proposal is also such that it would not be reasonable to secure further monetary / non-monetary contributions towards more substantial improvements of wider estate's local highway functionality, beyond the obligations and conditions recommended with this report.

Owing to its scale, the scheme is considered unlikely to generate a population yield that would place undue pressure on the social infrastructure (GP Practices, hospitals and schools) or utilities infrastructure to an extent that would warrant a reason for refusal. A Community Infrastructure Levy (CIL) financial contribution will be delivered as part of this application, which can be used to secure improvements to infrastructure where required and identified by the Council.

Sufficient information has been submitted to the Local Planning Authority in order for an informed and proper assessment of the scheme to take place. The Highway Authority are satisfied with the level of information on parking. Whilst the use of 2011 Census data has been objected to, it is not the primary evidence basis for determining planning applications. The estimated demand for parking is calculated based on relevant adopted planning policies.

The Local Planning Authority has exercised its duty to publicise the application for planning permission in accordance with the statutory requirement. Letters were sent to neighbouring residents and three site notices were displayed adjacent to the site. Accordingly, the level of public consultation on the planning application is considered to be appropriate. In terms of pre-submission consultation, the applicant has undertaken public consultation exercises and detailed how this has influenced the design and scope of their proposals within their 'Statement of Community Engagement' submitted with the application. Officers are satisfied that it demonstrates that an adequate approach to community engagement and involvement was taken.

Improved outdoor drying facilities are to be relocated within the central courtyard area, along with a new cycle store. Accordingly, there will be no loss of these facilities.

With regards to the matter of overcrowding and loss of amenities (loss of light, overlooking and loss of privacy) these have been considered in depth in the above "Impact on the residential amenities of neighbours" section of this report.

As with any construction project, minor inconvenience and disruption to the residents of neighbouring properties are reasonably to be expected. Notwithstanding, these are not long-

term issues, and are therefore not a material reason that would warrant an application's reason for refusal. Construction related inconvenience and disruption can be mitigated, managed and minimised by adhering to a comprehensive demolition, construction and logistics management (DCLM) plan, which is enforceable by the respective authorities (i.e. Environmental Health, Planning Enforcement and the Highway Authority). Accordingly, a DCLM plan condition has been recommended, requiring the submission of a final document to be agreed in writing, in consultation with the relevant consultees, by the Local Planning Authority.

6. Equality and Diversity Issues

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

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

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

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

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

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

A minimum of 10% of units will be wheelchair adaptable.

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces. Dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

The proposals are therefore considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

Overall, it is considered that the proposal does not conflict with either Barnet Council's

Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Planning Balance

The proposed benefits of the scheme are:

- Redevelopment of previously developed land (brownfield) for a high quality building that delivers 8 new residential units - 100% affordable housing, secured by unilateral undertaking;
- Improvements and enhancement to landscaping and public open space, improving the physical and visual quality of the wider site; and, providing childrens playspace;
- An uplift in the site's biodiversity and urban greening values which further, in turn, improve the sustainable urban drainage capacity of the site

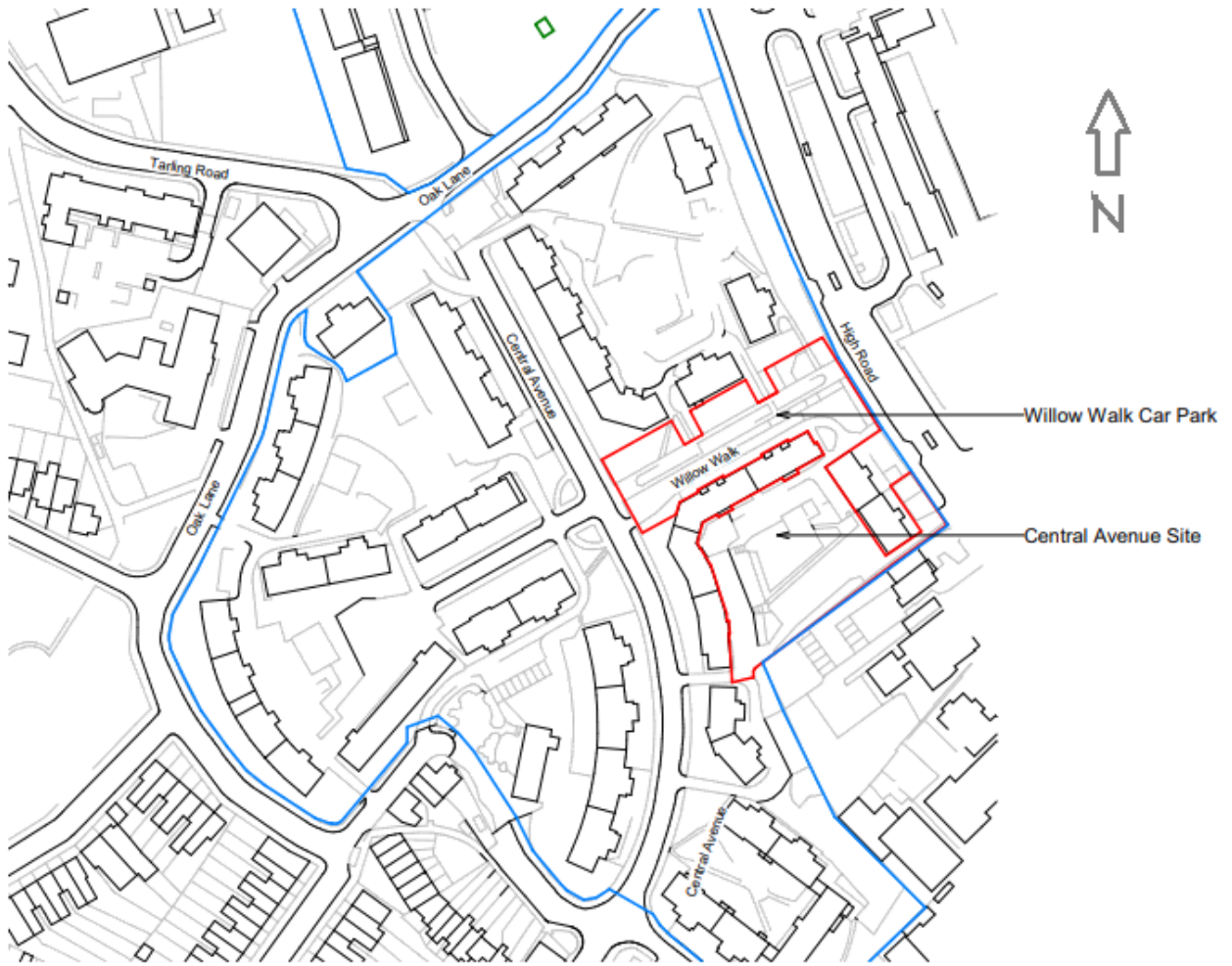
After an assessment of the proposed development, Officers consider that the development is acceptable overall, having regard to the relevant national, London and local policies. The proposed development would provide a high-quality residential development, that would have an acceptable impact on the character and appearance of the site and wider locality. Whilst it is noted that there will be a loss of parking and a minor increase in the number vehicular and pedestrian movements within the locality, the Highway Authority do not consider that there is insufficient on-street provision within the vicinity of the sites to serve existing and prospective residents. Further they have not raised concern with the number of vehicular and pedestrian movements, thus, it is considered that the harms are not such that they outweigh the benefits of the scheme.

Accordingly, in considering the above-mentioned benefits and the need to make the most efficient use of the of borough's limited land and the development of a brownfield site, the package of public benefits is considered to be of importance and attracts positive weight in the decision making.

8. Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, APPROVAL is recommended subject to conditions as set out above.

Site Location Plan:



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Location **Land At High Road (Between East View House And Hilton House) The Grange Estate High Road London N2**
AGENDA ITEM 7

Reference: **22/3544/FUL** Received: 7th July 2022
Accepted: 12th July 2022

Ward: East Finchley Expiry: 6th September 2022

Case Officer: **James Langsmead**

Applicant: Barnet Homes

Proposal: Development of the site to provide 8 affordable homes (Class C3) in a 4 storey building, together with associated public realm, landscaping and playspace improvements, and car and cycle parking

OFFICER'S RECOMMENDATION

Approve subject to a Unilateral Undertaking and 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)

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 by Unilateral Undertaking and any other legislation which is considered necessary for the purposes of seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Provision of Affordable Housing
Provision of 8no. units (8 x London Affordable Rent).
4. Carbon Offset contribution
Contribution towards the Council's carbon offset fund, where identified as

necessary.

5. Monitoring of Legal agreement

Contribution towards monitoring of the legal agreement.

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:

- High Road - Existing Block Plan 3729-LB-HR-00-DP-A-102003 Rev. P2
- High Road - Proposed Block Plan 3729-LB-HR-00-DP-A-110004 Rev. P1
- High Road - GA Ground Floor Plan 3729-LB-HR-00-DP-A-120030 Rev. P10
- High Road - GA First Floor Plan 3729-LB-HR-01-DP-A-120031 Rev. P11
- High Road - GA Second Floor Plan 3729-LB-HR-02-DP-A-120032 Rev. P11
- High Road - GA Third Floor Plan 3729-LB-HR-03-DP-A-120033 Rev. P11
- High Road - GA Roof Plan 3729-LB-HR-04-DP-A-120034 Rev. P11
- High Road - Proposed Elevations 3729-LB-HR-XX-DE-A-130030 Rev. P5
- Existing Site Location Plan - High Road 3729-LB-HR-XX-DP-A-101001 Rev. P5
- High Road - Demolition Plan 3729-LB-HR-XX-DR-A-158030 Rev. P2
- High Road - Existing Section 3729-LB-HR-XX-DS-A-104003
- High Road - Proposed Section 3729-LB-HR-XX-DS-A-140030 Rev. P3
- High Road Tree Removals BA017-GW-HR-DR-L-301 Rev. P2
- High Road Levels Plan BA017-GW-HR-DR-L-302 Rev. P3
- High Road GA Plan BA017-GW-HR-DR-L-303 Rev. P3
- High Road Planting Plan BA017-GW-HR-DR-L-304 Rev. P3

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 commence above ground floor slab level, until details of the materials to be used for the external surfaces of the building 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 The hereby approved development shall be implemented in accordance with the topographical levels details contained within approved drawing no. BA017-GW-HR-DR-L-302 Rev. P3, and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

5 Before development commences other than for investigative work:

Part 1

a) A site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model within the 'Preliminary Investigation Report' produced by Soils Limited (Doc ref: 18620/PIR_R26; September 2020). 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.

b) 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

c) 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).

6 No site works including demolition or construction work shall commence until a final Demolition and Construction Management and Logistics Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Statement submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provision 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 contractor's 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.
- xi. Provision of a competent banksman.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

7 a) Prior to development above slab level, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy S11 of the London Plan 2021.

8 Prior to occupation of the development, the accessible blue badge parking spaces as illustrated on drawing no. 3729-LB-HR-00-DP-A-110004 Rev. P1 shall be provided and used only as agreed and not for any purpose other 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 T6.1 of the London Plan (2021); 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.

9 a) No development associated with the hereby approved development shall commence above ground floor slab level until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the High Road and any ventilation/extraction plant incorporated within the development, 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 The level of noise emitted from any mechanical ventilation plant incorporated into the development hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the

Development Management Policies DPD (adopted September 2012) and D14 of the London Plan 2021.

11 Prior to occupation of the development full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. The active charging points shall be implemented in full accordance with the approved details prior to first occupation and thereafter 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 T6.1 of the London Plan 2021.

12 No works on the public highway including creation or modification of a vehicular access or reinstatement of redundant accesses, signage and lining works as well as new tactile paving at the access as a result of the proposed development 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 184/278 of the Highways Act, for these works and reinstatement of any consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on the public highway are carried out to the satisfaction of the highway authority in the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

13 Details of cycle parking including the type of stands, gaps between stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 18 cycle parking spaces (16 long-stay and 2 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 Policy T5 of the London Plan; London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012; and Policy DM17 of Barnet's Development Management Policies (Adopted) September 2012.

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 ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy G7 of the London Plan 2021.

15 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016) and the Sustainable Design and Construction SPD (adopted October 2016).

16 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "before" survey shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented, as approved, within 3 months of first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway, in accordance with Policy DM17 of Barnet's Local Plan Development Management Policies (adopted September 2012).

17 a) Prior to carrying out works above slab level, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that the hereby approved development can achieve full Secured by Design' Accreditation.

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

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

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012, and Policy D11 of the London Plan 2021.

18 Before the building hereby permitted is first occupied the proposed windows

illustrated to be glazed with obscured glass in the hereby approved plans and shall be installed and permanently retained as such thereafter and shall be fitted with a restricting mechanism that avoids overlooking of neighbouring windows.

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).

19 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016), the Planning Obligations SPD (adopted April 2013) and Policy S4 of the London Plan 2021.

20 No development other than demolition, site clearance and temporary enabling works, shall commence until a Sustainable Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme have been submitted to and approved in writing by the Local Planning Authority.

The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason:

To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted 2016) and Policy SI13 of the London Plan 2021.

21 The development shall be implemented and the refuse and recycling facilities provided in full accordance with the refuse and recycling strategy provided within the hereby approved plans and design and access statement, before the development is first occupied.

The development shall be managed in accordance with this strategy in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of

the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan (2012).

23 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interest of good air quality in accordance with Policy DM04 of Barnet's adopted Development Management Policies DPD (2012) and Policy SI1 of the London Plan 2021.

24 a) Notwithstanding the details submitted with the hereby approved documents and plans, a final scheme of hard and soft landscaping, including details of replacement trees, 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.

Tree and shrub species selected for landscaping/replacement planting must provide long term resilience to pest, diseases and climate change. A 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 immediately 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.

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 Policy G7 of the London Plan 2021

25 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 G7 of the London Plan 2021.

26 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.

a) 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, species enhancement measures (including bat roost and bird boxes, and log pile) and any new soft landscaping to be planted as part of the approved Biodiversity Net Gain scheme.

b) This management plan will ensure compliance with the approved level of biodiversity net gain for the approved development.

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

Reason: To ensure that biodiversity and ecology is preserved and enhanced in accordance with Barnet's Local Plan (2012) Development Management 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 the Environment Act 2021

27 Prior to completion of works 2 x Vivara Pro Woodstone Bat or similar brand alternative and 2 x Woodstone Nest Box or a similar shall be installed onto a mature tree (or building) located at least 5m high on the S, SE, or SW orientation, ideally and with enough space for bats to fly under the box easily in accordance with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)'. Photographs of the bat boxes/bricks shall be submitted as evidence of compliance which shall be approved by the local planning authority. These installations shall be maintained and replaced as necessary for the lifetime of the building as directed by an appropriately qualified and licenced bat ecologist.

Reason: In the interest of enhancing biodiversity on site and preserving ecology for the wider area, in accordance with Barnet Local Plan (2012) Policy DM01, Policies CS5 and CS7 of the Local Plan (2012) Core Strategy DPD and Policies G6 and G7 of the London Plan 2021.

28 Prior to works above ground floor slab level, details of a Sensitive Lighting Strategy shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for the project, including 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 scheme shall be implemented in full accordance with the approved details, prior to occupation of the development.

Reason: In the interest of protecting bats, in accordance with Policy DM16 of Barnet's adopted Local Plan Development Management Policies DPD (2012) and the Policy G6 of the Mayor's London Plan (2021).

29 Prior to occupation of the development the details of the location, dimension, orientation of at least two dead log piles, designed with the input of a suitably qualified and experienced ecologist, shall be submitted to and approved in writing by the Local Planning Authority. The log piles must not be constructed of non-native wood or chemically treated woods.

These dead log piles shall be installed and maintained onsite, in accordance with the details approved under this condition for the lifetime of the project.

Reason: To ensure that the development enhances, preserves and protects protected species in accordance with Policy DM16 of Barnet's adopted Local Plan Development Management Policies DPD (2012) and the Policy G6 of the Mayor's London Plan (2021).

30 Prior to occupation the hereby approved development shall be constructed and maintained thereafter in full accordance with the details set out in the Fire Safety Strategy (Report Ref: SO128545R - Issue 01 - 23/06/2022 - produced by Warringtonfire Consulting Ltd) submitted with the application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that sufficient precautions have been taken with respect to fire safety of the building, in accordance with Policy D12 of the Mayor's London Plan (2021).

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

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

32 Prior to the first occupation of the development, the dwellings 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 DM03 of Barnet's Local Plan (Development Management Policies) DPD 2012 and Policy D7 of the London Plan 2021.

33 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the wholesome 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. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

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), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

34 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operations or development shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

- The installation of any structures or apparatus for purposes relating to telecommunications or any part of the development hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that order.

- The upwards extension, by virtue of adding additional stories, to the building.

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

35 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).

36 Notwithstanding the parking layout submitted with the planning application, prior to above ground works, a revised parking layout plan showing the exact dimensions of the existing/proposed crossovers and proposed 24 off-street parking spaces including 2 disabled spaces within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the 24 off-street parking spaces 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.

37 The hereby approved development shall be carried out in accordance with the Travel Plan Statement (ref: 20045 d9a; dated: 28th June 2022) produced by Lime Transport).

Reason: To encourage the use of sustainable forms of transport to the site in accordance with Policies DM17 and CS9 of the Barnet Local Plan Core Strategy and Development Management Policies DPD (2012)

Informative(s):

1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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 that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

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

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

4 While it is understood that there is a risk that nesting birds maybe negatively impact by the proposed vegetation clearance works should the works commence during the active nesting bird season. Nesting birds and their active birds' nests are protected from damage of disturbance under the Wildlife and Countryside Act 1981, as amended (Section 1).

Generally trees, buildings and scrub may contain nesting birds between 1st March and 31st August inclusive. It is considered that nesting birds are likely to be present between the above dates. You are advised to seek the advice of a competent ecologist prior to undertaking any works which could affect nesting birds during the period outlined above.

5 Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be

required. Should you require further information please refer to our website.
<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.thameswater.co.uk%2Fdevelopers%2Flarger-scale-developments%2Fplanning-your-development%2Fworking-near-our-pipes&data=05%7C01%7CJames.Langsmead%40Barnet.gov.uk%7C68750a6c03644d1a689208da6af402ec%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C637939893487886611%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=%2Buzyp3gUz0txaLhjqEG%2F4n9GFJ0JFu2WdoF7IQ%2FxpQpc%3D&reserved=0>

6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

7 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

8 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.

9 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.

10 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.

11 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.

12 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.

RECOMMENDATION III:

That if the above agreement has not been completed has not been submitted by 31st December 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 meet the costs of provision of affordable housing and carbon off-set. The proposal would therefore not address the impacts of the development, contrary to Policies CS5 and CS9 of the Local Plan Core Strategy (adopted September 2012), policies DM01, DM04, and DM10 of the Development Management Policies (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that

development proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

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

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

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

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

Revised 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 20 July 2021. 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 Revised NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The Revised 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 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 2041. 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 development in London achieves growth that is socially and economically inclusive and environmentally sustainable.

The following Policies are relevant:
GG2 (Making Best Use of Land),
SD1 (Opportunity Areas),

G5 (Urban Greening),
G6 (Biodiversity and access to nature),
G7 (Tree and woodlands),
D1 (London's form, character and capacity for growth),
D2 Infrastructure requirements for sustainable densities,
D3 (Optimising site capacity through the design-led approach),
D5 (Inclusive design),
D6 (Housing quality standards),
D7 (Accessible housing),
D8 (Public realm),
D11 (Safety, security & resilience to emergency)
D12 (Fire safety)
D14 (Noise),
H1 (Increasing housing supply),
H4 (Delivering affordable housing),
H5 (Threshold approach to applications),
H6 (Monitoring affordable housing),
H10 (Housing size mix),
S4 (Play and informal recreation),
T5 (Cycling),
T6.1 (Residential Parking),
SI1 (Improving air quality),
SI2 (Minimising greenhouse gas emission),
SI5 (Water infrastructure),
SI12 (Flood risk management),
SI13 (Sustainable drainage),
DF1 (Delivery of the plan and Planning Obligations).

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 (Adopted 2012):

CS NPPF (National Planning Policy Framework - Presumption in favour of sustainable development)
CS1 (Barnet's Place Shaping Strategy - Protection, enhancement and consolidated growth - The three strands approach)
CS3 (Distribution of growth in meeting housing aspirations)
CS4 (Providing quality homes and housing choice in Barnet)
CS5 (Protecting and enhancing Barnet's character to create high quality places)
CS7 (Enhancing and protecting Barnet's open spaces)
CS9 (Providing safe, effective and efficient travel)
CS11 (Improving health and wellbeing in Barnet)
CS12 (Making Barnet a safer place)
CS13 (Ensuring the efficient use of natural resources)
CS14 (Dealing with our waste)
CS15 (Delivering the Core Strategy)

Relevant Development Management Policies:

- DM01 (Protecting Barnet's character and amenity)
- DM02 (Development standards)
- DM03 (Accessibility and inclusive design)
- DM04 (Environmental considerations for development)
- DM08 (Ensuring a variety of sizes of new homes to meet housing need)
- DM10 (Affordable housing contributions)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

Barnet's Local Plan (Reg 22) 2021

The Council is in the process of reviewing and updating the Borough's planning policies in a document, known as the Local Plan. It forms a 15-year strategy which emphasises Barnet's many strengths as a place to live, work and visit. The Local Plan sets out a vision for how the Borough will change as a place over the next 15 years.

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

- Delivery Skills, Employment, Enterprise, and Training from Development through S106 SPD (October 2014)
- Green Infrastructure SPD (October 2017)
- Planning Obligations SPD (April 2013)
- Residential Design Guidance SPD (April 2016)
- Sustainable Design and Construction SPD (April 2016)
- Affordable Housing SPD (February 2007)

PLANNING ASSESSMENT

Site Description

The application site is located within the Grange Estate, located within East Finchley, to the west of the High Road (A1000) and to the south of the North Circular (A406). The Grange Estate is a housing estate covering approximately 6 acres along the western side of the High Road. Formerly, the Grange Estate was an industrial factory site, before being developed for residential purposes in the 1930s. The Estate now comprises a mixture of flatted development and houses, ranging from two to four storeys.

The application site is 0.40 hectares, and presents as an infill site between two four-storey blocks (Hilton House and East View House) which sit adjacent to the High Road. There is an existing courtyard that sits in the middle of a number of established four storey flatted

residential developments, including Oak House, Berwick House, Hilton House, East View House and Myddleton House.

The wider surrounding area in the estate and beyond is predominantly suburban and residential in nature, primarily consisting of two-storey terraced housing and three and four storey flatted development.

Further to the south, along High Road and towards the District Town Centre (DTC) of East Finchley there are a range of commercial and retail uses which provide facilities and services for local residents. East Finchley Northern Line London Underground station is located within the DTC.

The area is served by Martin Primary School, and both Bishop Douglass and The Archer Academy secondary schools.

In terms of public transport accessibility, the eastern part of the site has a PTAL of 1b (worst), and the western part has a PTAL of 0 (worst). Notwithstanding, the site is accessibly located to the East Finchley District Town Centre by foot in approximately 8 mins (0.4-0.5 miles) and there are also regular main bus routes servicing the High Road that stop at the DTC.

The Islington and St Pancras Cemetery, a Grade II* listed Park, is located opposite the site on High Road. Additionally, the 'Gatehouses to St Pancras and Islington Cemetery', a Grade II listed structure, is located to the north of the site, at the junction of Exit Road and High Road. Oak Lane Clinic is also designated as a locally listed building. The site is not situated within a Conservation Area.

The site is situated within Flood Zone 1, being at low risk of fluvial floodings, however it is located within a critical drainage area.

Proposed Development

This application seeks planning permission for the erection of a four storey building, to provide accommodation for 8 affordable homes (Use Class C3). In addition, the existing courtyard area will be re-designed to make improvements to the public realm, landscaping, playspace, parking and waste & recycling arrangements.

Car parking alterations and cycle parking provision are also proposed. Of the existing 40 parking spaces provided within the central courtyard's parking area, 24 spaces would be re-provided (including one accessible space for the accessible dwelling). A secure and sheltered cycle store for up to 20 bikes (two-tier), would be provided externally.

Site History

No relevant prior planning history for the site.

Public Consultation

Consultation letters were sent to 217 neighbouring properties. The application was also advertised by Site Notices displayed 13.07.2022.

31 responses have been received, comprising 31 letters of objection.

The objections received can be summarised as follows:

- There are access issues with the site which have not been adequately addressed through the application.
- It will increase traffic on Elmfield Road and King Street.
- Access to the High Road on to Central Avenue should be re-opened – to add with traffic calming and provide safe, accessible and more pleasant routes.
- Increase in parking pressures within the surrounding roads.
- Insufficient parking provision.
- Existing roads are narrow, with lack of safe passing places, leading to congestion and increased collisions/altercations.
- Insufficient regard is given for the transport/traffic safety implications of planning proposals
- Increased incidents of speeding
- Negative impact on the enjoyment and quantity of amenity space for residents and their children.
- The transport implications of the proposal will make it more dangerous for primary school aged children walking to school
- Road safety concerns for children. A child has already been knocked down.
- Increased damage to personal vehicles as a result of lorries accessing the site.
- Any applications for additional housing in this area should be rejected.
- Complaints have been made to the Council's traffic management department about coke dyed roads and road rage, but these have not been taken into consideration.
- Affordable housing is supported, but should not override the need for transport/road safety considerations and the impact on local residents.
- The parking survey information has been falsified to meet the needs of the applicant.
- Office blocks should be converted to residential instead development on the estate.
- Planners have not been transparent in the consultation process.
- Owing to the narrowness of the surrounding roads, vehicles frequently mount the kerb, as a result it is dangerous for pedestrians & kerb stones are frequently being dislodged.
- There are inaccuracies within the submitted travel plan and transport statements – demonstrating a lack of awareness for how the site and surrounding area operates
- In section 3.4 of the travel plan statement the only roads that have been mentioned in the 'description of the local highway network in the vicinity of the site' are the North Circular Road, High Road/A1000 & Oak Lane, none of which can be used to actually gain access directly to the proposed development.
- Bicycles are not allowed to be taken on TFL from East Finchley Southbound.
- There is substantial school traffic within the area, and this will contribute towards that, creating danger for the parents and children
- Negative impacts on utility and safety.
- Insufficient details about how traffic will be handled during construction phase
- Displacement of existing parking to nearby roads is ill considered and will reduce utility for existing neighbours.
- Electric vehicles will not address pollution and congestion on the estate. They require just as much space.
- Narrow streets will make it difficult for the development to be constructed, without damaging cars and creating blockages.
- The Grange needs a parking management strategy, which should form part of a revised application.
- The estate is already densely populated, and the increase in building works and

- residents will have an adverse impact on the amenities of existing residents.
- If the application is approved, then there will be less parking and less opportunities to cross roads safely.
 - Increase in noise pollution.
 - Disruption, nuisance and general disruption during the construction phase
 - The development is very close to key major roads and therefore residents are more likely than in many other areas to be relying on a car to support their lifestyles.
 - There are too many blind spots on the estate, creating danger.
 - Lack of natural light
 - There should be a clothes drying facility as well as a bike shed
 - Overcrowding
 - Insufficient supporting infrastructure
 - Pollution increase
 - The report uses census data from 2011 which is outdated and does not account for changes that have occurred because of COVID.
 - Increase in the number of delivery drivers that create further obstruction and congestion.
 - Lack of pedestrian friendly routes and crossing points in the estate.
 - People who do not live on the estate use it for free parking to access local businesses, services and the tube.
 - There is a lack of understanding of the reality of living on the surrounding roads
 -

Responses from Internal/External Consultees

Environmental Health

No objection, subject to conditions.

Drainage / Lead Local Flood Authority

No objection, subject to conditions.

Traffic and Development

No objection, subject to recommended heads of terms and conditions attached to this recommendation. Further details provided within the parking and highway section of the report.

Waste & Recycling

No objection.

Metropolitan Police Service

No objection, subject to a condition requiring the development achieves Secured by Design accreditation.

Thames Water

No objection, subject to informatives.

Arboricultural Officer

No objection, subject to conditions.

Ecology

No objection, subject to conditions.

London Fire & Rescue Service

No comment.

OFFICER ASSESSMENT

Principle of development

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policies GG2 (Making the best use of land), D2 (Infrastructure requirements for sustainable densities) and D3 (Optimising site capacity through the design-led approach) of the Mayor's London Plan (2021) seek to make the best use of land, optimising density through a design-led approach, to support the delivery of additional homes that are much needed across London. Optimising a site's capacity for additional density means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context (e.g. local character and distinctiveness) and capacity for growth. Policy D6 (Housing quality and standards), inter alia, states that particular consideration should be given to the site context, its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure.

Policies H4 (Delivering affordable housing) and GG4 (Delivering the homes that Londoners need) of the Mayor's London Plan (2021) establishes a strategic target that aims to ensure that 50 per cent of all new homes delivered across London are genuinely affordable. H4 further states that public sector land should deliver at least 50 percent affordable housing on each site. Policy H5 (Threshold approach to applications) reinforces this objective. Policy H6 (Affordable housing tenure) seeks to prescribe the tenure of affordable housing provision, being a minimum of 30 per cent low-cost rented homes (either London Affordable Rent or Social Rent), 30 per cent intermediate products which meet the definition of genuinely affordable housing (including London Living Rent and London Shared ownership) and the remaining 40 percent to be determined by the borough as low-cost rented homes or intermediate products based on identified need.

The Council's approach to density is set out in Policy CS3 of Barnet's adopted Local Plan Core Strategy DPD Document (2012) which refers to the superseded density matrix of the London Plan (2016), however, it subsequently states that the Council will seek to optimise

density to reflect local context, public transport accessibility and provision of social infrastructure. Policy CS4 of the Barnet Core Strategy DPD (2012) seeks to ensure the Council secures a mix of housing products in affordable and market sectors to provide choice for all households.

Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) of the Barnet Development Management Policies DPD (2012) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision.

Both Policy DM10 of the Barnet Development Management Policies DPD (2012) and Policy HOU01 (Affordable housing) of the emerging Barnet Local Plan (Regulation 19 submission draft – current under Reg 22 examination) do not seek affordable housing provision on schemes of less than 10 dwellings.

The site to which this application relates is considered to be previously developed land, given that the development is to be constructed within the curtilage of existing residential developments within the Grange Estate. It would infill an area of land between two established residential blocks which currently comprises of a vehicular hard standing and two small grassed areas either side of this. The finer design aspects of the scheme will be examined in a later section of this report, however, Officers consider that the scheme responds to the context of the site appropriately, being of a size, form and layout, that fits in with the adjacent buildings. In terms of density, eight residential units within a building of this size would not be regarded as out keeping with the prevailing character of the site or surrounding area.

With regards to public transport accessibility, the eastern part of the site has a PTAL of 1b (worst), and the western part has a PTAL of 0 (worst). Notwithstanding, the site is accessible to East Finchley District Town Centre by foot in approximately 8-10 mins (0.4-0.5 miles) and there are main bus routes (a bus stop a short distance to the south on the High Road) leading to the town centre via the High Road. North Finchley Town Centre is also to the north (1.2miles), accessible by main bus routes via the High Road, within 12-13mins. Both East Finchley District Town Centre and North Finchley Town Centre, features an array of public services, shops and transport options making the application site a sustainable location for additional residential development.

Significant weight is attributed to the fact that the site falls below the typical threshold for affordable housing (10 units or more) and the scheme is providing 100% affordable housing in the form of London Affordable Rent, thereby being in excess of London and Barnet strategic objectives. This would be secured by Section 106 agreement, in accordance with local planning policy requirements as set out in Barnet Core Strategy (2012) policy CS15.

In summary the principle of development is considered to be acceptable as the scheme would optimise the use of the site, delivering 100% affordable housing on a previously developed residential estate, that is within reasonable distance of a District Town Centre and Public Transport connections. As such, Officers consider that the proposed development would accord with the objectives of the National Planning Policy Framework (NPPF) 2021; Policies GG2, GG4, D2, D3, D6, H4, H5 and H6 of the Mayor's London Plan 2021; and Policies DM08, DM10, CS3 and CS4 of the Barnet Local Plan (2012).

Housing Quality

Unit Mix / Dwelling Sizes:

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan 2021 Policies H10 and H12; and, the 2012 Barnet Development Management Policies DPD Policy DM08). The Council's Local Plan documents (Core Strategy and Development Management Policies DPD, 2012) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for other unit sizes.

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

Type	Number of Units	Percentage
1 bed 2 person	1	12.5%
2 bed 3 person	7	87.5%
Total	8	

The scheme provides a limited mix of housing size, notwithstanding, as noted in the 'Principle of development' section above, this scheme would provide 100% affordable housing. Further, Officers consider it both reasonable and appropriate to exercise flexibility on the mix, on the basis that the proposal concerns an infill site within an established residential estate and the scheme has been developed with a design-led focus to optimise the density whilst ensuring that the character and amenities of the site and surrounding neighbours are appropriately preserved.

On balance, Officers consider the proposed dwelling mix to be acceptable and in accordance with the objectives of Barnet Local Plan (2012) policies DM08 and CS4.

Standard of accommodation

In terms of the standard of accommodation for the future occupiers of the proposed development, the Council expects a high standard of internal design and layout in new residential development. The standards expected are set out within Barnet's adopted Sustainable Design & Construction SPD (2016), and these align with the objectives and standards that are stipulated in Policy D6 of the Mayor's London Plan (2021), and Policy DM02 of Barnet's adopted Development Management Policies DPD (2012).

In terms of bed numbers and gross internal floorspace area (GIA) requirements, the scheme would provide the following:

Floor / bedroom numbers	Proposed GIA	Required GIA
Ground Floor: 2 bed 3 person (north)	62m ²	61m ²
Ground Floor: 1 bed 2 person (south)	62m ²	50m ²
First Floor: 2 bed 3 person (north)	61m ²	61m ²
First Floor: 2 bed 3 person (south)	61.5m ²	61m ²
Second Floor: 2 bed 3 person (north)	61m ²	61m ²
Second Floor: 2 bed 3 person (south)	61.5m ²	61m ²
Third Floor: 2 bed 3 person (north)	61m ²	61m ²
Third Floor: 2 bed 3 person (south)	61.5m ²	61m ²

All of the proposed residential units would meet the minimum internal space standards, as set out within the Local and London Plan policies referenced above.

In terms of ceiling heights and addressing the Urban Heat Island affect, as required by Policy D6 of the Mayor's London Plan (2021), all units will have a ceiling height of 2.5m for at least 75% of the gross internal floor areas. This will ensure that the new housing is of satisfactory quality, especially in terms of daylight penetration, ventilation and cooling, and sense of space.

Daylight, Sunlight & Overshadowing:

Policy D6(D) (Housing quality and standards) of the London Plan (2021) states that *“the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context... whilst minimising overshadowing...”*

Policy DM01(e) of Barnet's Development Management Policies DPD (2012) also requires developments to *“be designed to allow for adequate daylight and sunlight... for adjoining and potential occupiers and users”*.

With regards to daylight and sunlight access, the applicant has provided a Daylight & Sunlight report titled: “Daylight and Sunlight Amenity Report in Respect of Residential Habitable Rooms – High Road, The Grange Estate, London N2” (Version 1; Produced by CONSIL; dated: 28 June 2022), which assesses the development against the BRE's site layout planning for daylight and sunlight guidelines.

BRE guidelines state that Average Daylight Factor (ADF) is the primary measure for daylight in new build accommodation. It states that a kitchen should enjoy daylight levels of 2% ADF; a living room levels of 1.5% ADF; and, bedrooms a level of 1% ADF. Reasonably the assessment provided uses an averaged ADF factor of 1.5% for the combined kitchen / living / dining rooms proposed.

The assessment provided indicates that all habitable rooms examined meet, and in most cases exceed the requisite ADF requirements.

With regards to sunlight (Annual Probable Sunlight House - 'APSH') the assessment indicates that of the 8 living rooms which have a main window orientated within 90 degrees of due south, two of these (First-R2 and Second-R2) will receive below the BRE's default recommended level of APSH (16% and 18% APSH, against the BRE's target of 25%). Notwithstanding all living rooms will receive above the BRE recommended level of Winter Probable Sunlight Hours, which is reasonably more important during the darker season on the year. Furthermore, while a small number of rooms receive below the default APSH target, the rooms will still receive a level of sunlight that is typical with an east-west facing property in an urban area; and most importantly, the rooms will also receive good levels of internal daylight.

The assessment report identifies no demonstrably adverse overshadowing impacts to the internal units or garden areas throughout the year.

Overall, Officers are satisfied that the proposed units would receive good levels of day light and sun light with no unacceptable overshadowing impacts.

Outlook, Privacy and Overlooking

Policy D3 (D)(7) (Optimising site capacity through the design-led approach) of the London Plan 2021, requires development proposals to deliver appropriate outlook, privacy and amenity. Policy DM01(e) of the Barnet Development Management Policies DPD (2012) aligns with the objectives of the London Plan in this regard.

The proposed units will have sufficient outlook, featuring dual aspect across all units. Each unit will also benefit from additional light provided from an obscured flank window that faces on onto the neighbouring buildings. The obscuration of these windows will prevent a loss of privacy to the future occupiers of the units, and there would be no undue overlooking and/or loss of privacy concerns from the west or east.

The external balconies' north and southern edges on the upper floors would also be fitted with decorative metal screens with obscured glazing to provide privacy to these external areas also.

On the ground floor the two units would benefit from private garden terraces. It is proposed that these will be screened from the public area a small retaining wall with 1950mm wooden fence above. This is also buffered by planting on the courtyard side. Privacy between the units would also be by a dividing fence of 1.95m in height. Officers consider that it is important to ensure that the quality of these spaces are not unduly impacted by a sense of enclosure, given their size, and thus, consider it sensible to recommend that the details of the fences be required by condition, to ensure that the right screening and boundary treatments are put in place that provide adequate security, but are also sensitive to the design and amenity considerations of the scheme.

Overall, it is considered that subject to conditions the proposed development would achieve a satisfactory standard of privacy in accordance with the objectives of DM01 of Barnet's adopted Development Management Policies DPD (2012).

Accessible and Inclusive Design

Policies D5 (Inclusive design) and D7 (Accessible housing) seek to promote suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children. Amongst various objectives established within these policies, they promote the design of high quality people focused spaces that are designed to facilitate social interaction and inclusion, with no disabling barriers and facilitating independent access without additional undue effort, separation or special treatment. Scheme should be able to be entered, used and exited safely, easily and with dignity for all. A specific requirement of Policy D7 is that at least 10% of dwellings should meet Building Regulation requirement M4(3) 'wheelchair user dwellings'; and, the rest of the dwellings should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Policies CS1, CS4, CS5 and DM02 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012), align with the objectives of the above London Plan policies, seeking to ensure that both homes and public spaces are high quality, attractive, accessible, safe and inclusive to the communities they serve.

The proposed scheme will provide one wheelchair accessible unit (Building Regulations M4(3) compliant) on the ground floor, in accordance with both London and Local Plan standards. The remaining units are also designed in accordance with M4(2) of the Building Regulations, thereby complying with the requirements of the London (2021) and Council's

Local (2012) Plan policy objectives.

As part of the landscaping proposals for the scheme, there will be improvements to permeability and accessibility of the space across the central courtyard, to ensure that it is open, safe and inclusive to existing and prospective residents of the area.

Overall, it is considered that the proposed development would achieve the accessibility and inclusivity objectives of Policies D5 and D7 of the London Plan 2021; and policies CS1, CS4, CS5; and, DM02 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012).

Amenity Space

Policy D6 (Housing quality & standards) of the Mayor's London Plan (2021) and Barnet's adopted Sustainable Design and Construction (SDC) SPD (2016) require that sufficient, functional amenity space be provided for all new homes and flats, wherever possible. Specifically, the London Plan prescribes a minimum of 5m² for 1-2 person dwellings and an extra 1m² for each additional occupant. Further it requires the space must have a minimum depth of 1.5m. The London Plan gives primacy to higher local standards set within Borough Development Plan Documents, if available.

The Council's adopted Sustainable Design and Construction SPD (2016 – referred to hereon as 'SDC SPD') requires 5m² of space per habitable room, but recognises that this is not always achievable in denser forms of flatted residential development. Accordingly some flexibility may be exercised on aggregate, taking account of communal amenity spaces that are part of the development also; or, in some cases a payment in lieu, as established within the Council's Planning Obligations SPD (2013).

In light of the above, there would be an amenity space requirement of 15m² for the 1bed 2 person unit; and 20m² for the 2 bed 3 person units – equating to an overall requirement of 155m² (i.e. 7 x 20m² + 1 x 15m²).

Amenity space for the ground floor units is provided by means of an enclosed garden terrace (24m² each, and >1.5m in depth), thereby meeting the requirements of the London Plan (2021), and the Council's SDC SPD (2016). On the first, second and third floors amenity space is provided to each unit by means of external balconies (circa 12.5-13m² each, and >1.5m in depth). There is a minor shortfall of 7-7.5m² of the amenity space requirement, but it should be noted that all of the units have access to shared communal amenity space in the middle of the courtyard also which provides in excess of 1600m² (mindful of respecting space around existing buildings) of outdoor space. Accordingly, it is considered that there would be an acceptable provision of both private and outdoor amenity space for the future occupiers of the development, in accordance with the objectives of Policy D6 of the London Plan (2021) and the Council's adopted Sustainable Design and Construction SPD (2016).

Playspace

Policy S4 (Play and informal recreation) of the London Plan (2021) establishes the requirement for residential development proposals to provide safe and stimulating children's playspace according to the level of projected child yield. 10m² of children's playspace is recommended per child.

Policy CS7 of the Barnet Local Plan Core Strategy (2012) seeks to protect and enhance

open spaces and further secure improvements, including provision for children's play, sports facilities and better access arrangements, where opportunities arise, from all developments that create an additional demand for open space. Policy DM02 of Barnet's adopted Development Management Policies DPD (2012) states that the requirements for children's playspace will be calculated in accordance the London Plan. The Council's Residential Design Guidance SPG (2016 – referred to as 'RDG SPD', from hereon) states at paragraph 8.19 that playspace will be required for new flatted development that has the potential to contain 10 or more children.

According to the GLA's Population Yield Calculator, the development would yield 7.1 children, and thus, by the Council's policy and guidance threshold set out within the Council's adopted RDG SPD (2016) the scheme would not be required to provide childrens playspace. Notwithstanding, the London Plan (2021) establishes no such threshold, and would suggest that 71m² of children's playspace should be provided within the scheme.

In terms of playspace, the scheme proposes to deliver 95m² of new incidental playspace, which would exceed the calculated requirements. The Planning Statement and Design and Access Statement advise that the playspace will comprise of stepping posts, a springer, and play boulders for informal seating. There are no objections to the quantity and 'incidental' style of the proposed playspace, however Officers consider it appropriate to require details of the playspace layout and equipment by planning condition, in the event of a recommendation for approval, in order to ensure that a high quality and functional design outcome is achieved with regards to this space.

Overall, Officers are satisfied that the development can deliver playspace in accordance with the London (S4) and Local Plan (CS7 & DM02) policies.

Overheating

Policy SI4 (Managing Heat Risk) of the London Plan (2021) requires development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.

Policy CS13 of the Barnet Local Plan Core Strategy (2012) sets out the Council's expectation with regards to delivering developments that demonstrate exemplary levels of sustainability, and which mitigate and adapt to the effects of a changing climate.

The application is supported by the submission of an 'Overheating Risk Report' produced by Thornley & Lumb Partnership Ltd (Revision B; Doc ref: C7776; dated: 27.06.2022). The risk of overheating has been shown to be low using CIBSE TM59 Overheating Risk assessment methodology with dynamic thermal modelling building simulation. Numerous mitigation measures, including whole house mechanical ventilation with summer bypass to remove high internal gains, have all worked together to minimise the risk of overheating in the modelling of the proposed development.

The Council's Environmental Health team have considered the content of the report and have raised no objections on the grounds of overheating. Notwithstanding, due to some concerns raised about noise and air quality (potential for exposure occasional exposure to poor air quality and road noise) at the front of the building, as covered later in the environmental considerations section of this report. Conditions requiring further information have been recommended to address the air quality and noise matters, however the outcome of the findings may identify the need for alternate means of ventilation to the front

facing rooms of the development and this may consequently result in the scheme not being carbon neutral – thereby requiring a carbon off-setting financial contribution towards the Boroughs Zero Carbon fund. This would not be a matter that would warrant the application's refusal and can be dealt with by a legal obligation through the Unilateral Undertaking process.

Officers are therefore satisfied that the scheme, subject to a legal obligation, would adequately minimise and manage heat risk in accordance with the objectives of Policy SI4 of the Mayor's London Plan (2021) and Policy CS13 of the Barnet Local Plan Core Strategy (2012).

Safety & Security (Secure by Design)

Policy D11 (Safety, security and resilience to emergency) of the London Plan (2021) requires Development proposals should maximise building resilience and minimise potential physical risks, including those arising as a result of extreme weather, fire, flood and related hazards. Development should include measures to design out crime that – in proportion to the risk – deter terrorism, assist in the detection of terrorist activity and help mitigate its effects.

Policies CS5 and DM01(d) of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012) stipulate that proposals should create safe and secure environments and reduce opportunities for crime and minimise the fear of crime. They recommend that the principles set out in the National Police initiative, 'Secure by Design' should be incorporated into the development proposals.

The application has been consulted on with the Metropolitan Police Service's Design Out Crime Unit, and they have advised that they have no objection in principle to the proposed development, but recognise that East Finchley has a moderate record of anti-social behaviour, violence & sexual offences, vehicle crime, theft and burglary offences. In light of this, they have recommended a condition requiring that the development must achieve Secured By Design accreditation, prior to occupation. Officers consider that this would be both reasonable and necessary to ensure the safety and security of the development, and thus, a condition is attached to this recommendation, should the scheme be recommended for approval.

Subject to condition, Officers are therefore satisfied that the scheme would be both safe and secure for the existing neighbouring residents and future occupiers of the development, in accordance with Policy D11 (Safety, security and resilience to emergency) of the London Plan (2021); and Policies CS5 and DM01(d) of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012).

Impact on the character of the area

Design / Layout:

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. High quality design underpins the sustainable development imperative of the NPPF and Policies D1, D3, D5, D6, D7, and D8 of the London Plan (2021).

Policy CS5 of Barnet's Core Strategy (2012) seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high-

quality design. Policy DM01 of Barnet's Development Management Policies DPD (2012) states development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces, and streets. This broadly aligns with the principles of the National Design Guide (2021).

The development proposed is a four storey building (15.2m in height, as measured from section drawing no. 3729-LB0HR-XX-DS-A-140030 Rev. P3), situated between two existing four storey buildings identified as Hilton House (to the north) and East View House (to the south). The other neighbouring properties – Berwick House (north-west), Oak House (west) Myddleton House (south-west) – are all arranged in a courtyard formation, around a central communal area which currently provides parking and an area of open communal green space. Officers are satisfied that the proposed building is of a footprint that fits naturally in this courtyard formation, between Hilton House and East View house. Due to the proposed development's compliance with modern building standards, particularly with regards to internal ceiling heights and the incorporation of a lift, the building is slightly taller than the two neighbouring buildings (circa. 1.5m above Hilton House; 2.05m above East View House). Notwithstanding, owing to it being sited in the middle of the two existing buildings, and being approximately half a storey / two thirds of a storey taller in height (relative to Hilton House / East View House), Officers consider that it would have a comfortable visual relationship with these two neighbouring buildings. The spacing, relative-scale and consistent form of the building would maintain a satisfactory degree of symmetry and massing across the three buildings. In addition, its height would relate well to that of the other buildings within the courtyard which also feature a mix of ridge heights (Berwick House 2m taller / Oak House 3.65m lower, but 43m away), different separation distances and varied topographical characteristics (i.e. the land slopes up to the West) with the proposed development – as demonstrated within the section drawings provided (Drawing no. 3729-LB0HR-XX-DS-A-140030 Rev. P3).

The architectural style proposed is a more modern contemporary take on the immediately adjacent neighbouring buildings. The detailing, articulation and roof form follows a very similar, logical approach which responds well to the established identity of the immediately adjacent buildings and wider developments that form part of the courtyard.

In terms of materials, the scheme will include a mixture of light and dark-red brick, as well as a pitched metal roof, to reference key features of the existing buildings on the estate. The use of two brick types and metal cladding will help to create definition, variety and articulation in the façades. The architectural style, combined with the appropriate type and palette of materials will help to ensure that the visual perception of the building's massing is in keeping with the space within which it sits and in context with its immediate surroundings.

Notwithstanding the above assessment, it is recommended that further details of the final materials to be used in the external elevations are required to be submitted to, and agreed in writing by the Local Planning Authority, through a planning condition. This is to ensure that an acceptable palette of materials is selected that will achieve a satisfactory visual appearance for the building upon its completion, and for the future to come.

Overall, in terms of layout, scale, massing and design, the proposed development is considered to be of high quality and accords with the objectives of the National Planning Policy Framework; Policies D1, D3, D5, D6, D7, and D8 of the London Plan (2021); Policies CS5 and DM01 of Barnet's Local Plan 'Core Strategy' and 'Development Management Policies' (2012); and the National Design Guide (2021).

Impact on Heritage Assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the decision maker to consider the effects of development on listed buildings and their settings – specifically, having special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Paragraph 194 of the National Planning Policy Framework 2021 requires applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Paragraph 195 require Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Further, Paragraph 199 goes on to state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Aligning with the statutory duty and principles of the above, Policy HC1 (Heritage conservation and growth) of the Mayor's London Plan (2021) states that "Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings... Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process".

Similarly, Policy CS5 of Barnet's Local Plan Core Strategy (2012) and Policy DM06 of Barnet's adopted Development Management Policies DPD (2012) seek to ensure that all heritage assets will be protected in line with their significance, and that development proposals have regard for local historical context. Development is required to demonstrate, where appropriate, amongst other things, the impact of the proposal on the significance of the heritage asset and how the benefits outweigh any harm to the heritage asset.

The site is located approximately 100m from the St Pancras and Islington Cemetery Grade II* listed Park and Garden, however, there is a four-storey building shielding any views between the site and the heritage asset.

The Grade II listed gatehouses to the north, along Exit Road, are approximately 180m from the site; however, by virtue of its location to the north and the site being positioned immediately to the south of Hilton House, a four-storey building, the site is entirely shielded from views

In light of the above, it is considered that the proposed development would accord with the heritage and conservation objectives (i.e. equating to no harm to the significance or setting of any designated heritage assets) of the Planning (Listed Buildings and Conservation Areas) Act 1990; Section 16 of the NPPF (2021); Policy HC1 of the Mayor's London Plan (2021) and Policies CS5 and DM06 of Barnet's adopted Local Plan (2012).

Impact on the residential amenities of neighbours

Part of the 'Sustainable development' imperative of the NPPF 2021 is pursuing improvements to amenity through the design of the built environment (paragraph 127). In addition, Policy DM01 of Barnet's Development Management Policies DPD (2012), as well as the Sustainable Design and Construction SPD (2016), provide further requirements and guidance, to avoid and mitigate against harmful impacts on neighbouring residential amenities.

Overlooking / Loss of Privacy

The closest neighbouring residential buildings are Hilton House and East View House to the north and south – separated by 6.5m and 6.6m respectively. The proposed scheme would not unduly overlook any habitable room windows to these neighbouring properties. There are windows on the flanks of the proposed development and also the neighbouring properties. In the first instance, the proposed scheme's windows on these flank elevations are to be obscure glazed to prevent any views, however it should also be noted that the neighbouring flank windows are secondary aspect (second smaller windows serving living rooms) and not a primary means of outlook for the units within. Accordingly, the potential for "perceived overlooking" despite the obscured glazing proposed would not be a demonstrable, material issue. Although it is annotated on the proposed plans, Officers have recommended a condition that the proposed flank windows be obscured and retained permanently in that condition.

Berwick House and Myddleton House are the next closest units to the development however, the separation distances and oblique angles are such that there would be no demonstrable overlooking and loss of privacy for these properties. Oak House, at 43m in distance from the development is also too far away to consider such impacts.

Whilst balconies of neighbouring developments have the potential to be overlooked, it is clear that these are already overlooked by the courtyard (a public space) and other neighbouring developments windows and balconies within the courtyard. Notwithstanding, the proposed plans indicated that decorative metal screens with obscured glazing to privacy level 3 to avoid overlooking and provide privacy to corner balconies will be provided. Accordingly, it is not considered that these balconies will create any unacceptable overlooking or loss of privacy relationships.

Overall, Officers are satisfied that there would be no demonstrable overlooking and loss of privacy to neighbouring properties as a result of the proposed development.

Enclosure / Overbearing / Outlook:

Myddleton House, Berwick House and Oak House are all sufficient distances from the proposed development for sense of enclosure / overbearing / outlook impacts to be an issue. Hilton House and East View House are the closest (6.5m / 6.6m) in distance, however, as noted these properties have no primary outlook on their flank elevations that would equate to their main outlook being unduly dominated by the proposed development. Further, it is both reasonable and logical to suggest that there would be no demonstrable sense of enclosure or overbearing for the occupiers of this neighbouring property. The proposed development is considered to be a reasonable and proportionate form of development that adheres well to the established pattern of development, and thus, no part of it would dominate the front or rear views of the neighbouring properties of Hilton House or East View House.

Sunlight / Daylight / Overshadowing

Policy D6(D) (Housing quality and standards) of the London Plan (2021) states that “the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context... whilst minimising overshadowing...”

Policy DM01(e) of Barnet’s Development Management Policies DPD (2012) also requires developments to “be designed to allow for adequate daylight and sunlight... for adjoining and potential occupiers and users”.

The application is accompanied by a “Daylight and Sunlight Report (Surrounding Properties)” produced by CONSIL (Revision 1; dated 28th June 2022). The report assesses the effect the proposed development will have upon the levels of daylight and sunlight received by the surrounding residential properties. It identifies Hilton House and East View House as being within sufficient proximity and orientation from the Site to be assessed for potential loss of daylight and/or sunlight. The other properties within the courtyard are considered to be sufficiently far away not to be affected by the proposed development.

28 windows were tested across the 2 properties for changes in Vertical Sky Component (VSC) and Annual Probable Sunlight Hours (APSH), and 16 rooms in relation to No Sky Line (NSL) where layouts were known. The technical analysis identifies several windows at Hilton House and Eastview House experience reductions in VSC that exceed default BRE Report guidance. These relate to the smaller secondary flank windows (facing the proposed development) serving the living rooms of the neighbouring properties. It is identified that there would potentially be a noticeable loss of daylight from these windows, however, the BRE’s guidance is clear that VSC should be assessed on the “main” window serving a room. In this case the main windows in both neighbouring buildings face west into the courtyard, where there would be no change in NSL as a consequence of the proposed development. Given that it would neither hinder the front or rear aspects of the neighbouring units, Officers agree with the findings of the report that it would be of minor significance, and would therefore not warrant a reason for refusal.

The assessment report concluded that all main living rooms of the neighbouring properties would continue to receive levels of Annual Probable Sunshine above the default recommended levels in the BRE’s Guidelines. Accordingly, loss of sunlight to neighbouring properties as a consequence of the proposed development would not be a material concern.

The report does not consider overshadowing, however, owing to the siting, orientation (relative to the tracking of the sun), the height of the proposed building, the height of established buildings with the courtyard, and the results of the daylight and sunlight report, Officers consider it unlikely that the scheme would create overshadowing conditions that would demonstrably harm the amenities of the neighbouring buildings to an extent that would warrant a reason for refusal.

Overall, Officers are satisfied that the proposed development would not adversely impact the amenities of neighbouring residential occupiers, in accordance with Policy DM01 of Barnet’s adopted Development Management Policies DPD (2012) and Policy D6 of the Mayor’s London Plan (2021).

Highways / Parking

Policy T4 (Assessing and mitigating transport impacts) of the London Plan (2021) requires that the highways related impacts and opportunities which arise as a result of development proposals are identified and assessed so that appropriate mitigations and opportunities are secured through the planning process. It is important that development proposals reduce the negative impact of development on the transport network and reduce potentially harmful public health impacts.

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

Residential car parking

It is recognised within the Barnet Local Plan policies that the residential parking standards will be applied flexibly based on different locations and issues related to public transport accessibility, parking stress and controls, ease of access by cycling and walking, and population densities. Appropriate parking for disabled people should always be provided.

Barnet's Local Plan (2012) and the Mayor's London Plan (2021) recommend a range of parking provision for new dwellings based on the site's Public Transport Accessibility Level (PTAL) and the type of unit proposed. Policy DM17 of the Local Plan sets out the parking requirements for different types of units with the range of provision as follows:

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

These are maximum standards (not minimum) and the objective of this policy is to promote more sustainable transport modes i.e. to meet a significant proportion of travel needs through high quality public transport and improvements to walking and cycling facilities.

The Local Plan (2012) policy further states that residential development may be acceptable:

- i) With limited or no parking outside a CPZ but only where it can be demonstrated through a survey that there is sufficient on street parking capacity;
- ii) With limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the application will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

Based on the requirements of Policy DM17 of the current Local Plan, the proposed development has a maximum parking requirement range of 5 - 9 parking spaces. The

application site is located within an area with a PTAL rating of 1b/0, although as noted in the principle assessment section of this report, it is close to bus routes (e.g. 263) which access East Finchley District Town Centre and North Finchley District Town Centre from bus stops within 2 minutes walking distance of the site. Furthermore, the site is within reasonable walking distance of East Finchley London Underground Station (approximately 0.8 miles - circa 15 min walk).

Also of note, 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 is currently undergoing Examination by the Planning Inspectorate. 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 draft Local Plan responds to the Mayor's adopted London Plan (2021) parking standards, by adopting similar standards for residential car parking. Owing to the draft nature of Barnet's Regulation 22 Local Plan, only limited weight can be afforded to its policies, and this is therefore of limited significance to the assessment of this scheme. The London Plan's (2021) policies, being more up to date in context with section 38(5) of the Planning and Compulsory Purchase Act 2004, therefore hold more primacy over the current and draft Local Plans.

The London Plan (2021) states that the accessibility of each site should be taken into consideration, including the PTAL, local population density and vehicle ownership, access on foot and by bike and other relevant transport considerations. The standards are also maxima but are lower than those in Barnet's current Local Plan (2012).

For Outer London locations with a PTAL of 0 - 1, Table 10.3 of the London Plan (2021) indicates that the maximum standard should be up to 1.5 parking spaces for 1 and 2 bed units. This would equate to a requirement of 10.5 spaces in the current scheme. Owing to the draft nature of Barnet's Regulation 22 Local Plan, only limited weight can be afforded to this policy, however, such weight can be afforded nonetheless, and the London Plan (2021) standards are regarded as current.

The Highways Authority have commented that:

"...based on Policy DM17, a maximum allowable parking provision of 7-12 spaces are required. Given the PTAL rating of the site is 1b/0, the provision of 10 parking spaces would be acceptable. No additional parking is proposed for the new development hence an overspill of 10 cars. There are currently approximately 40 informal parking spaces provided within the central courtyard parking area and as part of the development, it is proposed to re-design this parking court and reduce parking by 16 spaces, with 24 formally marked out spaces re-provided (including one accessible space for the new accessible dwelling). The loss of 16 spaces plus the potential overspill of 10 vehicles from the development adds up to a total displacement of 26 vehicles. However, overnight parking surveys carried out by the applicant shows that there are 318 spaces available within 200m of the High Road site, of which 193 were used and 125 available during the night (parking stress of 61%). This shows that any potential parking overspill from the development can be accommodated on-street. However, the increase in on-street parking demand may encourage drivers to park in obstructive locations. Hence parking restrictions in the form of yellow lines should be introduced at junction and on bend within the estate to deter this".

The Highway Authority have recommended that a parking management plan should be required by planning condition and that yellow lines be put in place (secured by legal

agreement) to deter and manage illegal and obstructive parking. There are currently no parking restrictions throughout the estate. Putting restrictions on the site (i.e. by means of a Parking Management Plan), that prevents residents outside of the site from parking there, but conversely allowing any overspill of parking associated with the residents of the site to park freely elsewhere within the Grange Estate would not be conducive to good neighbourly relations and the overall fairness parking provision. Given the size of the scheme (8 small residential units), the Local Planning Authority has neither the scope nor remit to reasonably address existing parking provisions across the wider Estate through this application. Planning obligations and conditions are intended for the purpose of mitigating and/or compensating for the relative impacts of proposed development, where it is considered that there will be substantive impacts as a consequence of their implementation. Officers consider that substantive impacts would not arise from this development, and thus, for reasons set out above, a parking management plan condition for managing the site's parking arrangements would not be considered appropriate.

Overall, there is no in principle objection to the parking proposals of the scheme.

Electric vehicle charging points are required to be provided at 20% active and an additional 80% passive infrastructure for all of the parking provision/reprovision proposed - as required by the London Plan (2021) policy T6.1(C) (Residential Parking). The Highway Authority have also requested details of the specific type of charging points to be installed. These provisions and information can be secured by planning conditions, as attached to this recommendation.

Cycle Parking

Cycle parking is to be provided in accordance with Policy T5 (Cycling) of the London Plan (2021).

Use Class		Long stay (for residents)	Short stay
C3-C4	Dwellings (all)	<ul style="list-style-type: none"> • 1 space per studio or 1 person 1 bedroom dwelling • 1.5 spaces per 2 person 1 bedroom dwelling • 2 spaces per all other dwellings 	<ul style="list-style-type: none"> • 5 to 40 dwellings: 2 spaces • Thereafter: 1 space per 40 dwellings

Based on London Plan standards (above), a minimum of 16 long and 2 short stay cycle spaces are required. The development will provide 22 cycle parking spaces (20 long term and 2 short term). Long stay spaces will be provided in the form of a secure cycle shelter adjacent to the developments south-west corner next to the new open air clothes drying facilities. The exact details of this shelter will be required by planning condition, as attached to this recommendation. The two visitor spaces (short stay) will be provided to the front (facing the High Road) of the development, in the form of Sheffield cycle stands.

Existing cycle stores within the area are to be relocated between Oak House and Myddleton House, as illustrated within Section 16.0 (pg. 65 - Transport Strategies) of the submitted Design & Access Statement.

Subject to conditions the proposed cycle storage provisions are considered to be acceptable, in accordance with Policy T5 of the London Plan (2021).

Trip Generation / Travel Plan

A TRICs trip rate assessment has been provided in support of the application, which identifies the proposed development could generate four vehicle movements in the AM peak (8am-9am) and three in the PM peak, with a total of 31 vehicle movements throughout the day. The Highway Authority do not raise objection on the grounds of trip generation associated with the development and agree that the development would have a negligible impact on the local highway network.

A draft travel plan has been submitted by the applicant, although the application falls well below the threshold to secure any of its suggested measures by legal agreement. Officers are broadly in agreement with the measures set out within the document, and consider that it makes suitable suggestions for managing travel-related impacts of the development. However, given that there is no reasonable policy basis for securing measures by legal agreement, Officers consider that the Highways Authority's request for a £5000.00 monitoring contribution would be unjustified.

Internal layout, Access and Servicing

The existing vehicle access to the site is from Central Way but there are several pedestrian access points and footpaths leading to the site. The applicant has submitted swept path drawings which show that cars and refuse/emergency vehicles will be able to enter and exit the site in forward gear which is considered to be acceptable by the Highways Authority.

The internal access roads to the site are not proposed for adoption and no stopping up of footpaths or the highway is anticipated. The Highway Authority have requested that double yellow lines are installed at junctions and other locations to deter obstructive parking. Officers consider this to be unnecessary, as previously noted on the parking section above, the scheme is relatively minor in size and scale and would not warrant unreasonable conditions and financial / non-financial legal obligations to address highway related matters that are established existing issues.

The Highway Authority have recommended a Delivery and Servicing Plan condition for the development, however, Officers consider that the development, at only 8 residential units in size, within an established residential area, would not require such a condition.

Overall, there are no objections to the internal layout, access and servicing arrangements proposed.

Refuse & Recycling

The Council's Waste Management Department have been consulted on the scheme, and is satisfied that adequate refuse and recycling provisions have been provided - i.e. refuse: 1x 1100l, 1x 240l; and, recycling: 1x1100l, and 1x 240l. They have also considered the waste strategy details set out in the design and access report and the planning statement and are satisfied with the approach to the refuse and recycling management.

Construction Management

A draft construction logistics plan ('Construction Management Logistics Note' produced by

Potter Raper - Ref: B9569 – THE GRANGE ESTATE; undated) has been submitted by the applicant. The Highway Authority has commented more detail is required as it is likely to have an impact on the surrounding roads during the construction phase. Accordingly it is considered appropriate to request a final Construction Management and Logistics plan by a suitably worded planning condition.

In addition the Highway Authority have also requested that a “before and after” condition survey is requested and for this is to be secured by way of a planning condition, in order to ensure that the roads are maintained and/or restored to satisfactory condition, where they may be damaged during the construction phase.

Overall, Officers consider that the proposed scheme would have an acceptable impact on the local highway network in accordance with Policies DM17 and CS9 of the Barnet Local Plan (2012) Development Management Plan Policies and Core Strategy; and Policies T4 and T6.1 of the Mayor’s London Plan (2021)

Drainage / SuDs

Policies SI12 (Flood risk management) and SI13 (Sustainable drainage) of the London Plan (2021) require development proposals to take account of flood risk – minimising and mitigating this along with any residual risk. Further, the policies require development proposals to aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible – opting for sustainable green drainage features over grey features, ensuring that they are designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.

Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".

The application site is in Flood zone 1 and the scheme is accompanied by a Flood Risk Assessment, storm sewer drainage calculations and surface water drainage strategy drawings. These have been assessed by the Council's appointed drainage specialists who, following the submission of further details, have raised no objection to the development, subject to a condition requiring details of further Sustainable Urban Drainage provision.

If permission were granted, a condition securing the submission of further details of the surface water drainage scheme is attached. This is considered both reasonable and necessary, in the interest of preventing on-site and off-site surface water flooding, in accordance with Policies D3, SI12, and SI13 of the London Plan 2021; and, Policy CS13 of the Barnet Core Strategy (2012).

Consultation with Thames Water raised no objections. They have advised that proposed development is located within 15 metres of our underground waste water assets, and the development could cause the assets to fail if appropriate measures are not taken. Notwithstanding, they do not consider there is a need to refuse permission or require a condition to be attached to the permission. They have requested that the applicant get in contact with them prior to commencing works. In accordance with Thames Water advice

an informative has been attached to this Officer recommendation.

Environmental Considerations

Policy DM04 of Barnet's adopted Development Management Policies DPD (2012) seeks to reduce and mitigate against the impacts (i.e. noise, air pollution, and land contamination) of development which have an adverse effect on the health of the surrounding environment and the amenities of residents and businesses alike. This is consistent with the objectives of Section 15 of the National Planning Policy Framework (2021), which seeks to ensure that planning decisions conserve and enhance natural environment and avoid significant adverse impacts on health and quality of life.

Contaminated Land:

Policy DM04 of Barnet's Local Plan Development Management Policies DPD (2012) requires that proposals on land which may be contaminated should be accompanied by an investigation to establish the level of contamination.

The application is accompanied by a 'Preliminary Investigation Report' produced by Soils Limited (Doc ref: 18620/PIR_R26; September 2020). The report takes a desktop and conceptual model based approach which is consistent with the Council's standard planning conditions. Based on the information obtained during the compilation of this Preliminary Investigation and the preliminary conceptual site model, a potential for a very low to moderate risk of contamination has been identified. It therefore recommends that an intrusive investigation is necessary to further quantify the risks identified.

The Council's Environmental Health team have considered the contents of the report and agree with the recommendations set out within it. They have recommended a planning condition be attached requiring the further intrusive investigation of the site, and where identified as necessary, a remedial strategy to deal with any areas for concern. Accordingly, Officers consider it both reasonable and necessary to recommend a suitably worded pre-commencement condition requiring these further details.

Subject to a pre-commencement condition requiring further details and, remediation where identified necessary, the scheme would accord with Policy DM04 of Barnet's Development Management Policies DPD (2012).

Air Quality:

Policy SI1 (Improving air quality) of the Mayor's London Plan (2021) aligns with the principles of DM04 of Barnet's adopted Development Management Policies DPD (2012), in that it seeks to ensure emission risks associated with development - i.e. air pollution, both existing and as a consequence of the proposed development - are identified, and that a suitable scheme of mitigation is established to mitigate the impacts for the existing environment and receptors (residents/public) as well as future receptors (residents of the development); and, that all new development meet the GLA's Air Quality Neutral benchmarks.

The application is accompanied by an 'Air Quality Assessment' produced by IDOM (Doc ref: AQA-22417-22-186 REV A; dated: 28-06-22). The report concludes:

- Concentrations of NO₂, PM₁₀ and PM_{2.5} are expected to be below the relevant

AQOs with the exception of a very narrow band along the eastern boundary of the site (directly adjacent to High Road) where concentrations of NO₂ may exceed the annual mean AQO.

- No buildings are proposed in areas where exceedances of the AQO are potentially occurring (immediately adjacent to the eastern boundary of the site). As a result, no specific mitigation measures are considered necessary to reduce future occupants' exposure to air pollution and the site is considered to be suitable for the proposed use.
- The risk of dust impacts is considered to be 'low' during all phases of construction. Recommended mitigation measures are outlined in this report and should be incorporated into a future DMP or wider Construction Environmental Management Plan (CEMP).
- The net daily increase in vehicle movements associated with the proposed development on any given road link is below screening thresholds which would trigger the requirement for detailed consideration of traffic impacts.
- The proposed heating strategy is based on an ASHP technology therefore no emission sources will be introduced as part of the proposed development.
- The scheme has been assessed as 'Air Quality Neutral'. No further action is required in terms of on-site mitigation or offsetting.

The Council's Environmental Health Team have considered the assessment and its conclusions and are satisfied that, subject to adherence to the report's recommended mitigation (for the construction management phase) the scheme during its construction phase would not amount to an unacceptable adverse impact on Local Air Quality. They have advised that the proximity of the proposed development to the High Road/A1000, which is known to be congested at times, is likely to have some adverse impact on the amenities of the future occupiers, and have suggested that some air pollution mitigation be incorporated within the development. Accordingly, this concern is not sufficient grounds for the refusal of application, and thus, Officers consider it both reasonable and necessary to recommend a planning condition to provide additional details of this, in event of the scheme's approval.

Accordingly, subject to conditions the proposed development would ensure that adverse air quality impacts are minimised and mitigated appropriately in accordance with Policy S11 of the London Plan (2021); and, Policy DM04 of Barnet's Local Plan Development Management Policies DPD (2012).

Noise:

Policy D14 (Noise) of the Mayor's London Plan (2021) recognises that the management of noise is important to promote good health and quality of life, within the wider context of achieving sustainable development. The policy stipulates that mitigation should be a part of the design through the use of distance, screening, layout, orientation, uses and materials. Policy DM04 of Barnet's Development Management Policies DPD (2012) broadly aligns with the objectives and design principles of London Plan (2021) policy D14.

In support of the application an 'Acoustic Assessment Report (Planning)' produced by RBA Acoustics (Revision 1; Doc ref: 11655.RP04.AAR.1, date: 16 June 2022). The Council's

Environmental Health Team have reviewed the document and commented that the noise measurements were taken relatively close (approx. 100m) to the location of the proposed development, however, the proposed development is closer to the main source of road traffic noise (High Road / A1000), than the location from which the noise survey was conducted. They consider that the noise report is therefore not sufficient to assess the full impacts of road noise on the development. Consequently, they would request that the assessment is revised to address the specific location of the proposed development. Subsequent Officer discussions with the Environmental Health team concluded that this could be required by planning condition, particularly as there is established precedence for residential developments along the High Road / A1000, and thus, there is likely to be a form of suitable mitigation to address road source noise concerns. As such, in the event of a recommendation for approval Officers recommend a suitably worded planning condition to require that a revised survey is conducted along with the production of an assessment report that analyses the impacts and makes suitable recommendations for mitigation, if and where necessary.

Overall, it is considered that the proposed development, subject to conditions, could achieve satisfactory internal noise levels, in accordance with the objectives of Policy DM04 of Barnet's adopted Local Plan Development Management Policies DPD (2012), and Policy D14 of the London Plan (2021).

Management of Construction-related Pollution

The applicant has supplied a 'Construction Management Logistics Note' produced by Potter Raper (Ref: B9569 – THE GRANGE ESTATE; undated). The document addresses how construction associated activities and vehicular movements will be managed in the interest of preventing pollution and risks to the safety, function and convenience of the local highway network.

This has been considered by both the Highway Authority and the Environmental Health Team who have suggested that more details are required. Accordingly, in the event of a recommendation for approval, it is considered both reasonable and proportionate to recommend a condition requiring a final Construction Management and Logistics Statement to be submitted to and agreed in writing in consultation with both Highways and Environmental Health. This will ensure that a holistic approach is taken to the management of pollution during the construction phase of the development, in accordance with Policies S11 and D14 of the London Plan (2021) and Policy DM04 of Barnet's Development Management Policies DPD (2012).

Sustainability

Water Consumption

Policy S15 (Water infrastructure) of the London Plan (2021) seeks to ensure that development minimise the use and wastage of mains water, water supplies and resources. Policy CS13 of the Barnet Local Plan 'Core Strategy' (2012) also aligns with this objective – recognising that it is important to minimise waste and ensure efficient use of natural resources.

In terms of water consumption, a condition would be recommended in the event planning permission is granted to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to facilitate the objective of minimising the level of water used by the future occupiers and development in general, to

ensure the proposal accords with Barnet's Core Strategy (2012) Policy CS13 and Policy SI5 of the London Plan (2021).

The proposed development, subject to conditions, would therefore meet the necessary sustainability and efficiency requirements of the Barnet Local Plan (2012) and London Plan (2021).

Landscaping, Trees, and Ecology / Biodiversity

Landscape:

London Plan (2021) Policy D8 (Public Realm) states that development proposals should explore opportunities to create new public realm where appropriate. Proposals should also ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable.

Policies CS4, CS5, CS7, DM01, DM02 and DM15 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012) align with the principles of the above London Plan policy – i.e. recognising that high quality, open and attractive outdoor public and communal spaces provide many leisure, recreational and health benefits thereby being essential to healthy, sustainable places and communities. The benefits are further reinforced the Council's Green Infrastructure SPD (2017).

The proposed development will provide new and enhanced amenity space through the rationalisation of the existing central courtyard, and will therefore result in an improvement in the quantum of green space – reducing the level of hardstanding. The proposals will increase the total amount of amenity space on the site by 117m², from 1,933m² to 2,050m².

It is important to note that the existing and proposed public space will be fully accessible for the benefit of existing and future residents but also the residents on the wider estate. Thus, the physical and visual enhancement of this space will have widespread benefits beyond the site itself, particularly for those living on the estate who may use it as a cut through to reach their destination.

The proposed rationalised central courtyard will be of a high-quality design, consisting of attractive planting and hard and soft landscaping. The proposals seek to deliver new wildflower meadows, species rich wildflower lawns, hedges, trees, shrubs, wildlife features, and play facilities. The details of this have been provided within a planting schedule drawing (Drawing No. BA017-GW-HR-DR-L-304; produced by Groundwork London, 16/05/2022, Rev. P3).

A 'Preliminary Ecological Appraisal' (Doc ref: 551515JB21JUN22DV01_PEA_High_Road; dated: June 2022) document has been submitted with the application to address the biodiversity and ecological impacts of the scheme, which is considered later in this report, however it does demonstrate that the scheme will achieve an Urban Green Factor score of 0.48. This score exceeds that of the UGF target of 0.40 outlined in the London Plan (2021). The provision of species rich lawn and wildflower meadows and the retention of all the urban trees onsite will ensure adequate urban greening of the site in the urban environment of East Finchley.

The Council's Trees and Landscape Officer has considered the proposed landscaping, and has no objections in principle, however, they recommend that a final landscape design proposal/planting schedule is required by planning condition to ensure that the visually scheme optimises green enhancement of the site with appropriate native species. Officers consider this to be both reasonable and proportionate, being in the interest of maximising the enhancement of the character and amenities of the site and surrounding area. Accordingly, subject to conditions it is considered that the development will deliver the objectives Policy D8 of the London Plan (2021); and, Policies CS4, CS5, CS7, DM01, DM02 and DM15 of the Barnet Local Plan 'Core Strategy' and 'Development Management Policies' (2012).

Trees:

Paragraph 131 of the National Planning Policy Framework (2021), Policies G5, G6 and G7 of the London Plan 2021; and Policy DM01 of Barnet's adopted Local Plan Development Management Policies DPD (2012) all recognise the importance of green infrastructure in the enhancement of biodiversity, sustainable urban drainage, responding to climate change, and enhancing both character and amenity of places, collectively delivering sustainable development.

Policy G7 of the London Plan 2021 seeks to ensure that wherever possible, existing trees of value are retained, and where planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by the CAVAT valuation system. Further it recommends that planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

The application is accompanied by an 'Arboricultural Impact Assessment Survey & Report' (Rev 2; Doc ref: BG20.217.3; dated: 26 June 2022) and 'Arboricultural Method Statement' (Rev 1; Doc ref: BG20.217.4; dated: 26 June 2022) both produced by Brindle & Green Ltd. The report recommends that one tree is removed (identified as T16 – a mature Category B sycamore tree) as its root area sits largely within the footprint of the development and it could not be feasibly implemented with the tree in situ. The report recommends mitigatory replanting to offset the loss of the tree which is welcomed. A planting plan (Drawing No. BA017-GW-HR-DR-L-304; produced by Groundwork London, 16/05/2022, Rev. P3) for the site details the replanting locations, stock specification and species selection.

The Council's Tree & Landscaping Officer has considered the arboricultural documents and the replacements for T16 within the planting plan, and has advised that the details provided are broadly acceptable, however, they suggest that the replacements should be agreed and secured through a landscaping condition attached to this recommendation.

In light of the Tree & Landscaping Officer's comments, it is considered that subject to conditions, the scheme would satisfy the objectives of Paragraph 131 of the National Planning Policy Framework (2021), Policies G5, G6 and G7 of the London Plan 2021; and Policy DM01 of Barnet's adopted Local Plan Development Management Policies DPD (2012).

Ecology / Biodiversity:

Policy G6 (Biodiversity and access to nature) of the Mayor's London Plan (2021) requires

development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain.

Policies DM01 and DM16 of Barnet's Development Management Policies DPD (2012) seek to ensure that developments incorporate landscaping and measures that facilitate the retention, enhancement and the creation of biodiversity, broadly aligning with the London Plan policy above.

The application is accompanied by a 'Preliminary Ecological Appraisal' (Doc ref: 551515JB21JUN22DV01_PEA_High_Road; dated: June 2022) produced by Greengage. The appraisal identifies that the site has low value for foraging bats, but high potential for nesting birds. Nevertheless, it concludes that the development would not be unacceptably harmful to ecology if the appropriate mitigation measures are put in place.

The Council's Ecologist has reviewed the submitted document and undertaken a site visit. They concur with the appraisal's findings and recommendations - commenting that there is low risk to bats and that the risk to nesting birds can be removed by avoiding any vegetation clearance during the active bird season.

The document also contains a Biodiversity Net Gain (BNG) assessment which concludes that assuming all necessary mitigation and recommended enhancement measures are incorporated (to greens walls/screens, species rich grassland, wildlife planting, invertebrate features and bird and bat boxes) into the development, then a BNG score of 10.99% (net gain) could be achieved. The Council's Ecologist concurs with these findings, advising that it would exceed the soon to be mandatory 10% BNG score of the Environment Act 2021.

The Council's Ecologist recommends that *"the semi-mature hazel (Corylus avellana) that will be lost with the section of species poor hedgerow should be replaced with an identical planting elsewhere on site, as hazel is a species of high value to biodiversity including nesting and foraging birds, pollinating insect and mammals."* They also suggest that *"further details will be required on the detailed wildflower meadow and species rich specification should be included on the detailed planting schedule. Reference to the Boston Seed Low Growing Wildflower Meadow seed BS12P is welcome for the proposed species rich lawn due to its 10% Yellow-rattle (Rhinanthus minor) which within 2 years of planting would suppress the abundance highly competitive plant species such as nettles, thistles and dock which thrive on disturbed and sown soil. Likewise, the proposed use of Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30 is also appreciated given 70/30 ratio of native wildflower to grass species and that all the flowering plant species included are of high value to pollinating insects including bees, butterflies and moths"*. These details can be secured by planning condition i.e. requiring a final planting schedule to be submitted prior to occupation of the development.

Officers agree with the recommendation of the submitted appraisal, that an ecological management plan should be secured by planning condition to secure greater detail on biodiversity and ecological mitigation measures in accordance with BS42020:2013 Biodiversity. Further, the Council's Ecologist has also recommended conditions, which are attached to this recommendation, which will ensure that the development will meet the ecological and biodiversity net gain objectives of the Policy DM16 of Barnet's adopted Local Plan Development Management Policies DPD (2012) and the Policy G6 of the Mayor's London Plan (2021).

Fire Safety

Paragraph 3.12.1 of the Mayor's London Plan (2021) states that fire safety of developments should be considered from the outset. Although such matters are covered by Part B of the Building Regulations, Para 3.12.2 further states that it is necessary that development proposals achieve the highest standards of fire safety, to reduce risk to life, minimise risk of fire spread, and provide suitable and convenient means of escape that building users can have confidence in. In essence, the fire safety should be integral to the design process of development, before it has obtained planning permission and thereby before any building control application is made.

The applicant has provided a Fire Safety Strategy (Report Ref: SO12855R - Issue 01 – 23/06/2022) produced by Warringtonfire Consulting Ltd in support of the application.

The statement confirms that the development is designed to achieve high standards of fire safety in accordance Approved Document B, Volume 1, 2019 (as amended May 2020).

Officers have no reason to doubt that the strategy has been produced by a suitably competent and qualified body, giving sufficient regard for the scheme's design in respect of fire safety, and therefore, Officers consider that it should meet the objectives of Policy D12 of the London Plan (2021).

Utilities

Policy D2 of the London Plan states that boroughs should work with applicants and infrastructure providers to ensure that sufficient capacity will exist at the appropriate time. London Plan Policy SI 6 requires development proposals to provide sufficient internet and mobile connectivity for future users.

A Utilities Report, prepared by Laser Surveys, has been submitted to accompany this application. It outlines the utilities affected by the proposed development. Officers consider that sufficient consideration has been given to the utility requires and impacts of the proposed scheme, in accordance with Policies D2 and SI6 of the London Plan (2021).

Statement of Community Involvement

The application is accompanied by a 'Statement of Community Engagement' (dated: June 2022) produced by Instinctif which details the scope and methods used for the pre-application consultation and engagement with local communities and stakeholders about Barnet Homes development proposals for 8 new homes, in a four-storey building on The High Road site at The Grange Estate. It also provides details of the outcomes of the consultations and how the proposed development has been influenced through community and stakeholder feedback.

5.4 Response to Public Consultation

Several objections and comments were received in response to the application's publicity via letter and site notice, and these have been considered and addressed, where relevant, through the main body the Officer's assessment of the scheme above. The applicant has also submitted a letter response (dated: 18th August 2022; ref: 31896/A3/AK; re: Re: "Land at High Road... Application ref:. 22/3544/FUL...") to comments, which Officers broadly concur with. Matters that have not been addressed by Officers or that require further clarification are responded to below:

The recurrent themes evident within many of public objections received relate to:

- the levels parking provision;
- the existing constraints, conditions and functional operation of the roads, both in and around the site, which could lead to accidents and conflicts between both road users and pedestrians (adults and particularly children);
- inaccuracies and validity of the documents supporting the application;
- lack of suitable traffic management strategy for the estate in general.
- the level of consultation and lack of transparency over the development of the scheme;
- capacity of existing infrastructure (transport, utilities and social);
- overcrowding;
- lack of facilities (clothes drying area / bike sheds) for residents;
- impacts on natural light, privacy and overlooking – i.e. residential amenity impacts
- increased pollution and noise, obstruction and general disruption during the construction phase.

The Council's Highway Authority has given consideration to the matters of parking and functional operation of the road network on and around the site, and they have not raised any significant concerns with regards to these matters. They are satisfied with methodology used to survey the parking stress within the area, and are further satisfied that there would be sufficient parking provision, within reasonable distance of the respective properties that may be affected. Officers acknowledge that the proposals will bring about changes to the current parking arrangements of the site and its vicinity, however, this is with a view to providing additional enhancements to existing communal areas, which will provide amenity benefits to both the existing and proposed residents.

As noted within the Highway section of the report, the Council's Highway Authority has not raised any concerns with respect to the development and its potential to increase vehicular, cyclist and/or pedestrian conflict. Whilst it is acknowledged that there may be some constraints to the local highway network (e.g. narrow roads), the scale of the proposal is such that it would not create a significant impact on the existing situation. The scale of the proposal is also such that it would not be reasonable to secure further monetary / non-monetary contributions towards more substantial improvements of wider estate's local highway functionality, beyond the obligations and conditions recommended with this report.

Owing to its scale, the scheme is considered unlikely to generate a population yield that would place undue pressure on the social infrastructure (GP Practices, hospitals and schools) or utilities infrastructure to an extent that would warrant a reason for refusal. A Community Infrastructure Levy (CIL) financial contribution will be delivered as part of this application, which can be used to secure improvements to infrastructure where required and identified by the Council.

Sufficient information has been submitted to the Local Planning Authority in order for an informed and proper assessment of the scheme to take place. The Highway Authority are satisfied with the level of information on parking. Whilst the use of 2011 Census data has been objected to, it is not the primary evidence basis for determining planning applications. The estimated demand for parking is calculated based on relevant adopted planning policies, and it has been demonstrated through the parking survey that an overspill of five cars could be accommodated within the parking area at the northern end of Central Avenue (which will be re-opened), Tarling Road and Oak Lane.

The Local Planning Authority has exercised its duty to publicise the application for planning permission in accordance with the statutory requirement. Letters were sent to neighbouring residents and three site notices were displayed adjacent to the site. Accordingly, the level of public consultation on the planning application is considered to be appropriate. In terms of pre-submission consultation, the applicant has undertaken public consultation exercises and detailed how this has influenced the design and scope of their proposals within their 'Statement of Community Engagement' submitted with the application. Officers are satisfied that it demonstrates that an adequate approach to community engagement and involvement was taken.

Improved outdoor drying facilities are to be relocated within the central courtyard area, along with a new cycle store. Accordingly, there will be no loss of these facilities.

With regards to the matter of overcrowding and loss of amenities (loss of light, overlooking and loss of privacy) these have been considered in depth in the above "Impact on the residential amenities of neighbours" section of this report.

As with any construction project, minor inconvenience and disruption to the residents of neighbouring properties are reasonably to be expected. Notwithstanding, these are not long-term issues, and are therefore not a material reason that would warrant an application's reason for refusal. Construction related inconvenience and disruption can be mitigated, managed and minimised by adhering to a comprehensive demolition, construction and logistics management (DCLM) plan, which is enforceable by the respective authorities (i.e. Environmental Health, Planning Enforcement and the Highway Authority). Accordingly, a DCLM plan condition has been recommended, requiring the submission of a final document to be agreed in writing, in consultation with the relevant consultees, by the Local Planning Authority.

6. Equality and Diversity Issues

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

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

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

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

Officers have in considering this application and preparing this report had regard to the

requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

A minimum of 10% of units will be wheelchair adaptable.

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces. Dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

The proposals are therefore considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

Overall, it is considered that the proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Planning Balance

The proposed benefits of the scheme are:

- Redevelopment of previously developed land (brownfield) for a high quality building that delivers 8 new residential units - 100% affordable housing, secured by unilateral undertaking;
- Improvements and enhancement to landscaping and public open space, improving the physical and visual quality of the wider site; and, providing childrens playspace;
- An uplift in the site's biodiversity and urban greening values which further, in turn, improve the sustainable urban drainage capacity of the site

After an assessment of the proposed development, Officers consider that the development is acceptable overall, having regard to the relevant national, London and local policies. The proposed development would provide a high-quality residential development, that would have an acceptable impact on the character and appearance of the site and wider locality. Whilst it is noted that there will be a loss of parking and a minor increase in the number vehicular and pedestrian movements within the locality, the Highway Authority do not consider that there is insufficient on-street provision within the vicinity of the sites to serve existing and prospective residents. Further they have not raised concern with the number of vehicular and pedestrian movements, thus, it is considered that the harms are not such that they outweigh the benefits of the scheme.

Accordingly, in considering the above-mentioned benefits and the need to make the most efficient use of the of borough's limited land and the development of a brownfield site, the package of public benefits is considered to be of importance and attracts positive weight in the decision making.

8. Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, APPROVAL is recommended subject to conditions as set out above.

Site Location Plan:



Location **Broadfields Estate Bushfield Crescent Edgware HA8 8XH**

Reference: **20/3742/FUL** Received: 13th August 2020
Accepted: 25th August 2020

Ward: Edgware Expiry 24th November 2020

Case Officer: **Dominic Duffin**

Applicant: Ms Susanna Morales

Proposal: Demolition of 37 garages and the erection of 28 new affordable homes (19x1b, 9x2b) (C3), associated landscaping, car parking, cycle parking and ancillary works

AGENDA ITEM 8

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 Chair (or in their absence the Vice-Chair) 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

Off - site Highways Improvement Works

Bushfield Crescent:

A) Provision of a new access at the north wester corner of the site near No 74

Bushfield Crescent

B) Reinstatement of the footway approximately 5 to 10m either side of new or existing access based on condition surveys

C) Upgrading the existing access at the south eastern end of the site to Heavy duty crossover standards. Clear delineation of the boundary of the adopted highway must be introduced.

D) Introduction of waiting restrictions at junction corners on Bushfield Crescent

Stopping Up of Highway under (s257 and 247)

Stopping-up of footpaths , accesses , amenity areas within the curtilage of the site is required to facilitate the proposed development.

A) Verge adjacent to the path running along the rear of No 74 Bushfield Crescent

B) Existing paths to the rear of the Nos 12-72 Bushfield Crescent

C) Existing paths and rights of way to the garages at the rear Nos 118 -140 Kenilworth Road

5. Energy Consumption

-An obligation to secure energy use monitoring as part of the GLA "Be Seen" initiative.

6. Loss of Trees

-Obligation to secure a contribution for the loss of trees on site (CAVAT value to be determined).

7.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:

1925 RCK ZZ ZZ DR A 00010 Site Location Plan - As Existing RevP1
1925 RCK ZZ ZZ DR A 00100 Site Block Plan - As Existing Rev P1
1925 RCK B6 00 DR A 00130 B6 Ground Floor Plan - As Existing Rev P1
1925 RCK B7 00 DR A 00135 B7 Ground Floor Plan - As Existing Rev P1

1925 RCK ZZ ZZ DR A 00200 Street Elevation AA BB - As Existing Rev P1
1925 RCK ZZ ZZ DR A 08200 Street Elevation AA BB - As Proposed Rev P1

1925 RCK ZZ ZZ DR A 08100 Site Block Plan - As Proposed Rev P5

1925 RCK B6 L00 DR A 08130 Block B6 Ground Floor Plan Rev P4
1925 RCK B6 L01 DR A 08131 Block B6 First Floor Plan Rev P4
1925 RCK B6 L02 DR A 08132 Block B6 Second Floor Plan Rev P2
1925 RCK B6 L03 DR A 08133 Block B6 Third Floor Plan RevP2
1925 RCK B6 R04 DR A 08134 Block B6 Roof Plan Rev P2
1925 RCK B6 XX DR A 08230 Block B6 Front and Rear Elevations Rev P3
1925 RCK B6 XX DR A 08231 Block B6 Left and Right Elevations Rev P3

1925 RCK B7 L00 DR A 08140 Block B7 Ground Floor Plan Rev P5
1925 RCK B7 L01 DR A 08141 Block B7 First Floor Plan No S2 P5
1925 RCK B7 L02 DR A 08142 Block B7 Second Floor Plan Rev P3
1925 RCK B7 R03 DR A 08143 Block B7 Roof Plan Rev P2
1925 RCK B7 XX DR A 08240 Block B7 Front and Rear Elevations Rev P3
1925 RCK B7 XX DR A 08241 Block B7 Left and Right Elevations Rev P3

EXA-ZZ-00-DR-L-00001 GF Reference Plan Rev P1
2003-EXA-ZZ-00-DR-L-00100 GF General Arrangement Plan Rev P1
2003-EXA-ZZ-00-DR-L-00101 GF General Arrangement Plan_Detail Area 1 of 2
Rev P1
2003-EXA-ZZ-00-DR-L-00102 GF General Arrangement Plan_Detail Area 2 of 2
Rev P1

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 Notwithstanding the parking site layout plan submitted with the planning application, prior to occupation of the development; a detailed parking layout plan showing the 31 proposed off-street parking spaces including 3 disabled bays and any redundant crossovers to be reinstated to footway in the development shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the 31 off-street parking space shall be used only as agreed and not to be used for any purpose other 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.

- 7 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, a minimum of 49 cycle parking spaces 47 (long stay) and 2 (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 bicycles 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.

- 8 a) Notwithstanding the details submitted with the application and otherwise hereby approved no residential units shall be occupied 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

- 9 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

- 10 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 6 active and 25 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 T.6.1 of the London Plan

- 11 Prior to the commencement of the development hereby approved, details of any highways or public Rights of Ways to be stopped up under Section 247 of the Town and Country Planning Act within the development site shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out after the stopping up order has been made.

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.

- 12 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

d) Where remediation of contamination on the site is required completion of the

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

- 13 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.

- 14 No above ground 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 any ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy D14 of the London Plan 2021.

- 15 a) prior to occupation of the development, an air quality assessment report written in accordance with the relevant current guidance shall be submitted to and approved by the Local Planning Authority. The report shall include an assessment of the air quality impacts of the demolition, construction and operational phases of the development.

The assessment shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. 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) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to occupied.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies GG3 and SI1 of the London Plan 2021.

- 16 prior to occupation of the development, an air quality neutral assessment report shall be written in accordance with the relevant current guidance. This report shall be submitted to and approved by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy GG3 and SI1 of the London Plan 2021.

- 17 a) No above ground 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.

- 18 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.

- 19 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 shall be submitted to and approved in writing by the Local Planning Authority.

a) The Biodiversity & Landscape 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 Biodiversity Net Gain scheme.

b) This management plan will ensure compliance with the approved level of biodiversity net gain for the approved development.

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

d) The approved management plan shall detail habitat creation, detailed planting schedule, enhancement measures (including the location and specifications of the recommended bat and bird boxes) and required monitoring of the habitats and species affected by the project. This would need to be

commiserate with any Biodiversity Net Gain Plan for the site in order to avoid any redundances.

Reason: 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 and 2021 Environment Act 2021.

- 20 Prior to occupation of the development details of the specification and number of integral bat bricks or tubes within buildings within the site, and purpose-built bird nest and swift boxes shall be submitted and approved by the local planning authority. Ideally these features should be installed on the newly constructed building or retained nearby trees (as per the manufacturer guides), at least 3m high on the S, SE, or SW orientation, ideally and with enough space for bats to fly under the box easily in accordance with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)'. These installations shall be maintained and replaced as necessary for the lifetime of the building as directed by an appropriately qualified and licenced bat ecologist.

REason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

- 21 Prior to the commencement of works details of a Low Impact Lighting Strategy shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for project; including 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.

Reason: 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.

- 22 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.

- 23 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).

- 24 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.

- 25 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.

- 26 Before the buildings hereby permitted are first occupied, the proposed window openings in the western elevation of Block B6 at first, second and third floor level, serving the Living/Kitchen/Dining areas of units B6.1.5, B6.2.5 and B6.3.5, as identified in the approved plans, 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).

- 27 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the residential blocks hereby permitted shall not be occupied until details are submitted to the Local Planning Authority and approved in writing which specify

the details of the privacy screens to be installed, including screens to address privacy issues between blocks. The development shall be implemented in full accordance with the approved details and specifications prior to the occupation of the development and shall be permanently retained as such thereafter.

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

- 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 100% in carbon dioxide emissions, as detailed in the submitted Energy Strategy (Thornley and Lumb Rev B 29.06.2022) 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 Polices document (2012), Policy SI2 of the London Plan 2021.

- 29 Notwithstanding the details shown on the plans otherwise hereby approved, prior to the first occupation of the the development a scheme detailing all play equipment to be installed in the communal/public amenity space as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and the play space shall thereafter be retained.

Reason: To ensure that the development represents high quality design and to accord with policies DM01 and of Development Management Policies (Adopted) September 2012 and Policy S4 of the London Plan (2021).

- 30 Notwithstanding the details submitted with the application, prior to occupation of the development, details shall be submitted to and approved in writing by the Local Planning Authority that provides details of the existing "pram sheds " (external storage facilities) that are to be demolished, pram sheds that are to be retained, and replacement pram sheds for those that are to be demolished.

The submission under this condition shall include details of the location of all pram sheds and associated floor and elevation plans.

The development shall be implemented and the storage facilities provided fully in accordance with the approved details before the the development is occupied.

Reason: To ensure satisfactory storage facilities are provided at the development in accordance with polices DM01 and DM04 of the Barnet Local Plan.

- 31 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.

- 32 a) No development, other than demolition and site preparation works, shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy G.7 of the London Plan 2021.

- 33 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until the tree protection details, as detailed in the submitted Tree Report and associated plans by John Cromar's Arboricultural Company Ltd (S90-J3-IA-1 REPORT regarding the impact on trees of proposals for development at Broadfields Estate, Edgware, HA8 updated 25th April 2022)
- 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 associated tree protection plans (S90-J3-P2 v1, S90-J3-P3 v1) 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

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, associated highways works to facilitate the development, and planning obligations to ensure ongoing energy consumption monitoring, and to secure a contribution for the loss of trees on site. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy, policy DM01, DM04, DM10 and DM17 of the Development Plan DPD (adopted September 2012), Policies T.6, H.4, SI.2, G.7 and of the London Plan 2021 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 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.

- 4 if a concrete pump lorry is to be operated from the public highway, the 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.

- 5 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.

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

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

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

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

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

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

- 7 The Air Quality reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an air quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance : 1) Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, Jan 2017); 2) Environment Act 1995

Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007); 5) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014); 6) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions' 7) The control of dust and emissions from construction and demolition, Best Practice Guidance London Councils, 2006; 8) The Control of Dust and Emissions during construction and demolition supplementary planning guidance July 2014; 9) Air Quality Neutral Planning Support Update April 2014 and 10) Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 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.

- 8 The submitted Construction Method Statement shall include as a minimum details of:
 - o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
 - o Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
 - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

- 9 Nesting birds and their active birds' nests are protected from damage of disturbance under the Wildlife and Countryside Act 1981, as amended (section 1). Generally, trees, buildings and scrub may contain nesting birds between 1st March and 31st August inclusive. It is considered that nesting birds are likely to be present between the above dates. You are advised to seek the advice of a competent ecologist prior to undertaking any works which could affect nesting birds during the period outlined above.

- 10 Vegetation clearance should be undertaken in a sensitive manner to allow terrestrial mammals to disperse. Any excavations that need to be left overnight should be covered/fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must

be covered at the end of each work- day to prevent animals entering/becoming trapped. During clearance works at Site 1 and Site 2 any suitable refuges such as log piles, dense leaf litter or scrub piles should be undertaken carefully and dismantled by hand. Any hedgehogs found during the process should be carefully moved to the retained boundary habitats at the site or adjacent habitats off site.

- 11 It is advised that the amenity grassland consist of a ratio of 70/30 native grass to flowering plants. Such flowering plant species and grasses provide high value to pollinating insects including bees, butterflies. An example of a potential species rich seeding mix includes Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30.

It is also advised the proposed trees and shrub around the to be constructed building with consist of native species rich berry producing shrub species such as hawthorn, blackthorn, spindle, field maple, honeysuckle hazel, and hornbeam. In general, a best practice approach would be to apply a '10-20-30' formula to develop a diverse tree/hedge/shrub population - no more than 10% of any species, 20% of any genus or 30% of any family. These species will provide ideal foraging and sheltering habitats for a variety of species including nesting birds, invertebrates, and foraging mammals.

- 12 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

- 13 Flood Risk Activity Permit
The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
- o on or within 8 metres of a main river (16 metres if tidal)
 - o on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - o on or within 16 metres of a sea defence
 - o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - o in a floodplain more than 8 metres from the riverbank, culvert, or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.
- For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on

03702 422 549 or by emailing enquiries@environment-agency.gov.uk. 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.

OFFICER'S ASSESSMENT

1. Site Description

The current application follows significant amendments to the originally submitted scheme in 2020. This has resulted in revisions to the red line application site and the proposed level of built form that would be developed therein.

The application site is located in the Broadfields Estate, to the rear of x4 three storey residential blocks on Bushfield Crescent, which front Kenilworth Road. The site is accessed between the blocks from Kenilworth Road.

The majority of the site consists of retained grassed areas, provided as ancillary space to the rear of the blocks, as part of the original estate layout. The site also includes two blocks of lock up garages and a number of storage "pram" sheds.

The site has an elongated shape and in the southern section, to the rear of houses on Morley Crescent, are a number of mature trees, two of which have recently been the subject of a Tree Preservation Order - 21/TPO/10 G1 x 2 oak.

The wider estate contains a mix of two and three storey, terrace and semi-detached dwellings, typical of housing developments provided through the 20th century. The character of the area is predominantly residential. The northern section of the site adjoins development laid out as residential cul-de-sacs (Luther Close, Knightswood Close), and there is also a site along the northern boundary containing an adult community centre.

The site is in close proximity to the A41, M1 and Midland Mainline railway, however the site lies in an area with a PTAL rating of 0 - 1b (low). There are no parking restrictions on Kenilworth Road and the road is not in a CPZ.

The site is not within a conservation area and there are no statutory or locally listed buildings on site.

The application site is located partially within Flood Zones 1, 2 & 3a and there is a culverted watercourse which runs below the site.

2. Relevant Planning History

Ref: 20/3741/FUL

Address: Broadfields Estate, Springwood Crescent, Edgware, HA8 8XJ

Description: Erection of 2no dwellings with associated landscaping, parking and ancillary works.

Decision: Pending consideration.

3. Proposed Development

The originally submitted application sought planning permission for the redevelopment of the site to provide 45 residential units with associated landscaping, parking and ancillary works. The submission proposed a number of sites for redevelopment, both within the current application site, but also other individual sites, providing single units. The development ranged from one-unit dwellings to residential blocks, three storey in height, providing 12 No. units.

As detailed, the scheme has been revised, owing largely to the existence of a culvert which runs through this part the Broadfields Estate. The revised scheme proposes 28 residential units. These would be provided in 2 No. blocks (Block B6 and B7), located in the southern section of the site, to the rear of properties on Morley Crescent and the southern most block on Bushfield Crescent.

Block B6

Block B6 would be 4 storeys in height and would be finished in brick. The building would have a flat roof and some units would be served by balcony areas. Block B6 would provide a total of 20 units, including 13no. 1-bed and 7no. 2-bed apartments accessed internally from a central core.

Block B7

Block B7 would be a similar design but would only extend to 3 storeys in height. The building would have a flat roof and some units would also be served by balcony areas. Block B7 would provide a total of 8 units, including 6no. 1-bed units and 2no. 2-bed units.

All units have private outdoor amenity either in the form of ground floor gardens or balconies.

The scheme would provide 100% affordable housing units (19 x 1b2p apartments and 9 x 2b3p and 2b4p apartments)

Within the wider site redevelopment 31 new parking spaces would be provided. Secure cycle parking spaces would also be provided.

The remainder of the site would be landscaped and laid out formally to provide public amenity areas. This would include (as detailed in the Design and Access Statement);

- o The Village Green: serves as flexible community space for residents and locals to meet, socialise, hold small events, and for children to play.
- o Community Spine: a large shared pedestrian area running adjacent to an extensive swale garden which connects the full length of the site. The space will also include incidental play features.
- o Village Square: a key node in the centre of the development and serves as a connecting area between Knightswood Close, the Community Spine and Bushfield Crescent. It

includes a feature tree and formalised angled lawns, which create seating and exercise opportunities. The space also includes parking bays that are reinforced with grass paving and broken up with swale gardens.

4. Public Consultations

As part of the initial consultation exercise, 545 letters were sent to neighbouring properties and residents. In addition, the application was advertised in the local press and site notices were posted around the site. 21 objections and 1 letter of support were initially received.

Public Objections:

The letters of objection received could be summarised as follows:

- Most residents including myself are unable to distinguish the impact, benefits and timetable of work to allow us a reasonable ability to assess whether we are for or against the development.
- Concern about the loss of the storage sheds and whether they will be adequately replaced.
- Hartland Drive and this development are two major building works in such close proximity. How will congestion be managed?
- Concern regarding increased pollution levels.
- The local bus is already incredibly busy at peak times, also local roads.
- Has the impact on oversubscribed doctors and dentists been taken into account?
- Parking is already problematic, what is the outcome for existing residents during the works.
- There is absolutely no need to include play equipment in the back garden, or indeed to open our back garden up to everybody, as there are two large parks nearby, the farm and now the refurbished Glen Gardens.
- Concern about noise, pollution and loss of privacy to our properties.
- The proposed 3 metres for residents will create a 'corridor' of people directly outside our windows, which will be incredibly loud and intrusive, particularly for ground floor residents.
- Existing infrastructure requires further examination to outlined plans
- Over development of area behind flats
- Existing congestion on current roadways in/out
- Disturbance during construction phase
- There's already parking issues. New development creates increased problems compromising safety. Additional traffic increases noise.
- Residents of existing flats overlooked; loss of privacy
- Loss of existing trees
- Geo reports the development is in Flood zone 2&3 with a culverted river running underneath. Many gardens in the local are already waterlogged in the winter, if the culvert is damaged/the river diverted, by accident or design, what are the consequences for neighbouring gardens?
- Significant disturbance during works - parking of workers, movement of large vehicles in a confined space.
- The proposed development is artistically designed but is impractical & lacks sensitivity to the current residents.
- Pressure on existing services - doctors etc.
- Concern about disturbance from proposed basketball court.

- Increase in anti-social behaviour within the area.
- The new blocks of flats are going to be unacceptably close to our homes and we will be overlooked. This will also block out our sunlight.
- Impact on residential amenity through loss of privacy, daylight/sunlight.
- Security concerns as new development will allow access to the rear of our flats.
- What will happen to my shed that forms part of my lease?
- Overlooking from proposed balconies.

The letter of support received can be summarised as follows:

- This new development will be great for our community. I hope it is affordable to neighbourhood locals to live there. I would like to apply for it.

A second consultation exercise was undertaken following the receipt of amended plans and associated supporting information relating to the 28 unit scheme.

4 further letters of objection were received.

The comments can be summarised as follows;

- How secure are the sheds going to be as we won't be able to see them as we can now & the footfall along that path will increase considerably as it will be an access route to the new flats. Concerned the pram sheds will be reduced in size. Why can't you knock the existing sheds down, rebuild them with a flat roof & then plant the roof so it would still be in keeping with the green theme plus the tenants of the block will be able to keep an eye on them & their possessions in them.
- Concern the level of refuse storage will be inadequate to serve existing units and an additional 28 flats.
- totally unacceptable that some of the new flats have back gardens yet are taking away the large communal open space for the existing flats in order to build the new flats. No mention of designated parking and there are clearly not enough spaces in the drawings to allocate 1 to each flat. Parking will become impossible.
- No mention of electric vehicle charging points which i believe is now a legal requirement. The new blocks are closer to the existing blocks than previously proposed so there will be multiple Right to Light claims.
- As neighbours of the proposed property and speaking on the behalf of all the neighbours, with the proposal of this three storey property from the current one storey, there will be overshadowing and loss of privacy of current homeowners.
- Overshadowing and loss of privacy of current homeowners.
- There is insufficient parking space planning for the number of proposed new flats which will increase congestion and parking difficulties in all neighbouring roads, particularly Morley Crescent.
- The distance of the new proposed window facing property does not meet minimum requirements by Barnet council and law and encroaches on the Morley Crescent Gardens. This further damages the privacy of the bordering gardens and properties of Morley crescent residents.
- There is also question as to who will upkeep the proposed green areas bordering on the Morley Crescent gardens which risks both environmental and sanitary issues.

_responses from Internal Consultees

Environmental Health: No objection subject to conditions.

Highways: Detailed response. No objection subject to conditions and an s106 to agree a Travel Plan and its monitoring.

Trees Officer: No objection, suggested conditions

Ecology: No objection, suggested conditions

LLFA: Detailed response received requiring further information

_responses from External Consultees

EA: Objection is now removed following scheme revisions

Natural England: No comment received

Transport for London: No objection subject to conditions.

Metropolitan Police Design Out Crime Officer: Detailed response, further detail can be agreed by condition.

Thames Water: No objection.

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 National Planning Policy Framework (NPPF) 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, is indivisible from good planning, and should contribute positively to making places better for people'. 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, CS4, CS5, CS9, CS14, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM10, 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, 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 to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

Other Documents

- GLA: Housing (2016)
- GLA: Affordable Housing and Viability (2017)
- LB Barnet: Residential Design Guidance (2016)
- LB Barnet: Sustainable Design and Construction (2016)
- LB Barnet: Green Infrastructure (2017)
- LB Barnet: Planning Obligations (2013)
- LB Barnet: Affordable Housing (2007)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development - Residential Development, Affordable Housing Provision & Site Suitability for Development;

- Whether harm would be caused to the character and appearance of the application site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate amenity would be provided for future occupiers;
- Impact on highways;
- Impact on Trees
- Provision of refuse storage,
- Third Party Representations.

5.3 Assessment of Proposals

Principle of Development

Residential Use

National planning policy for England is set out in the Government's National Planning Policy Framework (NPPF). A revised NPPF was published on 20 July 2021.

The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that accords with an up-to-date Local Plan should be approved.

The Government's policies for delivering housing are set out in Chapter 5 of the NPPF. In particular, paragraph 60 of the NPPF is significant:

"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."

Further, paragraph 62 states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site, and paragraph 64 adds that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership.

Paragraph 120 states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs

Paragraph 125 notes that plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. Local planning authorities should refuse applications which they consider fail to make efficient use of land.

It is recognised and accepted that there is a pressing need to deliver new homes in London and the borough more generally. The development of this site would assist in meeting the housing requirements for the borough and, more widely, London, as well as providing much needed affordable housing, the scheme providing 100% affordable units.

The site is located within a developed estate of residential properties, and Local Planning Authorities should look for opportunities to use existing sites more efficiently in the provision of housing, and other needs, to meet the requirements of the borough's

population.

The general principle of redevelopment for housing can be accepted. However, any scheme should meet other policy requirements of the development plan, and how any development can be accommodated in relation to considerations such as character, design/layout, amenity of neighbours and the quality of accommodation provided are also key considerations. Any potential constraints on the development of the site must also be considered. These issues will be discussed below, but the principle of developing this site for housing can be agreed.

Affordable Housing Provision/Dwelling Mix

Policy DM08 of the LB Barnet: Local Plan (Development Management Policies) DPD (2012 requires that developments "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".

It goes on to identify dwelling size priorities as being:

- i. For social rented housing - 3 bed
- ii. For intermediate affordable housing - 3/4 bed
- iii. For market housing - 4 bed (highest priority) and 3 bed (medium priority)

The scheme consists entirely of one- and two-bedroom units. However, given the realities of the London property market, these units in themselves continue to be in demand. There are some constraints to providing larger, family units on this site. Whilst there is a priority to provide larger units, the council continue to address these needs when possible, however it is considered the provision of smaller, affordable units on this site can be justified, and this dwelling mix is acceptable.

Policy DM10 states that the maximum reasonable amount of affordable housing will be required on site, subject to viability. The submission indicates an affordable housing provision of 100% which exceeds the 40% local policy provision. Any provision of this nature is to be welcomed from an affordable housing perspective.

Flood Risk Considerations

One potentially significant constraint to development is the location of the culverted watercourse which runs through the site, and the sites partial location within Floodzones 2 and 3a.

In that respect, both the Lead Local Flood Authority (LLFA) and the Environment Agency (EA) has provided detailed comment on the scheme.

The EA had initially raised concern with the originally submitted scheme for 46 units, which they could not support, but owing to the culverted watercourse there has been a significant redesign and reduction in the number of units/amount of development proposed. This has resulted in built form being repositioned to retain a separation distance of 8.0m to the culverted watercourse.

Based on a review of the newly submitted information, The E.A have advised they are now in a position to remove their objection to the proposed development. The response is summarised below:

Daylighting the Existing Culvert:

In accordance with Barnet's Local Plan, Policy DM04: Environmental considerations for development (paragraph h), requires development proposals wherever possible, to naturalize watercourses, ensure an adequate buffer zone is created and enable public accessibility. Where appropriate, contributions towards river restoration and deculverting will be expected.

The Thames River Basin Management Plan identifies that physical modifications are a reason for not achieving good ecological status within the Brent Catchment. This development provides the opportunity to assist in meeting the requirements of the Water Framework Directive and providing valuable green and blue space on site. Daylighting culverts has been shown to potentially reduce flood risk, offers a space for nature and residents, as well as providing mitigation for the urban heat island effect.

The E.A acknowledge that the developer has provided some basic reasoning as to why daylighting is not possible at this site, although ideally all avenues of opportunity should be explored before it is ruled out entirely.

Biodiversity Net Gain:

The E.A note that the applicant has not included the main river within their biodiversity net gain assessment. In accordance with national policy, this development proposal should avoid significant harm to biodiversity and seek to protect and enhance it, delivering biodiversity net gain. The Environment Bill mandates, the demonstration of a minimum 10% biodiversity net gain using the Defra Biodiversity Metric 3.1 (or subsequent version), even where development proposals do not result in biodiversity loss. As this development has not incorporated the culvert into their assessments, we do not believe that the assessment honestly reflects the full suite of habitat and opportunity on site. This development should therefore factor the culvert into their assessment in order to satisfactorily achieve biodiversity and wider environmental net gains on this site.

Flood Resistance and Resilience:

The E.A recommend the use of flood resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

Flood Risk Activity Permit:

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- o on or within 8 metres of a main river (16 metres if tidal)
- o on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- o on or within 16 metres of a sea defence
- o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o in a floodplain more than 8 metres from the riverbank, culvert, or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549 or by emailing enquiries@environment-agency.gov.uk. 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.

The applicant advises that daylighting has been ruled out for the following reasons;

- o Insufficient space within development to construct 1 in 3 slopes from culvert invert to existing ground level due to existing buildings, trees and utilities in close proximity of the culvert
- o Prevents access across the development and estate in contrary to the development objective of making a connected community
- o Unacceptable reduction of developable areas on the estate for the provision of amenity and parking areas
- o Where 1 in 3 slopes are not used, there is an unacceptable safety risk due to sudden 3m depth of culvert
- o Loss of existing garden and green space
- o Risk of undermining proposed and existing building foundations and utilities in the estate.

Whilst the existing culvert would not be daylighted the scheme will bring significant benefits and results in a redeveloped site that will provide much needed affordable housing, and communal amenity space which will be an asset to local residents. Daylighting would require a significant redesign of the scheme.

The scheme will provide a green space with significant biodiversity credentials (discussed below) and will improve public accessibility to the green space. Officers would not insist on daylighting of the culvert across the site in this case.

In terms of Biodiversity Net Gain of 1.6 or 75% would be achieved by the creation of new habitat, and the addition of native trees and wildflower meadows within the site. These are considered acceptable results, notwithstanding the culvert has not been included for the purposes of achieving further net gain.

Sequential/Exception Test

The submitted red line application site is part within floodzones 1, 2 and 3a. The submission indicates the 2x No residential buildings could be located in the lower section of the site which is within Floodzone 1. The rest of the site is within Floodzone 2 and 3a.

The West London Strategic Flood Risk Assessment states in Paragraph 4.2.1, titled 'Application of the Sequential and Exception Test:

"Proposed development sites within multiple flood risk zones are classed under the highest Flood Zone present on site. For example, a site that partly falls under Flood Zone 1 and Flood Zone 2 is formally classified as a site in Flood Zone 2. The Flood Zone that each proposed site falls under helps inform the approach needed for the site and the information required for the planning application. The Sequential Test will need to be applied to steer the entire proposed site to the areas with the lowest risk of flooding."

As part of the site is in Flood Zone 3a, the scheme would therefore fall within the 'more vulnerable' classification in the Planning Practice Guide. As a result, residential development may be appropriate subject to the application of the sequential test as set out

in Policy DM04 of Barnet's Local Plan (Development Management Policies) Development Plan Document September 2012 (DMP).

In accordance with the National Planning Policy Framework (paragraph 162), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

The overall aim of the sequential test is to steer new development to areas with the lowest risk of flooding, and development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

Para 163. Of the NPPF states the following:

163.If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.

164. The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Given the more vulnerable nature of the scheme, the exception test also applies.

Sequential Test

The PPG on the Sequential Test advises that for individual planning applications, where there has been no sequential testing of the allocations in the development plan, or where the use of the site being proposed is not in accordance with the development plan, the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. When applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken.

Whilst reference is made to the site being acceptable subject to meeting the requirement of a Sequential Test within the Planning Statement, no associated test had initially been submitted. A "Broadfields Estate, Edgware Sequential Test Review" document, dated 25 August 2022, was subsequently received.

The PPG Guidance outlines that any study area should be agreed between the council and the applicant.

The starting point for any study area would be the entire borough, and sites within Floodzone 1 that could accommodate the proposed development.

The submitted document suggests that any review should be limited to the Edgware area, as "the Local Plan identifies Edgware as a key Growth Area", and essentially the Broadfields Estate, as the only reasonable location to bring forward the proposed 100%

affordable housing scheme on council land.

The submission mentions 23 sites that have been discounted for redevelopment within the Broadfields Estate, but no further details are provided. It is stated that "many are discounted on the basis of ease of construction, size and availability of the land for construction".

It is not considered the limitation of any search to Edgware, as an area targeted for growth, is in itself justifiable.

The applicant in this case is Barnet Homes, an entity of the Barnet Group, who manage the borough's council housing stock on behalf of the council.

The applicant advises that Barnet Homes are acting as developing agents on behalf of the London Borough of Barnet in respect of the development at the Broadfields Estate. The Broadfields Estate is owned by Barnet Council and is also managed by Barnet Homes via a management agreement.

The applicant further advises:

"Barnet Homes have secured £2.8m grant funding from the Greater London Authority (GLA) to deliver a total of 28 new homes through a development programme known to the Council as "GLA 87". Broadfields forms part of this programme. This is not transferable. Barnet Homes intend to develop 28 new homes on the Broadfields Estate, which are 100% affordable rent at London Affordable rents. In addition, the proposed scheme includes extensive enhancement to the public realm within the existing estate."

The applicant confirms the 2.8m funding is specific for redevelopment on the Broadfields Estate to provide affordable housing.

The council has an ongoing need to meet the housing requirements of the borough's residents, and this includes the provision of affordable housing. Barnet Homes are a key stakeholder in bringing forward such housing. The securing of grant funding is a significant aid in the provision of affordable housing.

In terms of justification for developing this site, to the rear of Bushfield Crescent, it is council owned land and therefore a site that could be brought forward for development on behalf of the council. The site has no significant constraints, notwithstanding its Floodzone status, which would curtail a residential scheme from coming forward, subject to all material planning considerations.

The council's emerging plan identifies an ongoing need for affordable housing stating "In terms of meeting the objectively assessed need for affordable housing the SHMA states a need to provide as a minimum 23% of the overall objectively assessed need as affordable accommodation. This equates to a minimum of 10,600 new affordable homes by 2036".

It further states that any affordable housing targets need to be realistic and existing use values can impact on the delivery of affordable units.

It is accepted that there are a number of mechanisms to address the requirements to provide affordable housing across the borough. However, it is considered that infill developments on council owned sites, supported by GLA funding, which have the potential to make more efficient use of a site, in the provision of 100% affordable housing schemes,

can play a significant role.

Barnet Homes is a body set up to aid the council with the management of its housing stock and the delivery of affordable housing through the development of council owned land. This does limit the scope of available land relating to schemes brought forward by this body. Furthermore, as detailed above, specific funding exists to provide affordable housing on the Broadfields Estate. In these circumstances, it can be agreed to limit and search area to the Broadfields Estate.

It is the case that the majority of the Broadfields Estate is within Floodzone 1. The estate is densely developed and has a strongly identifiable character of largely two storey dwellings. Therefore, identifying a site that could discreetly accommodate the two blocks of flats in the provision of 28 units would be difficult. Given the location of three storey flatted development to the front of the site, this further lends to the location of a flatted development at the application site. It is not considered the use of areas of public amenity space, particularly formalised areas of amenity space, are suitable sites for the proposed development.

In light of the above it is considered that the scope of the Sequential Test can be limited to the Broadfields Estate and that there are no reasonably available sites within the study area to provide this development. Whilst there are some concerns, as discussed above, it is considered the foregoing would justify the development of this site, subject to consideration under the Exception Test, which is discussed below.

Exception Test

Para 163 of the NPPF advises that to pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Sustainability Benefits:

The PPG guidance advises that the reuse of previously developed land can potential be considered a sustainability benefit. The applicant's Planning Statement outlines further potential sustainability benefits relating to the significant carbon reductions of the buildings, resulting in 100% reductions over Part L building regulations (policy SI.2 of the London Plan requires at least 35% reductions) and the significant biodiversity net gains that would be accrued from the associated redevelopment of the remainder of the site, as discussed in the description above. Both the Ecologist and Trees Officer point to significant biodiversity gains, and state that the site would provide a considerable improvement to the area.

As discussed above, the site would provide a new housing development - a 100% affordable housing scheme, and there are there are wider sustainability benefits associated, which would benefit the wider community, as discussed below.

Paragraph 7 of the NPPF explains that: "the purpose of the planning system is to contribute to the achievement of sustainable development." Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development.

Planning Authorities should support facilitate housing, economic and other forms of sustainable development and the NPPF sets out a criteria by which such proposals should be considered.

The NPPF requires the planning system to deliver sustainable development; this is defined as a threefold objective in paragraph 8 in terms of:

- o An economic role to help build a strong, responsive and competitive economy
- o A social role, to support and strong, healthy and vibrant community, and
- o An environmental role to protect and enhance our natural, built and historic environment, including making effective use of land

The three components need to be pursued in an integrated way looking for solutions which deliver multiple goals.

In line with the three dimensions of sustainable development identified in the NPPF the proposed development would include associated sustainable benefits as per para 8 of the NPPF;

Economic: The proposed development will provide a range of economic benefits, including direct employment in its own right, supporting the local economy with an increased footfall and local expenditure, with jobs created and more people to put money into the local economy in the longer term.

Social: It is noted that at Paragraph 60 the NPPF states, that in in order to support the Government's objective to significantly boost the supply of housing, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing needs are addressed, and that land with permission is developed without unnecessary delay.

Whilst the council consider that they can demonstrate a 5 year supply of deliverable sites for housing, as required by the NPPF, it is acknowledged that there is a pressing need for housing across London as a whole, and that the provision of market and affordable housing is a significant benefit of any development scheme. The site would assist in meeting the housing requirement for the borough and, more widely, London.

The development would also provide new high-quality amenity spaces for the enjoyment of residents and a large public open space.

Environmental: Section 11 Making effective use of land confirms at Paragraph 119, planning policies and decisions should promote an effective use of previously developed land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living condition.

Para 120 at C states planning policies and decisions 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"

D outlines that planning policies and decisions

"promote and support the development of under-utilised land and buildings, especially if

this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)"

Whilst it is accepted the site is in no way derelict or despoiled, it is located on an existing residential estate and qualifies as previously developed land. As discussed below, officers consider the site could accommodate the proposed development, when considered against material planning considerations, and local authorities should look for opportunities to make more effective use of under-utilised sites. The development of this site would therefore also make a modest contribution to reducing the pressure to develop greenfield sites in order to meet the Council's housing requirements.

The landscape proposals would allow for the creation of new and enhanced habitats and would achieve a net biodiversity gain which could be subject to a planning condition. The proposed development would incorporate a variety of energy reducing measures.

Whilst the site is situated in a low PTAL rated area, it is not considered a particularly unsustainable location to locate a limited affordable housing scheme. For the most part the proposal would be a sustainable form of development, as discussed above.

Summary:

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.

The three dimensions of sustainable development are economic, social and environmental.

Economic - Residents increase spend in local shops and services, long and short term employment. Social - Provides a form of housing that meets current and future housing needs.

Environmental - Makes effective and efficient use of the site

Officers therefore consider the proposal would provide wider sustainability benefits for the local community which must be weighed against flood risk, this aspect is discussed below.

Flood Risk:

As detailed above, any sustainable benefits must outweigh flood risk and the proposal must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

The application is accompanied by a Flood Risk Assessment and Surface Water Drainage Strategy by Conisbee. The LLFA have assessed the submission and provided technical advice on this aspect of the scheme.

The LLFA response has raised some concerns with the proposed submission and require details of;

1. Confirmation of a decrease in flood risk at the site and to third party developments. Additional clarification is required.
2. Confirmation that flood risk to third-party developments downstream of the site aren't at increased risk of flooding due to the removal of existing structures and fluvial flows not

being held back upstream of and at the site location.

3. Appropriate flood plane compensation should be provided in lines with Barnet Level 2 Strategic flood risk assessment.

4. Any potential opportunities for de culverting and restoring the culverted watercourse to more of a natural state to improve the biodiversity is strongly recommended to be considered.

5. Evidence of consultation with the EA confirming the appropriateness of the hydraulic modelling that has been carried out and results.

Further details on the surface water drainage strategy for the site are also requested.

At the time of the report, there is ongoing discussion between the applicant and the LLFA in order to reach an agreed position through revised submissions.

Officers need confirmation from the technical advisors at the LLFA that the development of the site will remain safe for its lifetime and not increase flood risk elsewhere.

Should favourable advice be received, the content of any response, as well as any suggested conditions, can be reported in addendum to committee. At present, the test of para.163 of the NPPF is not satisfied, with a requirement to ensure this proposal will not present flood risk concerns both on and off site in order to conclude, that the sustainable attributes can have determining weight against the flood risk considerations.

Character and Appearance

The National Planning Policy Framework (published 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 130 further states that decisions should ensure developments are sympathetic to local character, including the surrounding built environment, while not preventing or discouraging appropriate innovation or change (such as increased densities).

The new London Plan was published on the 3rd March 2021 and sets out the Mayor's overarching strategic planning framework. This London Plan period runs from 2019 to 2041 and now supersedes the previous Plan (2016).

Policy D3 - Optimising site capacity through the design-led approach states at part A;

"All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D".

Part 1 in "Form and Layout" outlines that development proposals should;

1) 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.

Part 11 "Quality and Character" states that proposed schemes should;

11) respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

Policy DM01 of the Barnet DPD - Protecting Barnet's Character and Amenity states:

"Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets".

As discussed above the original submission has been much reduced, and the proposed built form now consists of the 2 No. residential blocks, and the more formalised layout of the amenity space around the buildings which is proposed.

The existing estate was largely developed in the 1960s-1970s and consists mainly of conventional two storey terraces and semi-detached houses, but also some three storey blocks of flats like that at Bushfield Crescent, where the application site is behind.

The area has an identifiable layout, and developed as a large scale "residential estate" development consists of buildings of variable scales set in landscaped areas, and often accessed by footpaths as opposed to streets. Many of the properties are arranged in traditional block layouts, served by front and rear garden areas and fronting estate roads. The landscape areas do offer some setting for what is an otherwise relatively densely occupied area.

In the immediate context, the grassed areas to the rear of Bushfield Crescent serves as ancillary green space around these taller buildings.

The estate does have a defined character and whilst being mindful that any new scheme does not necessarily need to replicate existing character, any new development must be mindful of a desire to be based on an understanding of local character and to ensure that the existing setting is preserved or enhanced.

The two blocks of flats would be constructed to the rear of the three storey blocks of Bushfield Crescent, which front Kenilworth Road. Opposite these blocks are two storey semi-detached dwellings. The houses run perpendicular to Bushfield Crescent and front a communal Green. There is therefore some variation, and it could not be said the immediate area is homogenous in form or layout. The proposed buildings would be largely obscured by the existing built form but could be glimpsed through gaps between buildings, particularly B6. However, they would not appear out of place.

Whilst backland development will always need careful consideration in terms of how it would successfully assimilate into the wider area, there is enough local variation to ensure that these buildings would not appear stark or incompatible in this setting. The buildings would form a new streetscene with the rear of the existing blocks, but it is not the case that this new arrangement would result in an incongruous introduction to the wider area. There is space around the building to provide a suitable setting, and the new structures would not appear cramped or seriously constrained.

This would be aided by the fact that only two buildings would be developed, and the area of the site where the grassed area becomes more confined would remain free of built form and would provide an organised area of public amenity space.

The new blocks are to some degree a more modern replication of the existing three storey blocks on Bushfield Crescent, irregular in shape, a response to site constraints, but employing a similar brick finish.

The wider site would be set in areas of landscaping with ancillary parking spaces, and residential pathways. The buildings would have areas of amenity space provided by accessible balcony areas and this would also reference the existing built form on the Broadfields Estate, evident on the Bushfield Crescent blocks. The utilisation of modern materials and irregular shape to the blocks will however give the buildings a much more contemporary appearance.

In some respects, this site can be developed as a standalone development plot, and with three storey blocks adjacent, the blocks would not appear strikingly out of character.

The redevelopment of the grassed area to the rear of the flats has been referenced in objection comments, and it does perform an important function and provides setting for the larger flat buildings. However, the grassed area would be replaced by communal amenity and play areas and on balance this can be justified. The formalising of the space, including providing opportunity for exercise and with children's play facilities also provided, will open up the area to much more valuable use, providing a public amenity space which will be of benefit to the local community and bring ecological enhancements. The new layout would also provide a suitable setting for the blocks and aid with their assimilation into the wider setting.

In light of the above it is considered the proposed development offers the opportunity to develop the site in a more efficient manner, providing much needed affordable housing, and this development of the site would not cause harm to the existing character of this section of the Broadfields Estate. The proposed design and layout of this proposal is acceptable.

Whether harm would be caused to the living conditions of neighbouring residents

Policy DM01 of the Local Plan requires that development have regard to the amenity of residential occupiers. In this regard it is necessary to consider the design of the scheme and the privacy that would be afforded to both existing residents and future occupiers of the development.

As the Residential Design Guidance states, privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Reduced distances can be accepted where there are material justifications.

The scheme will result in the fairly intensive development of a plot of land which adjacent to existing residential properties and as such their assimilation into this setting takes careful consideration to ensure suitable amenity levels for existing residents is retained.

Block B6

With regards to block B6, the 4 storey unit, this is located between the southern-most block on Bushfield Crescent (118-140) and the community centre to the rear. It is not considered there would be any material impact on this centre.

With regards to the residential block to the front, it is accepted that the outlook to the rear of the block will significantly change. The rear elevation of this building will directly face the front elevation of the proposed block. A gap of 18.0m would be retained between the facing elevations. The upper floor elevation would include bedroom windows, and enclosed balcony areas accessible from main living areas, essentially habitable rooms.

It is accepted that this retained distance is within the 21.0m as stipulated within the Residential Design Guide. 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.

It is not considered that this infraction, which results in facing elevations overlooking a generous communal garden area would seriously impact on the amenity of existing residents or 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. It is not considered that a serious impact on existing amenity levels would result.

It is accepted that the outlook from rear facing windows will change and given the current open aspect there will be some level of impact on outlook. But, as above, it is considered separation distances are acceptable, and on balance, it is assessed that the resulting outlook will not be excessively poor or seriously impact the amenity of existing residents.

The built form would retain suitable separation distances to the nearest dwellings and their associated amenity areas on Luther Close to the rear.

Block B7

With regards to block B7, the 3-storey unit, this is located between dwellings on Morley Crescent to the front and Luther Close to the rear.

With regards to Morley Close the block would be located directly to the rear of No's 3-6. These properties are served by generous rear gardens and a distance in excess of 21.0m would be retained between elevations (31.0m). Furthermore, the proposal would retain a distance of 10.5m to the common boundary. These scheme characteristics would ensure there would be no serious impacts on the existing amenity levels of residents on Morley Crescent.

The rear elevation would be located between 5-7.5m from the common boundary that separates the site from the cul-de-sac of Luther Close. The building would replace the southern-most block of garages, and located on the other side of the boundary fence are other lock up garages. This creates some degree of separation to the nearest residential properties. Elevation to elevation separation distance to the nearest property 30/31 Luther Close would be 16.0m, but the relationship would be offset and it is not considered material overlooking would occur.

The amenity areas to the rear of 30/31 are sub-divided to serve the flats. The amenity space is irregular in shape, and extends to a point behind garages attached to the

dwelling. The rear wall of Block B7 would retain a gap of 7.0m to the nearest point. It is not considered the building would appear particularly overbearing when viewed from the garden areas, which are reasonably generous. Furthermore, there are limited openings in this aspect, they serve the entrance stairwell and it is not considered serious overlooking of amenity areas would result.

Daylight / Sunlight:

Policy DM01 states that:

Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Further to the above, the Major's Housing SPG (2016) requires that new development avoids:

Causing 'unacceptable harm' to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves.

The applicant has submitted a Daylight/Sunlight Report to accompany the application (Hollis, July 2022). This tested impacts on windows on surrounding development with regards to the introduction of this new built form

This report identifies two windows on the ground floor of the residential block on Bushfield Crescent (118-128) which would not meet the target values recommended in the BRE guide for Vertical Sky Component (VSC) values. The windows would score 0.70 and 0.71 of their former value when the BRE guide recommends 0.80 of former value. 70 Of 72 windows tested in the wider area would exceed the 0.80 requirement.

Overall, these are good results and it is not considered this slight infraction would seriously impact the levels of daylight to the rooms or materially impact the amenity of occupants.

In relation to Daylight Distribution, 50 out of 56 rooms assessed (89%) will achieve the target values recommended in the BRE guide. The six windows below the 0.8 of former value recommendation are also in the block on Bushfield Crescent (118-128) and range from 0.54-0.79. As the scheme sees the introduction of a new building in a built up area it is not considered the results point to serious impacts on surrounding development overall. 5 of the 6 windows failing serve bedrooms, which would not be in constant use, with a kitchen scoring 0.79, a marginal fail. It is not considered the results point to serious daylight impacts on surrounding development and are good levels of compliance. Given the other policy aims, of which daylight/sunlight are only one consideration, the results are acceptable.

With regard to sunlight amenity, the report advises that "the BRE guide only recommends the assessment of windows which have a reasonable expectation of enjoying direct sunlight, i.e., those which face within 90 degrees of due south over the development site. In terms of Annual Probable Sunlight Hours (APSH), all (100%) windows assessed would meet or exceed the BRE recommended target for both annual and winter sunlight". Windows qualifying for assessment would still receive suitable levels of sunlight.

Surrounding amenity areas would also be unaffected by the new scheme.

It is therefore the case that there would be some loss of daylight and outlook to rear facing windows at the southern-most block on Bushfield Crescent, and this is acknowledged. It is also the case that, as discussed above, the council should look for opportunities to optimise the redevelopment of development plots if the opportunity arises. On balance, it is not considered the proposed scheme would seriously impact on the amenity of residents of Bushfield Crescent, the rear aspect currently enjoys an unrestricted outlook, which will be inevitably infringed by redevelopment, and it is not the case that this would be to any serious levels.

Some neighbours have raised concern that the development of land behind the three storey blocks on Bushfield Crescent will result in a material loss of amenity from increased movements. Whilst there will inevitably be an increase in movements around the rear of the flats, it is not considered that existing amenity levels would be significantly altered, the flats are located adjacent to communal land, and any impact would not in itself justify a refusal of consent.

Whether adequate amenity would be provided for future occupiers

A high-quality built environment, including high quality housing in support of the needs of occupiers and the community is a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, and Residential Design Guidance.

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

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 outlines that of the 65 proposed rooms, 53 (82%) will meet the BRE guides numerical criteria. 12 rooms within block B6 would fail the test, and 15 rooms within the blocks would fail the internal sunlight test.

With regards to considerations of daylight/sunlight, the NPPF outlines at para 125 (C) states the following;

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

It is also acknowledged that the provision of balconies, providing an area of outdoor amenity space, can provide justification for an infringement on daylight, and results can be impacted by the location of a balcony above. It is evident that the majority of impacted rooms are open plan living/kitchen/dining with balconies above. Given the benefit of outdoor amenity space the infraction, and results of 80% compliance, are considered acceptable and in line with typical results. The location of living areas to the front of the L/K/D's would ensure that the habitable areas would receive adequate supplies of daylight.

It is evident that the results of the sunlight tests largely affect bedrooms, less susceptible to any sunlight infringement and again the results, and level of failing at 80%, are not considered particularly poor for a new development in a built-up area.

When considering an application which aims to make more efficient use of a site, policy advocates a flexible approach with regards to daylight/sunlight. It is also recognised that there are considerations which can affect achieving perfect scores. 80% compliance is generally considered acceptable, it is also recognised that balconies above windows, and developing in areas with existing development can also impact results.

It is considered that the results are broadly acceptable having regard to the above considerations, daylight/sunlight should not be judged in isolation but as part of the wider material considerations, including the other considerations on amenity. These results considered in isolation would not warrant refusal, and other aspects of amenity are assessed within this section of the report.

Outlook

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximises the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties.

A good level of outlook to the front and rear of units would result. The end units are double or triple aspect. Whilst there are single aspects units in the centre of the blocks they are south west facing and would receive direct daylight/sunlight.

The two flank elevations are located circa 10.5m apart. Bedroom windows are offset and

the option exists to obscure glaze side facing windows to living areas and agree screening to balconies on units on upper floors of B6. This would have no serious impact on the amenity of occupants of these units and would ensure that mutual overlooking would not result.

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.

All units would be served by modest areas of private amenity space, largely provided by balconies.

The scheme would have a requirement to provide circa 465 sq. m of private amenity space. The private amenity space would provide approximately 300 sq. m.

Whilst the overall private amenity space would fall short of the target, some units would have an over-provision, particularly ground floor units, and a very generous communal area would be provided. This communal area is seen as a real asset for the development and guidance does recognise that private space can be supplemented by a communal provision. Furthermore, balcony areas, which are often of modest area, are a common way to provide amenity space on flatted developments, albeit some are reasonably generous in area, and given the desire to optimise the sites redevelopment, this shortfall can be accepted. Furthermore, areas of play space are provided for 0-4 years and 5-11 years in dedicated areas within the developed site.

The occupants would also have access to the communal amenity area that would be provided.

Together this would ensure adequate amenity space for future occupants.

Accessibility:

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

Conclusion on Amenity of Future Occupants

In light of the above, it is considered the scheme would provide a good standard of accommodation for future occupants.

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 the considerations are detailed below.

The site is accessed from Bushfield Crescent, which is residential in nature. There are no parking restrictions on Bushfield Road and the road is not in a CPZ. The site lies in an area with a PTAL rating of 0 - 1b (low) and there is only one bus route (288) that runs near the site which can be accessed from stops on Bushfield Crescent within 1-2 minutes walking distance of the site. The site therefore has poor accessibility to public transport.

The proposals consist of 28 new affordable homes consisting of (19x1bed, 9x 2bed). Based on Policy DM17, a maximum parking provision of 9-33 spaces is allowable. Given the low, PTAL rating of the site Highways would recommend the provision of 30 spaces. The Transport Assessment submitted by the applicant states that 31 spaces are proposed. In the worst case scenario, 37 spaces will be lost resulting due to demolition of the garages and 14 spaces will be lost on-street parking displacement. Hence, a total of 51 spaces could be lost. 31 spaces are proposed which could lead to a shortfall of 20 spaces. A parking survey " Lambeth Methodology" was undertaken by the applicant on and the results suggests a parking stress of 66% and 97 spaces available.

In the worst case scenario, assuming all the garages were occupied by cars, a maximum of 20 vehicles will be displaced on-street. This will reduce the number of available spaces to 77 and increase the parking stress to 73% which is under the 90% maximum stress threshold. Highways would therefore raise no issue with the proposed parking provision for the site.

For the 28 units proposed, a minimum of 3 disabled bays are required and 3 disabled spaces are proposed which is acceptable.

For the proposed 31 spaces 6 active and 25 passive points electric vehicle charging points are required based on London Plan standards. Details are to be secured by way of a planning condition.

Based on London Plan standards, minimum of 47 long stay and 2 short stay cycle parking spaces are required for the proposed development. The long stay spaces will be provided in each of the two buildings with flats and the short stay provision will be in the form of 2 Sheffield stands in the public realm area. 5% of the long stay spaces will be earmarked for accessible larger bicycles which is acceptable and a minimum of 3 short stay cycle parking spaces in the public realm. Details of cycle parking including elevations and store dimensions are requested and these are to be secured via a planning condition.

The proposed development has been designed to fit in with the existing estate and therefore, pedestrian access to the site (and individual units) will primarily be from the existing footway/footpath network.

A new shared vehicle access is proposed off Kenilworth Road as shown on Drawing No. 19079A/004 in Appendix F of the applicant's Transport Statement which is acceptable and the accompanying swept path analysis of a fire tender and a refuse vehicle shown on Dwg Nos 19079A TR01 Rev B and Dwg Nos 19079A TR03 Rev B show that there is adequate room to accommodate an emergency and service vehicle safely to access the site and turn around in forward gear.

The construction of the new vehicle and pedestrian access adjacent to Nos 62-70 Bushfield Crescent is noted. However, there is a gradient between street level and the rear of the site and cross sections of the proposed access to the car parking area at the north-west corner of the site is requested. It is proposed that the proposed access is constructed as a heavy duty crossover. There is grass verge adjacent to the pedestrian path that runs along the rear of 74 Bushfield Crescent and the proposed development will restrict passage across this verge area which may have accrued rights of way and thus these areas may need to be stopped up.

The existing accesses and footway along the site frontage along Bushfield Crescent and Kenilworth Road is likely to be damaged by construction traffic and needs to be improved to facilitate the development .

The existing access by junction of Bushfield Crescent and Kenilworth Road will be the main access for construction vehicles and this access would need to be reconstructed as a heavy duty specification. There is currently access and free passage in front of the garages at the south eastern corner of the site The construction of blocks B6 and B7 will affect existing amenity areas / hard landscaping / access to the garages which will require to be stopped up under Section 247 of TCPA 1990. There a condition for Stopping Up needs to be included.

Due to obstructive parking at junction corners, it is recommended that waiting restrictions are introduced at junctions and at other locations on the estate, as necessary to deter obstructive parking It is noted that the applicant will be required to enter into a s278 agreement for any highway works on the adopted highway. All off-site highway works will need to be completed prior to first occupation of the development.

As refuse vehicles will use un-adopted internal roads, highways would recommend that the roads are constructed to adoptable standards or an indemnity against damage to the highway issued to the Council's waste department refuse vehicles. A planning condition requesting construction details of these roads to demonstrate that they have been designed to adoptable standards or an indemnity against damage caused by refuse vehicles is recommended.

Arrangements for the allocation of parking spaces and enforcement of any illegal parking is requested. This is to be set out in a parking management plan to be secured by way of a planning condition.

Trip generation analysis using the industry recognised database (TRICS) has been undertaken for this site. It is estimated that the site would generate a total of 189 two-way person trips daily (84 arrivals and 105 departures). The corresponding figures for the morning (8-9am) and evening (5-6pm) peak hours are 37 and 26 person trips respectively.

8 vehicle trips would be generated during the AM peak (3 arrivals and 5 departures) and 4 vehicle trips during the PM peak (2 arrivals and 2 departures). This level of vehicle trip

generation is unlikely to have a significant impact on the local highway network.

A travel plan statement has been provided by the applicant and it is acceptable.

The works will involve significant construction works and access to some parts of the site will need to be management sensitively in other to maintain residential amenity. A demolition and construction logistics plan is therefore requested and this can be secured by way of a planning condition.

Off - site Highways Improvement Works (list to be inserted into the s106)

Bushfield Crescent:

- A) Provision of a new access at the north wester corner of the site near No 74 Bushfield Crescent
- B) Reinstatement of the footway along the site frontage (between No 74 Bushfield Crescent and 116 Kenilworth Road)
- C) Upgrading the existing access at the south eastern end of the site to Heavy duty crossover standards. Clear delineation of the boundary of the adopted highway must be introduced.
- D) Introduction of waiting restrictions at junction corners on Bushfield Crescent

Stopping Up of Highway under (s257 and 247)

Stopping-up of footpaths , accesses , amenity areas within the curtilage of the site is required to facilitate the proposed development.

- A) Verge adjacent to the path running along the rear of No 74 Bushfield Crescent
- B) Existing paths to the rear of the Nos 12-72 Bushfield Crescent
- C) Existing paths and rights of way to the garages at the rear Nos 118 -140 Kenilworth Road

TfL have also been consulted on the scheme and raise no objections subject to conditions. Whilst a draft travel plan has been submitted, given the limited number of units proposed, a full travel plan, secured by s106, is below the TfL recommended 50 unit threshold and not considered necessary, owing to the scale of the development. Suitable conditions and s106 obligations to secure the above highway works could be included on any approved scheme.

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 site contains some recently designated TPO Trees (Tree Preservation Order 21/TPO/10 G1 x 2 oak). The council's Trees Officer has assessed the submission including the submitted arboricultural information;

The proposal for new landscape and a x 2 blocks of flats at the rear of 62 to 140 Kenilworth Road has been remodelled to address concerns raised previously. A TPO was made to secure the retention of very important oak trees located at the rear of 140 Kenilworth Road (T3 & T4 applicants plan). The revised application has reduced the impact on these two trees downwards considerably. However, no levels plan has been submitted to evidence the feasibility of this proposal. The main impact on the root system will be the construction new footpaths over the RPA.

No dig surfacing should minimise any harm of this to an acceptable level. It is very likely that the upper crown of both trees will need to be pruned back from the buildings to allow more natural light into the buildings. However, the impact on visual tree amenity will be localised and controlled by tree works applications.

The trees proposed for removal have not been valued in accordance with Barnet's Tree Strategy and the London Plan G7. This information needs to be provided. Trees T5 and T9 fall under this policy the remaining features are established shrubs.

Landscape:

An outline landscape plan has been proposed that provides considerable improvement to the area and should provide a pleasant amenity space for the residents. Subject to detail plans which can be provided under planning condition.

Existing and proposed levels can be agreed by condition, which should ensure that any impacts to the TPO trees would not cause harm.

In accordance with Barnet Council's Adopted Tree Policy:

1.36 Section 106 agreements can be sought from developers by the council. They are to improve the community and local area and are commonly sought to improve the local amenity including parks and open spaces. The Planning Department and Tree Team can work together to ensure funding is sought where new planting schemes would be beneficial to the local community in the vicinity of developments.

1.37 When a council owned tree is required to be removed to facilitate a development, the Capital Asset Value for Amenity Trees(CAVAT)value of the tree will be required to mitigate the loss, and the money received from the developer used to support the planting targets discussed throughout this Policy.

Officers consider the calculated CAVAT values of the trees can be secured with an appropriate s106 obligation.

Ecology and Biodiversity

The applicant has provided a Preliminary Ecological Appraisal by Green Shoots Ecology (revised July 2022) and a Bat Emergence Survey by Green Shoots (July 2022). The council's ecologist has assessed the submission and provided comment, as discussed

below;

Ecology

No objections on ecological grounds as the submitted Preliminary Bat Emergence/Re-entry Survey (Green Shoot Ecology, July 2022d) found no evidence of roosting bats were recorded within the building 1 - 6 and Tree 1. No further bat surveys or Natural England bat mitigation licence is required.

The updated Preliminary Ecological Appraisal (July 2022a) did not reveal any significant changes to the habitats and the potential for protected and notable species e.g., nesting birds and hedgehogs. Therefore, the recommendations of the proposed conditions outlined in of the previous ecological comments by Caroline Smallthwaite (09.10.2020) remain valid. No further ecological surveys are required to support the application.

Biodiversity Net Gain

No objections to the Biodiversity Net Gain Calculation Report (Green Shoot Ecology, July 2022b) as the proposed scheme will result in the planting of new urban tree (0.014 ha), modified grassland (0.058 ha), rain garden (0.009 ha), introduced shrub (0.102 ha) and other neutral grassland will result in an overall increase in Area Based Habitat Units from 2.11 to 3.71 units, a net gain of 75.69%.

Furthermore, the proposed new planting of 0.383 km of ornamental non-native hedgerow will increase the Linear Based Units from 0.02 to 0.37 units, thereby creating a net gain of 2213.59%. It is advised though that instead of using planting non-native *Ilex crenata* is advised that a similar size native such as *Taxus baccata* or *Buxus sempervirens* which provide suitable nesting and foraging opportunities for birds and invertebrates. A biodiversity net gain plan will be required to ensure the proposed landscaping measures will result in the expected biodiversity net gain outcome.

Urban Greening Factor

No objections regarding Urban Greening Factor Report (Green Shoot Ecology, July 2022c) as the proposed development is expected to achieve a UGF score of 1.519 (Greenage, June 2022c). This score greatly exceeds that of the UGF target of 0.40 outlined in the London Plan. The provision of Species rich lawn and Flowering meadow grassland (632.4 m²), and (8017 m²) tree canopy, and 17 new small, 2 medium retained trees and 18 new medium tree planting will ensure adequate urban greening of the site within the dense urban environment of Edgware.

Therefore, it is recommended that the proposed development be approved subject to conditions and informatives.

ul MET Police

Matters relating to good security and the prevention of anti-social behaviour in the design of the scheme could be agree at the detailed design/layout stage and through appropriate conditions. There are no apparent serious security flaws with the proposed scheme. Due to the reported issues affecting the ward and high levels of burglary in Barnet, 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.

Environmental Health Comments

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

The Overheating Risk Report by Thornley & Lumb Partnership Ltd dated 29.06.2022 has been assessed. The report concludes the risk of overheating is low and that whole house mechanical ventilation has been selected to provide a method of reducing internal gains.

The location of the road is sited near to the railway and M1 which was not included in previous consultations, as a result a noise impact assessment should be carried out.

Refuse/Recycling

Refuse collection would be from dedicated bin storage buildings within the development site. The applicant advises;

"The proposed refuse strategy is for residents of the new apartment buildings (Buildings B6 and B7) to deposit their refuse and recycling at new bin store locations within the proposed landscape, which will then be collected by the street team. The existing on Bushfield Crescent and Kenilworth Road will also use these new bin stores provided, removing the need for individual wheelie bins.

2no. bin stores are located to the north and south of the red line boundary. They sit within 10m of the property boundary and 30m from the furthest dwelling. The store will be secured by code or fob access and allows for nine 1100l Euro bins for dry mixed recycling, garden waste and refuse.

Details of waste storage and a collection strategy could 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 Regulations 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 Mayor's 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 Thornley and Lumb (Rev B 29.06.2022) 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. This includes the below measures;

- Low external element u-values
- Low air permeability
- Low energy LED lighting
- Whole house mechanical ventilation with passive heat recovery MVHR

The Be Lean measures facilitate a carbon reduction of 10%

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.

The London Heat Map shows that the proposed site is in a low heat density area with less priority for heat networks. Though there is a proposed heat network in the area, the applicant advises it will not be financially feasible to connect to the heat network due to the distance from site. The financial viability of a connection to the network is directly related to the distance the heat pipes must run in order to provide the proposed development with thermal energy generated by the centralised plant. The heat network to the South-West is the existing London Academy network which is currently 3 km from the proposed development. This would require an investment of £1.0M to £1.5M which, the applicant advises, will not be financially viable for the District Energy Network Operator.

Be Green

The 'Be Green' measures include;

Be Green Measures

- o Air source heat pump ASHP providing space heating
- o Air source heat pump ASHP providing hot water services
- o Sola PV photovoltaic panels generating on site zero carbon electricity

building achieves a total carbon reduction of 30.6 tonne CO₂/annum over the baseline. The report advises this is an improvement of 100% in the minimum carbon reduction targets in line with Part L of the Building Regulations thereby providing a net zero carbon development and net zero carbon homes.

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

Incorporating the design measures provides a 100% saving in carbon emissions over Part L Building Regulations requirements (2013) which is significantly above the 35% reduction target.

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.

Part A (4) of Policy SI2 requires a "be seen" aspect to energy savings and carbon reductions. This requires an applicant to monitor, verify and report on energy performance. Details to ensure that energy reductions are achieved and secured through a s106 obligations, with the involvement of the GLA.

5.4 Response to Public Consultation

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

- Most residents including myself are unable to distinguish the impact, benefits and timetable of work to allow us a reasonable ability to assess whether we are for or against the development.
- Concern regarding increased pollution levels.
- Hartland Drive and this development are two major building works in such close proximity. How will congestion be managed?
- Existing infrastructure requires further examination to outlined plans
- Disturbance during construction phase
- Significant disturbance during works - parking of workers, movement of large vehicles in a confined space.

As detailed in the submitted Energy Report the scheme proposed energy efficiency measures and there would also be ecological enhancements which limit levels of pollution. Details of construction and logistics would be agreed by condition and this would help limit levels of disturbance for the construction phase.

- Concern about the loss of the storage sheds and whether they will be adequately replaced.
- How secure are the sheds going to be as we won't be able to see them as we can now & the footfall along that path will increase considerably as it will be an access route to the new flats. Concerned the pram sheds will be reduced in size.
- What will happen to my shed that forms part of my lease?

The applicant advises that the pram sheds would be replaced or retained. Details could be agreed by condition.

- The local bus is already incredibly busy at peak times, also local roads.
- Has the impact on oversubscribed doctors and dentists been taken into account?
- Parking is already problematic, what is the outcome for existing residents during the works.
- Existing congestion on current roadways in/out

- There's already parking issues. New development creates increased problems compromising safety. Additional traffic increases noise.
- No mention of designated parking and there are clearly not enough spaces in the drawings to allocate 1 to each flat. Parking will become impossible.
- No mention of electric vehicle charging points which I believe is now a legal requirement.
- There is insufficient parking space planning for the number of proposed new flats which will increase congestion and parking difficulties in all neighbouring roads, particularly Morley Crescent.

The scheme provides a suitable level of parking to serve the scheme. There is nothing to suggest the level of development would put serious pressure on local services. A parking management plan and further details on electric vehicle charging point can be agreed by condition.

- There is absolutely no need to include play equipment in the back garden, or indeed to open our back garden up to everybody, as there are two large parks nearby, the farm and now the refurbished Glen Gardens.
- Concern about noise, pollution and loss of privacy to our properties.
- The proposed 3 metres for residents will create a 'corridor' of people directly outside our windows, which will be incredibly loud and intrusive, particularly for ground floor residents.
- Over development of area behind flats
- Residents of existing flats overlooked; loss of privacy
- The proposed development is artistically designed but is impractical & lacks sensitivity to the current residents.
- The new blocks of flats are going to be unacceptably close to our homes and we will be overlooked. This will also block out our sunlight.
- Impact on residential amenity through loss of privacy, daylight/sunlight.
- Overlooking from proposed balconies.
- As neighbours of the proposed property and speaking on the behalf of all the neighbours, with the proposal of this three storey property from the current one storey, there will be overshadowing and loss of privacy of current homeowners.
- Overshadowing and loss of privacy of current homeowners.
- The distance of the new proposed window facing property does not meet minimum requirements by Barnet council and law and encroaches on the Morley crescent gardens. This further damages the privacy of the bordering gardens and properties of Morley Crescent residents.

Addressed within the relevant sections of the report above.

- Loss of existing trees

Addressed within the trees section above.

- Geo reports the development is in Flood zone 2&3 with a culverted river running underneath. Many gardens in the local are already waterlogged in the winter, if the culvert is damaged/the river diverted, by accident or design, what are the consequences for neighbouring gardens?

Addressed in the main body of the report.

- Increase in anti-social behaviour within the area.

- Security concerns as new development will allow access to the rear of our flats.

The MET Police Design Out Crime Officer has been consulted and details to ensure a secure and safe development can be agreed by condition.

- Concern the level of refuse storage will be inadequate to serve existing units and an additional 28 flats.

Details of refuse storage/collection would be agreed by condition.

- Totally unacceptable that some of the new flats have back gardens yet are taking away the large communal open space for the existing flats in order to build the new flats.
- The new blocks are closer to the existing blocks than previously proposed so there will be multiple Right to Light claims.
- There is also question as to who will upkeep the proposed green areas bordering on the Morley Crescent gardens which risks both environmental and sanitary issues.

The scheme will provide a usable area of communal space for all residents. The space will be redeveloped to make a more usable amenity facility to the benefit of residents. Right to Light claims are a civil matter, officers consider any impacts on existing daylight/sunlight levels are acceptable.

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 the site, whilst not impact adversely on the amenity of existing or future residents. The proposed design and the scheme's ability to assimilate into the existing setting is appropriate. It is therefore recommended consent is granted subject to conditions and s106 contributions, but under the proviso that the flood risk concerns of the LLFA are addressed in order for this scheme to suitably address sequential and exception test requirements given the site partial location in flood zones 2 and 3a.

