

**MEETING**

**STRATEGIC PLANNING COMMITTEE**

**DATE AND TIME**

**THURSDAY 15TH DECEMBER, 2022**

**AT 7.00 PM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ**

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

Chairman: Councillor Nigel Young  
Vice Chairman: Councillor Tim Roberts

**Councillors**

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

**Substitute Members**

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

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

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is Monday 12 December 2022 at 10AM. Requests must be submitted to [StrategicPlanning.Committee@Barnet.gov.uk](mailto:StrategicPlanning.Committee@Barnet.gov.uk)

**Andrew Charlwood – Head of Governance**

**ASSURANCE GROUP**

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

Governance Service contact: [StrategicPlanning.Committee@barnet.gov.uk](mailto:StrategicPlanning.Committee@barnet.gov.uk)  
Media Relations contact: Tristan Garrick 020 8359 2454

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## ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 8
2.	Absence of Members	
3.	Declarations of Members' disclosable pecuniary interests and other interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	22/2599/RMA - Grahame Park, London, NW9 5XA (Colindale North)	9 - 70
7.	21/4433/OUT - North London Business Park, Oakleigh Road South, London, N11 1GN (Brunswick Park)	71 - 172
8.	Any item(s) that the Chairman decides are urgent	

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## Decisions of the Strategic Planning Committee

8 November 2022

AGENDA ITEM 1

Members Present:-

Councillor

Councillor Tim Roberts (Vice-Chair)

Councillors:

Councillor Claire Farrier  
Councillor  
Richard Barnes  
Councillor  
Nagus Narenthira

Councillor Ammar Naqvi  
Councillor  
Eva Greenspan  
Councillor  
Val Duschinsky

Councillor  
Richard Cornelius

Apologies for Absence

Councillor Nigel Young

### 1. MINUTES OF THE LAST MEETING

**RESOLVED** that the minutes of the meeting held on 6<sup>th</sup> October 2022 be agreed as a correct record.

### 2. ABSENCE OF MEMBERS

Apologies were received from Councillor Nigel Young. There was no substitute Member in attendance.

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

None.

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

None.

### 5. ADDENDUM (IF APPLICABLE)

The addendum was noted, and the information considered under the agenda items.

### 6. MOTION TO EXCLUDE PRESS AND PUBLIC

Members of public and press left the meeting so that an exempt paper in relation to Item 8 could be considered.

## **7. EXEMPT ITEM**

An exempt paper in relation to Item 8 was considered in a private meeting.

## **8. PLANNING APPEAL - B & Q BROADWAY RETAIL PARK CRICKLEWOOD LANE LONDON NW2 1ES - 20/3564/OUT**

The Planning Officer presented the report.

Mr Ben Tansley addressed the Committee in objection to the application.

A resident who had registered to speak in favour of the application was not in attendance. Therefore the Chair used his discretion to invite Ms Jessica Howey to address the Committee in objection to the application.

Cllr Naqvi left the room whilst Ms Howey was still speaking to the Committee and returned prior to the next part of the meeting. It was noted by the Legal Officer and Governance Officer that he would not be permitted to vote on the application.

Cllrs Alan Schneiderman and Anne Clarke addressed the Committee in objection to the application.

Further to a discussion the Chair moved to a vote on the officer's recommendations:

For (approval of officer's original recommendation) - 1  
Against (approval of officer's original recommendation) – 6  
Abstained - 1

A motion was moved by Cllr Claire Farrier to propose an alternative resolution:

That Members direct officers that they would have been minded to refuse the application and that officers should give evidence to the Planning Inquiry resisting the scheme, due to the fact that the proposed development and parameters sought, by virtue of an excess in height, scale and massing would result in a discordant and visually obtrusive development that would demonstrably fail to respect the local context, to the detriment of the character of the area, and the setting of the adjacent Railway Terrace Conservation Area, and would therefore not constitute a sustainable development and would be contrary to the Local Plan.

The motion was seconded by Cllr Barnes.

The Chairman moved to a vote on the resolution proposed by Cllr Farrier.

For (alternative resolution) - 6  
Against (alternative resolution) - 1  
Abstained - 1

**CARRIED that the alternative resolution was APPROVED.**

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

The item was considered in private session.

The meeting finished at 8.20 pm

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**LOCATION:** Grahame Park, London, NW9 5XA.

**REFERENCE:** 22/2599/RMA

**Received:**

16 May 2022

AGENDA ITEM 6

**Accepted:**

16 May 2022

**WARD:** Colindale North

**Expiry:**

15 August 2022

**APPLICANT:** Choices for Grahame Park/Notting Hill Genesis

**PROPOSAL:** Reserved Matters application seeking approval of, layout, scale, appearance, access and landscaping in respect of Plots H and K (Phase 2) of the Grahame Park Stage B Regeneration pursuant to Conditions 7, 10, 12, 28 and 44 attached to hybrid planning permission reference 19/5493/OUT dated 31st July 2020, involving the erection of buildings ranging between 3 and 14 storeys high comprising of 364 residential dwellings and flexible commercial space (Use Class E), a housing office (Use Class E), community centre (Use Class F2(b)), energy centre, public open space and public realm, car parking spaces, cycle parking spaces, refuse storage space, construction of part of Bristol Avenue and other associated works. The application is accompanied by an Environmental Statement of Compliance

### **Application Summary**

This is a reserved matters application for development on Plots H and K of the Grahame Park Stage B Regeneration pursuant to the hybrid planning permission reference 19/5493/OUT granted on 31<sup>st</sup> July 2020. The hybrid planning permission approved the overall parameters and design guidelines for the development including the quantum of residential units and non-residential floorspace and the building heights across the Phase 2 regeneration area.

The hybrid planning permission also approved the amount of affordable housing across the Phase 2 regeneration area which comprises 50% affordable housing (both by habitable room and floorspace) and is secured by a legal agreement. In combination with the early phases, this represents a net increase in social rent floorspace and this provision was approved by the Council and endorsed by the GLA.

### **Application Background and Summary**

Grahame Park Estate is the largest council housing estate in the borough. Although popular with many early residents when it was first built in the 1970s, significant problems arose due to a combination of factors including the concentration of vulnerable and disadvantaged people and the estate's design which isolates it from the surrounding areas. As a result, Grahame Park has suffered from serious decline and socio-economic problems over the years.

A tenants participation survey in 1999 identified a number of issues including the poor physical environment and poor image, unsafe and difficult circulation routes owing to the Radburn style separation of vehicles and pedestrians, overcrowding and inappropriate occupancy for large families, a high turnover of stock, poorly placed and poorly integrated local facilities and poor quality of shopping choice. It is for these reasons that the Council, in partnership with Choices for Grahame Park ('Choices'), decided to embark on a major programme to regenerate the estate and transform it into a thriving mixed tenure neighbourhood.

An outline planning application was submitted by Choices in 2004 for the redevelopment of the estate (reference W01731JS/04). This scheme was approved in September 2004 subject to a Section 106 Agreement. Following the completion of the Section 106 and Principal Development Agreement for the regeneration, outline planning permission was finally granted on the 31<sup>st</sup> January 2007.

This consent was subsequently amended under a Section 73 application to vary the approved phasing under reference number [W/01731/LB/07] (granted on 14<sup>th</sup> August 2008) and an extension to the time limit for implementing the planning permission which was approved on 16<sup>th</sup> February 2011 under planning reference number [H/04448/10]. All of the first portion of the regeneration (Stage A) has now been completed with a total 685 new homes having been delivered within Stage A. Of these 685 new homes, 52% are affordable (235 social rent, 38 affordable rent and 81 intermediate).

Stage A also accommodates the new Barnet and Southgate College having relocated from its former site at Grahame Park Way, the relocated Colindale Library (previously located on the Concourse) and the Council's new purpose built offices at 2 Bristol Avenue.

Both Barnet Council and the applicant (Choices for Grahame Park/Notting Hill Housing) came to the decision that the outline masterplan had become out of date and was no longer viable. As such an updated approach to the regeneration of the estate was needed, and LBB decided that – given the long-term nature of the project – a planning framework with greater flexibility than an outline permission was required. LBB therefore decided to produce a Supplementary Planning Document (SPD) for Grahame Park to set out the overall principles for regeneration along with detailed design guidance. The SPD was developed in partnership by Genesis Housing Association (GHA) and LBB, with Mae Architects leading the master planning and design elements of the SPD.

The SPD is a material consideration in the planning process for all applications affecting the Estate. The SPD sits below Barnet's Local Plan Core Strategy and Development Plan Documents, as well as the Colindale Area Action Plan (CAAP).

The Grahame Park SPD (2016) breaks Stage B down into three phases. The first phase involves the redevelopment of the Concourse area, along with a small part of Phase 3 that is currently occupied by the estate's energy centre. The entirety of Phase 1 has been allocated as an area for 'comprehensive redevelopment' which

requires the full demolition of existing buildings and structures, and new development to take the place of the existing estate.

Following the completion of the SPD a comprehensive scheme for the redevelopment of the estate was submitted in 2017 under planning application reference [17/2840/OUT] for the following development:

*'Outline planning permission for the demolition of 630 existing residential units, Everglade GP Practice, Community Hall, library and retail units and the construction in three phases (plots 10, 11 and 12) of: 1083 residential units (use Class C3); a Community Hub of approximately 3,766 sq.m (GIA) comprising a community hall and workshop rooms, a daycare nursery, a GP Health centre, community health facilities and ancillary office accommodation (all use class D1) along with 186 sq.m (GIA) café (use class A3); approximately 340 sq.m (GIA) of retail space (predominantly use class A1, along with A2, A3, A4 and/or A5) ; a flexible ground floor space of approximately 55sq.m (GIA) (use class A1 or use class B1) within Block 10B; a new energy centre to provide district heating; and associated car parking, open space, landscaping and access arrangements.*

*Within the outline application:*

- full details are submitted for the means of access, layout, scale, appearance and landscaping of Plots 10 and 12 and associated works; and
- full details of Plot 11 are submitted for the means of access, layout, scale, appearance and landscaping with the exception of Plot 11D, where details of layout and scale are submitted, with means of access, appearance and landscaping reserved.'

The London Borough of Barnet resolved in November 2017 to grant planning permission subject to referral to the Mayor of London.

The Mayor of London subsequently directed Barnet Council to refuse the scheme in December 2017 for the following reasons:

1. *The application demonstrably fails to replace the existing affordable housing on either a unit, floorspace or habitable room basis, and results in the loss of 257 existing social rented units. The proposals are therefore contrary to London Plan Policy 3.14, draft London Plan Policy H10, the Mayor's Affordable Housing and Viability SPG and the Mayor's draft Good Practice Guide to Estate Regeneration.*
2. *In the absence of a planning obligation that provides a minimum of £840,000 to deliver additional bus capacity, the impact of additional peak hour trips on the bus network in the area remain unmitigated and are therefore likely to have unacceptable impact on the public transport network, as well as failing to ensure that alternatives to the private car are accessible and appealing, contrary to London Plan policies 6.3 and 8.2 draft London Plan policies T3 and DF1.*

In directing the Council to refuse the application, the Mayor set out his view that it was possible for the proposals to be successfully amended to better optimise the development and housing potential of the site and ensure that replacement social rented housing and necessary transport mitigation was secured. It was advised that

the Council and applicant work with the GLA and TfL to bring forward a revised scheme that met these strategic objectives.

The application was subsequently refused on the 13<sup>th</sup> February 2018 in accordance with the Mayoral direction.

A subsequent planning application reference [19/5493/OUT] was developed in order to overcome the GLA's reasons for refusal as well as fulfilling Barnet Council's objectives for the regeneration of the Grahame Park Estate and follows extensive pre application discussions between Notting Hill Genesis and Barnet Council along with pre application discussions with the GLA.

The description of development was as follows:

*'Hybrid planning application for the demolition of 630 residential units and existing commercial, retail and community floorspace, and the phased redevelopment of Plots 10-12 of Grahame Park comprising a full planning application for the redevelopment of Plot A and an outline planning application for the redevelopment of Plots B to Q for up to 2,088 residential units and up to 5,950sq.m (GEA) of flexible non-residential floorspace.*

*Full planning permission is sought for the demolition of 113 existing homes and the redevelopment of Plot A comprising the erection of 5 buildings between 3 and 11 storeys to provide 209 new homes and 440sq.m (GEA) of non-residential floorspace (Use Class A1, A2, A3, B1), landscape, public open space and public realm, associated car parking, cycle spaces and other associated works.*

*Outline planning permission (scale, layout, landscaping and appearance reserved) for the demolition of 517 existing residential units, buildings and structures on Plots B to Q, and the redevelopment of the site in a series of phases to provide up to 1,879 new homes and up to 5,510sq.m (GEA) of non-residential floorspace within classes A1, A2, A3, A4, B1, D1 and D2 including a community centre and children's day nursery in buildings ranging in height from 3 storeys to 15 storeys, with associated public open space, hard and soft landscaping, public realm, car parking spaces, and cycle parking spaces, stopping up and diversion of Lanacre Avenue and associated works'*

The application was reported to the Strategic Planning Committee Meeting of the 2<sup>nd</sup> March 2020 where members resolved to grant planning permission subject to approval from the Mayor of London and completion of a legal agreement. These were received and concluded and the planning permission was subsequently issued on the 31<sup>st</sup> July 2020. Work on the redevelopment of Plot A (detailed element) has started on site.

The current application is the first Reserved Matters application pursuant to the outline approval concerning the development of Plots H and K within phase 2 of the Grahame Park redevelopment involving the erection of buildings ranging between 3 and 14 storeys high comprising of 364 residential dwellings and flexible commercial space (Use Class E), a housing office (Use Class E), community centre (Use Class F2(b)), energy centre, public open space and public realm, car parking spaces,

cycle parking spaces, refuse storage space, construction of part of Bristol Avenue and other associated works.

The proposed submission has been considered in the context of the parameters approved under the outline consent taking into account representations received and is considered acceptable by officers and is recommended for approval subject to appropriate conditions.

## **RECOMMENDATION**

### **Recommendation 1**

The Committee grants delegated authority to the Service Director Planning & Building Control or Head of Strategic Planning 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 his absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

### **Conditions**

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

Drawings:

HP-PTA-MP-ZZ-DR-A-1100_S4-PL2	Site Location Plan
HP-PTA-PH2-RF-DR-A-9000_S4-PL3	PH2 - General arrangement plan - Proposed Site Plan
HP-PTA-PH2-RF-DR-A-9001_S4-PL2	PH2 - General arrangement plan - Proposed Interim Site Plan
HP-PTA-H0-00-DR-A-9100_S4-PL3	Plot H - General arrangement plan - Ground floor
HP-PTA-H0-01-DR-A-9101_S4-PL3	Plot H - General arrangement plan - Level 01
HP-PTA-H0-02-DR-A-9102_S4-PL3	Plot H - General arrangement plan - Level 02
HP-PTA-H0-03-DR-A-9103_S4-PL3	Plot H - General arrangement plan - Level 03
HP-PTA-H0-04-DR-A-9104_S4-PL3	Plot H - General arrangement plan - Level 04
HP-PTA-H0-05-DR-A-9105_S4-PL3	Plot H - General arrangement plan - Level 05
HP-PTA-H0-06-DR-A-9106_S4-PL3	Plot H - General arrangement plan - Level 06

HP-PTA-H0-07-DR-A-9107_S4-PL3 Level 07	Plot H - General arrangement plan -
HP-PTA-H0-08-DR-A-9108_S4-PL3 Level 08	Plot H - General arrangement plan -
HP-PTA-H0-09-DR-A-9109_S4-PL3 Level 09	Plot H - General arrangement plan -
HP-PTA-H0-10-DR-A-9110_S4-PL3 Level 10	Plot H - General arrangement plan -
HP-PTA-H0-11-DR-A-9111_S4-PL3 Level 11	Plot H - General arrangement plan -
HP-PTA-H0-12-DR-A-9112_S4-PL3 Level 12	Plot H - General arrangement plan -
HP-PTA-H0-13-DR-A-9113_S4-PL3 Level 13	Plot H - General arrangement plan -
HP-PTA-H0-RF-DR-A-9115_S4-PL3 Roof Level	Plot H - General arrangement plan -
HP-PTA-K0-00-DR-A-9100_S4-PL3 Ground Floor	Plot K - General arrangement plan -
HP-PTA-K0-01-DR-A-9101_S4-PL3 Level 01	Plot K - General arrangement plan -
HP-PTA-K0-02-DR-A-9102_S4-PL3 Level 02	Plot K - General arrangement plan -
HP-PTA-K0-03-DR-A-9103_S4-PL3 Level 03	Plot K - General arrangement plan -
HP-PTA-K0-04-DR-A-9104_S4-PL3 Level 04	Plot K - General arrangement plan -
HP-PTA-K0-05-DR-A-9105_S4-PL3 Level 05	Plot K - General arrangement plan -
HP-PTA-K0-06-DR-A-9106_S4-PL3 Level 06	Plot K - General arrangement plan -
HP-PTA-K0-07-DR-A-9107_S4-PL3 Level 07	Plot K - General arrangement plan -
HP-PTA-K0-08-DR-A-9108_S4-PL3 Level 08	Plot K - General arrangement plan -
HP-PTA-K0-09-DR-A-9109_S4-PL3 Level 09	Plot K - General arrangement plan -
HP-PTA-K0-10-DR-A-9110_S4-PL3 Level 10	Plot K - General arrangement plan -
HP-PTA-K0-11-DR-A-9111_S4-PL3 Level 11	Plot K - General arrangement plan -
HP-PTA-K0-M0-DR-A-9119_S4-PL3 Mezzanine Floor	Plot K - General arrangement plan -
HP-PTA-K0-RF-DR-A-9115_S4-PL3 Roof Level	Plot K - General arrangement plan -
HP-PTA-H0-ZZ-DR-A-9200_S4-PL2 - H2 & H4 south	Plot H - General arrangement elevation
HP-PTA-H0-ZZ-DR-A-9201_S4-PL2 - H1 & H3 north	Plot H - General arrangement elevation

HP-PTA-H0-ZZ-DR-A-9202_S4-PL2 - H1 & H2 west	Plot H - General arrangement elevation
HP-PTA-H0-ZZ-DR-A-9203_S4-PL2 - H1 and H2 east	Plot H - General arrangement elevation
HP-PTA-H0-ZZ-DR-A-9204_S4-PL2 - H1 south & H2 north	Plot H - General arrangement elevation
HP-PTA-H0-ZZ-DR-A-9205_S4-PL2 - H3 and H4 west	Plot H - General arrangement elevation
HP-PTA-H0-ZZ-DR-A-9206_S4-PL2 - H3 and H4 east	Plot H - General arrangement elevation
HP-PTA-H0-ZZ-DR-A-9207_S4-PL2 - H3 south & H4 north	Plot H - General arrangement elevation
HP-PTA-K0-ZZ-DR-A-9200_S4-PL3 - K1 & K2 south	Plot K - General arrangement elevation
HP-PTA-K0-ZZ-DR-A-9201_S4-PL3 - K1 & K2 north	Plot K - General arrangement elevation
HP-PTA-K0-ZZ-DR-A-9202_S4-PL3 - K1 west	Plot K - General arrangement elevation
HP-PTA-K0-ZZ-DR-A-9203_S4-PL2 K2 east	Plot K - General arrangement elevation-
HP-PTA-K0-ZZ-DR-A-9204_S4-PL2 - K2 west	Plot K - General arrangement elevation
HP-PTA-K0-ZZ-DR-A-9205_S4-PL3 - K1 east	Plot K - General arrangement elevation
HP-PTA-H0-ZZ-DR-A-9302_S4-PL3 C-C	Plot H - General arrangement section -
HP-PTA-H0-ZZ-DR-A-9304_S4-PL3 E-E	Plot H - General arrangement section -
HP-PTA-H0-ZZ-DR-A-9305_S4-PL3 F-F	Plot H - General arrangement section -
HP-PTA-K0-ZZ-DR-A-9300_S4-PL4 A-A	Plot K - General arrangement section -
NHG-GPE_HTA-L_DR_0900_C	Landscape GA - Render Masterplan
NHG-GPE_HTA-L_DR_0901_D	Landscape GA - Hard Landscape – Ground Floor
NHG-GPE_HTA-L_DR_0902_B	Landscape GA - Planting Plan – Ground Floor
NHG-GPE_HTA-L_DR_0903_B	Landscape GA - Levels Plan – Ground Floor 1 of 2
NHG-GPE_HTA-L_DR_0904_B	Landscape GA - Levels Plan – Ground Floor 2 of 2
NHG-GPE_HTA-L_DR_0905_B	Landscape GA - Soiling Plan – Ground Floor
NHG-GPE_HTA-L_DR_0923_D	Landscape GA - Hard Landscape – Blocks H and K Podiums
NHG-GPE_HTA-L_DR_0924_B	Landscape GA - Planting Plan – Blocks H and K Podiums

NHG-GPE_HTA-L_DR_0925_B	Landscape GA - Soiling Plan – Blocks H and K Podiums
NHG-GPE_HTA-L_DR_0950_C	Typical Details - Site Sections – Ground Floor
NHG-GPE_HTA-L_DR_0951_B	Typical Details - Site Sections – Blocks H Podium
NHG-GPE_HTA-L_DR_0952_B	Typical Details - Site Section – Blocks K Podium
NHG-GPE_HTA-L_DR_0960_B	Typical Details - Soft Landscape
NHG-GPE_HTA-L_DR_0961_B	Typical Details - Hard Landscape

Documents:

Schedule of Accommodation (03 May 2022) prepared by Patel Taylor Architects

Arboricultural Impact Assessment & Method Statement (May 2022), prepared by Tamla Trees

Daylight and Sunlight Report (April 2022), prepared by Point 2 Surveyors Ltd

Internal Daylight Report (April 2022), prepared by Point 2 Surveyors Ltd

Design and Access Statement (May 2022), prepared by Patel Taylor Architects

Drainage & SuDS Strategy (22 April 2022), prepared by Curtins Consulting Ltd

Energy and Overheating Assessment (22 April 2022), prepared by Max Fordham LLP

Equalities Impact Assessment (May 2022), prepared by hgh Consulting

Environmental Statement of Compliance (May 2022), prepared by hgh Consulting

RIBA Stage 3 Fire Strategy Report Plot H (26 April 2022), prepared by FDS Consult UK

RIBA Stage 3 Fire Strategy Report Plot K (26 April 2022), prepared by FDS Consult UK

Block H Planning Gateway 1 Fire Statement (23 March 2022), prepared by FDS Consult UK

Block K Planning Gateway 1 Fire Statement (24 March 2022), prepared by FDS Consult UK

Phase 2 Ground Investigation (09 February 2022), prepared by Curtins Consulting Ltd

Planning Statement (May 2022), prepared by hgh Consulting

Ecological Update (2022), prepared by ADAS

Statement of Community Involvement (May 2022), prepared by hgh Consulting

Sustainability Statement (22 April 2022), prepared by Max Fordham LLP

Transport Statement (28 April 2022), prepared by RPS Consulting Services Ltd

Utilities Statement (22 April 2022), prepared by Max Fordham LLP

Quantitative Wind Microclimate Assessment (21 April 2022), prepared by SLR Consulting



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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2. Prior to the commencement of the highways works, a suitably worded agreement shall be entered into with the Highway Authority to secure delivery of the highways works. The highways works shall be completed in accordance with the details in the agreement.

Reason: to ensure the appropriate deliver of the highway works 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.

3. Prior to the felling of the group of trees ref TG3 (as shown on the Tree Constraints Plan at Appendix 5 of the Tamala Trees Arboricultural Impact Assessment & Method Statement dated May 2022) a Ground Level Tree Assessment shall be undertaken by a suitably trained ecologist to assess the trees for potential bat roost features.

If bat roost features are found, a climbing inspection by a suitably trained ecologist with the use of an endoscope to determine the presence or absence of roosting bats shall be carried out between May and September.

If no bats are recorded within the trees, then a report containing the findings of the surveys shall be submitted to and approved by the local planning authority in writing prior to the felling of the trees.

If a roosting bat is discovered, then works that would impact the tree must not take place until Natural England has been informed and the appropriate European Protected Species mitigation licence has been obtained.

Reason: To avoid the potential of an offence the Wildlife and Countryside Act, 1981, as amended.

4. Prior to the commencement of the development, details of the means of escape for each building and firefighting access and facilities in each car park will be submitted to and agreed in writing by the local planning authority.

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

Reason: To ensure that the fire safety of the proposed buildings is managed in a satisfactory manner and ensure that the development contributes to fire safety in line with Policy D12 of the London Plan (2021)

5. *Prior to the commencement of above ground works for each individual building, the following details for that building shall be submitted to and*

*approved in writing by the Local Planning Authority (unless otherwise approved and agreed):*

- i. Full details (including samples, where appropriate) of the materials and finishes to be used on all external surfaces
- ii. Door, entrances, windows (including glazing specifications) and balconies (including drawings and section showing thresholds to adjacent internal spaces and drawings and sections of privacy screens)

Thereafter the feature hereby approved shall be installed prior to occupation and thereafter maintained in secure and good working order for the lifetime of the development.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS5 and DM01 of the Barnet Local Plan and Policy D4 of the London Plan (2021).

### **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. Bats and their roost are strictly protected from damage or disturbance under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Section 42 of the Conservation of Habitat and Species Regulation 2017. Therefore, any activities which have the potential to impact a bat, or its roost will require appropriate mitigation and compensation under the auspice of a Natural England European Protected Species mitigation licence. 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.

3. 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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via

<https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=05%7C01%7CAndrew.Dillon%40Barnet.gov.uk%7Cc2a2573d6ac64a3d88a408da4d2466fd%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C637907115978311828%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=0ufHg79rekdJRcj8K3h6v9XT89CNPqseb2TK6dC4o74%3D&reserved=0>. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local water courses

## **1. MATERIAL CONSIDERATIONS**

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

#### Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is The London Plan 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.

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.

#### National Planning Policy Framework

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<sup>th</sup> July 2020. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this". The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse

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

### The Mayor's London Plan 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and now supersedes the previous Plan (2016).

The new London Plan policies (arranged by chapter) most relevant to the determination of this application are:

#### Chapter 1

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience

#### Chapter 2

- Policy SD1 Opportunity Areas
- Policy SD3 Growth locations in the Wider South East and beyond
- Policy SD10 Strategic and local regeneration

#### Chapter 3

- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D7 Accessible housing
- Policy D8 Public realm
- Policy D9 Tall Buildings
- Policy D11 Safety, Security and resilience to emergency
- Policy D12 Fire safety
- Policy D14 Noise

#### Chapter 4

- Policy H1 Increasing housing supply
- Policy H2 Small sites
- Policy H3 Meanwhile use as housing
- Policy H4 Delivering affordable housing
- Policy H5 Threshold approach to applications
- Policy H6 Affordable housing tenure
- Policy H7 Monitoring of affordable housing
- Policy H8 Loss of existing housing and estate redevelopment

Policy H10 Housing size mix

## Policy H11 Build to Rent

### Chapter 5

Policy S4 Play and informal recreation

Policy S5 Sports and recreation facilities

### Chapter 7

Policy HC3 Strategic and Local Views

Policy HC4 London View Management Framework

### Chapter 8

Policy G1 Green infrastructure

Policy G4 Open space

Policy G5 Urban greening

Policy G6 Biodiversity and access to nature

Policy G7 Trees and woodlands

### Chapter 9

Policy SI 1 Improving air quality

Policy SI 2 Minimising greenhouse gas emissions

Policy SI 3 Energy infrastructure

Policy SI 4 Managing heat risk

Policy SI 5 Water infrastructure

Policy SI 6 Digital connectivity infrastructure

Policy SI 7 Reducing waste and supporting the circular economy

Policy SI 8 Waste capacity and net waste self-sufficiency

Policy SI 12 Flood risk management

Policy SI 13 Sustainable drainage

Policy SI 17 Protecting and enhancing London's waterways

### Chapter 10

Policy T1 Strategic approach to transport

Policy T2 Healthy Streets

Policy T3 Transport capacity, connectivity and safeguarding

Policy T4 Assessing and mitigating transport impacts

Policy T5 Cycling

Policy T6 Car parking

Policy T6.1 Residential parking

Policy T6.2 Office parking

Policy T9 Funding transport infrastructure through planning

### Chapter 11

Policy DF1 Delivery of the Plan and Planning Obligations

## Mayoral Supplementary Guidance

The Mayor's Supplementary Guidance most relevant to the determination of this application are:

### **Planning for Equality and Diversity in London (October 2007)**

This guidance sets out some of the overarching principles that should guide planning for equality in the London context.

### **The Mayor's Climate Change Mitigation and Energy Strategy (October 2011)**

The strategy seeks to provide cleaner air for London. This strategy focuses on reducing carbon dioxide emissions to mitigate climate change, securing a low carbon energy supply for London and moving London to a thriving low carbon capital.

### **All London Green Grid (March 2012)**

This strategy provides guidance for designing and managing green and open spaces to bring about previously unrealised benefits. In doing so, we aim to encourage boroughs, developers, and communities to collectively increase the delivery of green infrastructure for London.

### **Play and Informal Recreation (September 2012)**

Provides guidance to Local Authorities and development to estimate the potential child yield from a development, and the resulting requirements for play space provision.

### **Sustainable Design and Construction (April 2014)**

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development.

### **The control of dust and emissions during construction and demolition (July 2014)**

The aim of this supplementary planning guidance (SPG) is to reduce emissions of dust, PM<sub>10</sub> and PM<sub>2.5</sub> from construction and demolition activities in London.

### **Accessible London: Achieving an Inclusive Environment (October 2014)**

The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.

### **Housing (March 2016)**

The housing SPG provides revised guidance on how to implement the housing policies in the London Plan.

### **Affordable Housing and Viability (August 2017)**

Set's out the Mayor's policies for assessing and delivering affordable housing and estate renewal.

### **Better Homes for Local People The Mayor's Good Practice Guide to Estate Regeneration**

Sets out the Mayor's policies for Estate Regeneration.

### **Relevant Local Plan (2012) Policies**

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD which

were both adopted on 11 September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

**Core Strategy (Adopted 2012):**

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet’s Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS5 (Protecting and enhancing Barnet’s character to create high quality places)

CS7 (Enhancing and Protecting Barnet’s Open Spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive integrated community facilities and uses)

CS11 (Improving health and wellbeing in Barnet)

CS13 (Ensuring the efficient use of natural resources)

CS15 (Delivering the Core Strategy)

**Development Management Policies (Adopted 2012):**

DM01 (Protecting Barnet’s character and amenity)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM14 (New and existing employment space)

DM13 (Community and education uses)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are material considerations for the determination of planning applications:

Colindale Area Action Plan 2010

The Colindale Area Action Plan sets out the Council’s comprehensive but flexible long term strategy to manage change and deliver high quality sustainable development in Colindale.

Grahame Park Supplementary Planning Document 2016

The Grahame Park SPD provided site specific advice for the development of Stage B of the Grahame Park Estate.

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)

Planning Obligations (April 2013)

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 has been taken of the policies and site proposals in the draft Local Plan limited weight has been given to the draft Local Plan in the determination of this application.

## 1.2 Key Relevant Planning History

<b>Application Ref.</b>	<b>Address</b>	<b>Description of Development</b>	<b>Decision and Date</b>
<b>W01731JS/04</b>	Grahame Park Estate - bounded by Lanacre Avenue to the west, Grahame Park Way to the south and Field Mead to the north.	Redevelopment of site involving the demolition of 1314 existing residential units and construction of 2977 new residential units providing a total of 3440 units on the estate, provision of approximately 9074sq.m replacement retail (Class A1), office (Class A2) food and drink (Class A3) and social and community (Class D1) uses and associated public and private open space, car parking and access arrangements. (OUTLINE) Submission of Environmental Statement.	APPROVED 17 <sup>th</sup> January 2007
<b>W01731LA/07</b>	PHASE 1A, Grahame Park Estate, Colindale London NW9	Reserved matters application seeking approval for design and external appearance in relation to Phase 1A, comprising 319 residential dwellings pursuant to condition 6 of outline planning permission W01731JS/04 dated 17-01-2007 for the redevelopment of Grahame Park Estate.	APPROVED 15 <sup>th</sup> January 2008
<b>W01731KW/07</b>	Land relating to Section 73 changes to Phase 1B, Grahame Park Estate, Colindale	Environmental Impact assessment - screening opinion.	Environmental Statement Not Required - 19 <sup>th</sup>



	London NW9		September 2007
<b>W01731LB/07</b>	Grahame Park Estate - bounded by Lanacre Avenue to the west, Grahame Park Way to the south and Field Mead to the north.	Section 73 application for variation to the approved phasing (amendment to phases 1A (Anson Block), 1B, and 4A) of the regeneration of Grahame Park Estate requiring the variation of conditions 4, 7 and 30 of Outline Planning Permission W01731JS/04 dated 17-01-2007.	APPROVED 9 <sup>th</sup> April 2008
<b>W01731KY/07</b>	Part of Grahame Park Open Space (Area within south eastern section) Bounded By Lanacre Avenue to the South and Quakers Course to the East, London NW9	Construction of single storey community facility to replace existing log cabin adventure playground, and associated landscaping and vehicle drop off.	APPROVED 11 <sup>th</sup> December 2007
<b>H/04448/10</b>	Grahame Park Estate - bounded by Lanacre Avenue to the west, Grahame Park Way to the south and Field Mead to the north, Colindale, NW9 5UP	Extension to the time limit for implementing planning permission W01731LB/07 granted 09/04/08 for "Section 73 application for variation to the approved phasing (amendment to phases 1A (Anson Block), 1B, and 4A) of the regeneration of Grahame Park Estate requiring the variation of conditions 4, 7 and 30 of Outline Planning Permission W01731JS/04 dated 17-01-2007.	Approved 16 <sup>th</sup> February 2011
<b>H/05110/10</b>	Grahame Park Estate, (Phase 1B of Regeneration), London NW9	Prior Notification for proposed demolition of buildings in relation to Phase 1B of the Regeneration of Grahame Park Estate comprising of 18 residential buildings of 1 to 4 storey brick and concrete flats, one single storey non-residential building and some separate garages.	Approved 18 <sup>th</sup> February 2011
<b>H/00308/11</b>	Grahame Park Estate, (Phase 1B of Regeneration), London NW9	Reserved matters application seeking approval for design, external appearance and landscaping for Phase 1B of the Grahame Park Estate Regeneration comprising 446 residential units (including Block A9), 5,483sq.m	Approved 21st February 2012

		(GEA) of non-residential floorspace including a library (Use Class D1), community centre (Use Class D1), supermarket (Use Class A1) and ancillary retail units (Use Classes A1, A2 and A3), pursuant to condition 6 of outline planning permission reference H/00309/11 for the regeneration of Grahame Park Estate, together with details of traffic management/highway improvements (condition 12) and phasing plans (condition 44) required to form part of the reserved matters, and details of the construction methods statement in order to discharge condition 46.	
<b>H/02522/13</b>	Grahame Park Estate, (Phase 1B of Regeneration), London NW9	Non material amendment to previously approved application Ref: H/00308/11 dated: 12/2/2012 for: Reserved matters application seeking approval for design, external appearance and landscaping for Phase 1B of the Grahame Park Estate Regeneration comprising 446 residential units (including Block A9), 5,483sq.m (GEA) of non-residential floorspace including a library (Use Class D1), community centre (Use Class D1), supermarket (Use Class A1) and ancillary retail units (Use Classes A1, A2 and A3), pursuant to condition 6 of outline planning permission reference H/00309/11 for the regeneration of Grahame Park Estate, together with details of traffic management/highway improvements (condition 12) and phasing plans (condition 44) required to form part of the reserved matters, and details of the construction methods statement in order to discharge condition 46. Amendments to include: change to sub-phasing of Phase 1B to create Sub-Phase 2 to allow for the delivery of the new Lanacre Avenue shift and Sub-Phase 3 for the delivery of Blocks A1, A8, B1 and	Approved 14 <sup>th</sup> August 2013

		B6.	
<b>H/00320/14</b>	Grahame Park Estate, (Plot A8)	Revised application for development of plot A8 consisting of a 5 storey building comprising a 5,536sq.m college, 500sq.m public library and 500sq.m centre for independent living (all Use Class D1); associated vehicle access, parking, landscaping, refuse and cycle storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 57 flats, a 750sq.m public library, 945sq.m centre for independent living and 279sq.m of retail floorspace).Amendments to include: change to sub-phasing of Phase 1B to create Sub-Phase 2 to allow for the delivery of the new Lanacre Avenue shift and Sub-Phase 3 for the delivery of Blocks A1, A8, B1 and B6.	Approved 6th May 2015
<b>H/04502/14</b>	Grahame Park Estate, (Plot B1)	Revised application for development of plot A8 consisting of a 5 storey building comprising a 5,536sq.m college, 500sq.m public library and 500sq.m centre for independent living (all Use Class D1); associated vehicle access, parking, landscaping, refuse and cycle storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 57 flats, a 750sq.m public library, 945sq.m centre for independent living and 279sq.m of retail floorspace).	Approved 6th May 2015
<b>14/07210/FUL</b>	Grahame Park Estate, (Plot B6)	Revised application for development of plot B6 comprising buildings between 1 and 6 storeys, to accommodate 92 residential units (84 flats and 8 dwellinghouses); associated vehicle access, highways, parking, landscaping, amenity space, refuse and cycle	Approved 15th July 2015

		storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 84 flats in a part 5, part 6 storey building).	
<b>15/04039/FUL</b>	Grahame Park Estate, (Plot A1)	Construction of a new council office building between 4 and 9 storeys in height providing 11,146 sq.m of floorspace comprising 10,646 sq.m of (B1) office space and 170sq.m of (A3) cafe and ancillary space on ground floor and basement. Provision of landscaping and public realm improvements, car and cycle parking and refuse and recycling stores. Amended Plans showing alterations to design of proposed council office building.	Approved 5th April 2016
<b>17/2840/OUT</b>	Grahame Park Estate, Plots 10, 11 & 12	Outline planning permission for the demolition of 630 existing residential units, Everglade GP Practice, Community Hall, library and retail units and the construction in three phases (plots 10, 11 and 12) of: 1083 residential units (use Class C3); a Community Hub of approximately 3,766 sq.m (GIA) comprising a community hall and workshop rooms, a daycare nursery, a GP Health centre, community health facilities and ancillary office accommodation (all use class D1) along with 186 sq.m (GIA) café (use class A3); approximately 340 sq.m (GIA) of retail space (predominantly use class A1, along with A2, A3, A4 and/or A5) ; a flexible ground floor space of approximately 55sq.m (GIA) (use class A1 or use class B1) within Block 10B; a new energy centre to provide district heating; and associated car parking, open space, landscaping and access arrangements. Within the outline application: - full details are submitted for the means of access, layout, scale, appearance and landscaping of	Refused 13/02/2018

		Plots 10 and 12 and associated works; and - full details of Plot 11 are submitted for the means of access, layout, scale, appearance and landscaping with the exception of Plot 11D, where details of layout and scale are submitted, with means of access, appearance and landscaping reserved.	
<b>19/5493/OUT</b>	Grahame Park Estate, Plots 10, 11 & 12	Hybrid planning application for the demolition of 630 residential units and existing commercial, retail and community floorspace, and the phased redevelopment of Plots 10-12 of Grahame Park comprising a full planning application for the redevelopment of Plot A and an outline planning application for the redevelopment of Plots B to Q for up to 2,088 residential units and up to 5,950sqm (GEA) of flexible non-residential floorspace.  Full planning permission is sought for the demolition of 113 existing homes and the redevelopment of Plot A comprising the erection of 5 buildings between 3 and 11 storeys to provide 209 new homes and 440sqm (GEA) of non-residential floorspace (Use Class A1, A2, A3, B1), landscape, public open space and public realm, associated car parking, cycle spaces and other associated works.	Granted 31/07/2020

### **1.3 Pre-application Consultation by the Applicant**

The applicant has undertaken a comprehensive pre-application engagement strategy with key stakeholders in relation to the design development of Plots H and K and the proposed new section of Bristol Avenue, with specific consultation in relation to the design of the proposed community centre including:

- Pre-application meetings with officers and members at LB Barnet; and
- A consultation process with the local community including exhibitions, meetings, and workshops.

## **1.4 Public Consultations by the Council and Views Expressed**

### Public Consultation

**1342** local residents were consulted on the planning application by letter on 20.05.2022. The application was advertised in the local press on 26.05.2022 and site notices were put up on site on 26.05.2022. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

### Public Representations

As a result of the consultation, a total of 24 responses have been received, all objecting to the proposals.

The comments received from members of the public have been summarised as follows:

### Summary of main points raised by members of the public in objecting to the scheme.

Density, scale and height of the proposal excessive and not in keeping with the area.

Loss of privacy and overlooking of neighbouring properties;

Loss of light and outlook to neighbouring properties due to the scale of the development.

Failure of Grahame Park and Douglas Bader schemes to consider impact on each other

Impact on access to Orion Nursery increasing walking distance.

Loss of parking spaces at time of increasing parking demand due to increased residential provision.

Impact on parking and congestion.

Property Devaluation

Plans Unclear

Excessive height and scale of proposed development at 14 storeys.

Will add to overcrowding and anti social behaviour

Insufficient infrastructure to support growth of population in Colindale in particular station capacity insufficient even it is expanded.

Impact upon mental health due to number of tall buildings (in Colindale)

Colindale becoming like a mini Canary Wharf rather than a suburb.

Insufficient green spaces.

Queries regarding proposed operation of CPZ and impact upon existing residents who utilise parking areas within the development as well as impact on adjoining areas.

Quantity of development excessive, insufficient affordable housing provided in this phase (25% Shared Ownership)

Percentage of single aspect units excessive

Prices in Colindale excessive.

Houses rather than flats should be built in Colindale.

Issues with flammable cladding (elsewhere in Colindale) should be solved before additional housing built.

Complaints about existing service to tenants and leaseholders by Notting Hill Genesis.

Impact of development on Green spaces, including the removal of trees and provision of managed over natural green space.

#### Officer Comment

All of the above representations have been taken into account in the officer assessment below. It is noted that the principle of the redevelopment of the site has already been established by outline planning approval 19/5493/OUT dated 31st July 2020.

#### **Elected Representatives.**

No Comments received

#### **Consultation responses from neighbouring associations other non-statutory bodies.**

No comments received

#### **Consultation Responses from Statutory Consultees**

##### **Transport for London (TfL)**

Thank you consulting Transport for London (TfL), we note the net increase in residential development is not significant.

We note the changes to the junction, and use of bus swept paths to assess changes to the design of the highway. We note the Stage 1 Road Safety Audit (RSA) and designers response.

We don't object to the Council approving this application.

The developers' team should continue to engage with TfL bus colleagues on the design of the highway where its used by buses. TfL would expect an updated Stage 1 RSA or combined Stage 1 and 2, when they bring forward the bus highway and bus stops. The design of bus stops should be based on TfL Bus Stop Accessibility Guidance.

If there is a target or agreed programme for the bus infrastructure works, it would be useful to see that.

##### **Health and Safety Executive (HSE)**

###### **1. Substantive response for the local planning authority**

1.1 Thank you for consulting HSE about this application.

1.2 It is noted that the above application is a Reserved Matters application in respect of Plots H and K (Phase 2) of the Grahame Park Estate respectively.

1.3 Plot H, includes two relevant buildings, block H1 and block H2, comprising thirteen storeys (43.5 m), and ten storeys (29.9 m).

1.4 Plot K, includes two relevant buildings, block K1 ten10 storeys (34.35 m) and block K2 six6 storeys (22.2 m).

1.5 The comments below and the substantive response headline are based on the information in the application including the fire statement, fire strategy, the floor plans and supporting documentation available on the planning register.

1.6 It is noted that the proposed relevant blocks will each be served by a single staircase. The single staircases constitute the only escape staircases, and only firefighting staircases serving dwellings on upper floors.

1.7 It is noted the fire strategy proposes, at the ground floor level, that “The **two stair exit passageways** are not connected to any residential corridors. **They are linked to the car park on ground floor via a lobby**. It is **proposed to provide mechanical ventilation in the lobby** (with suitable inlet of replacement air) to the lobby with the objective to prevent smoke from entering the exit passageways. This needs to be confirmed by computational modelling.”

1.8 However, fire safety standards state that, “*Where a common **stair forms part of the only escape route from a flat**, unless it is designated as a small single-stair building, it should not also serve any covered car park, boiler room, fuel storage space or other ancillary accommodation of similar fire risk.*” (BS 9991, Section 7, Clause 38). Accordingly, there should be no connection between the ancillary accommodation of higher fire risk and the single stairs in each block.

### **Scope of consultation**

**Means of escape**, including single staircases made vulnerable due to connection with ancillary accommodation including places of special fire hazard and areas of similar fire risk.

1.9 If a fire engineered solution is proposed, this should be identified on the fire statement form with an explanation of the alternative solution, demonstrating a level of safety equivalent to the fire standards.

1.10 Design alterations to separate the single staircases from ancillary accommodation is likely to affect land use planning considerations relating to design, layout and appearance of the development.

1.11 Measurements seen on the plan drawings provided suggest excessive travel distances of over 40m from the main entrance in the covered car parks. This would affect firefighting operations, due to hazards associated with controlling smoke and



firefighter safety. Fire safety standards state that firefighter travel distance should not exceed 30m in order to conduct rescue.

1.12 The British Standard relating to fire service intervention (PD7974-5) states: *“research shows that 34 m is the maximum distance fire-fighters should penetrate into a fire compartment to rescue a casualty, where no stair climbing is required to access the point of entry.”*

1.13 A fire in a covered car park is likely to present more onerous conditions for firefighter safety than a corridor. Indeed, fires involving electric vehicles may prove very challenging to extinguish over extended periods of time and will generate large volumes of smoke/gasses. This may result in physically demanding conditions for firefighters wearing breathing apparatus. Design changes necessary to ensure effective firefighting operations will affect land use planning considerations such as design, layout and appearance of the development.

### **Firefighting access and facilities.**

#### **2. Supplementary information for the applicant**

*The following points do not contribute to HSE’s overall headline response and are intended only as advice for the applicant. These comments identify items that could usefully be considered now to reduce the risk of making changes to the design at a later stage, which could have planning implications.*

2.1 Section 13 of the fire statement states that, *“the public hydrant system will be extended to incorporate the new development”*.

2.2 It is noted that the fire statement does not provide confirmation relating to the location of water supply for the development, yet recognises that additional private hydrants will be required. Resolving this issue may affect land use planning considerations relating to the landscaping around the building in the event that an additional hydrant is required.

2.3 It is noted in section 8 of the fire statement and from the roof plan drawings provided that PV panel installations are proposed on the roof of blocks H1 and K2. All power supplies, electrical wiring and control equipment should be provided with appropriate levels of protection against fire. Fire safety standards require suitable support of cabling to avoid obstruction of escape routes and firefighting access due to the failure of fixings.

2.4 It may be advisable to consider the risk to fire safety by the presence of the electric vehicles and cycles (EVs and ECs) in the covered car park and cycle stores because they contain lithium-ion batteries. Lithium-ion batteries may suffer thermal runaway and cell rupture, releasing large volume of toxic gases, heat and smoke before catching fire as well as afterwards. When they burn, a large amount of water is needed to flow on the batteries, however, fire keeps flaring up even after it appears to be extinguished. Furthermore, there is a danger of electrical shock for firefighters tackling a fire due to the high voltage used in EVs. Any consequent

design changes may affect land use planning considerations such as layout, appearance, and car parking provision of the development.

### Officer Comment

The Health and Safety Executive is not a statutory consultee as outline planning approval pre dated the relevant legislation. Nevertheless the applicant has advised that they intend to review and address the comments made by HSE and will address them as part of the detailed design, building control submission. An additional condition has also been attached to this recommendation requiring the submission of an amended fire safety strategy and the implementation of any measures incorporated within this strategy.

### **Thames Water (TW)**

#### Waste Comments

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

<https://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%7CAndrew.Dillon%40Barnet.gov.uk%7Cc2a2573d6ac64a3d88a408da4d2466fd%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C637907115978311828%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLjBjTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=Ud%2Bk3f0mvdHedmhUQA%2F1PdAXYWbxhCUfxCwR96PR8ek%3D&reserved=0>

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement." Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<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%7CAndrew.Dillon%40Barnet.gov.uk%7Cc2a2573d6ac64a3d88a408da4d2466fd%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C637907115978311828%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLjBjTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=Ud%2Bk3f0mvdHedmhUQA%2F1PdAXYWbxhCUfxCwR96PR8ek%3D&reserved=0>

[%7C637907115978311828%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6I6k1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&data=Ud%2Bk3f0mvdHedmhUQA%2F1PdAXYWbxhCUfxCwR96PR8ek%3D&reserved=0](#) Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Following initial investigations, Thames Water has identified an inability of the existing SURFACE WATER network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer in an attempt to agree a position for foul water networks but has been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "The development shall not be occupied until confirmation has been provided that either:- 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan." Reason - Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

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

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "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](mailto:trade.effluent@thameswater.co.uk) . Application forms should be

completed on line via

<https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=05%7C01%7CAndrew.Dillon%40Barnet.gov.uk%7Cc2a2573d6ac64a3d88a408da4d2466fd%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C637907115978311828%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6k1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=0ufHq79rekdJRCj8K3h6v9XT89CNPqseb2TK6dC4o74%3D&reserved=0>. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

#### Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### Supplementary Comments

Surface Water: Thames Water has no objections to the proposed surface water discharges from Plot H, Plot K, and the Private Highways with a total discharge rate of 5.6l/s. Regarding the proposed adoptable highway section with an unattenuated discharge of 142.5l/s during a 1:30 rainfall event to the proposed diverted 900mm surface water sewer, this is a capacity concern for the receiving sewer. Additionally, there is no right to discharge highway drainage to the public sewerage system. Applying for Thames Water's consent to discharge runoff from an adopted highway under Section 115 would be a matter for the local authority adopting the highway, not the developer. Regardless of the application method, Thames Water would like to see significant improvement of this unattenuated discharge rate before considering accepting this flow from the adoptable highway section.

#### Officer Comment

Discussions are ongoing with Thames Water regarding the discharge of surface water from the proposed adoptable highway. A CCTV survey is to be undertaken which will confirm the existing highway drainage arrangement. Condition 24 of the outline planning consent requires a detailed surface water drainage strategy to be submitted and approved prior to the development of each phase of development and this has to include amongst other details agreement for the proposed discharge rates and discharge point for surface water sewer network with Thames Water. Further details will therefore be provided through the discharge of this planning condition.

## **Metropolitan Police Crime Prevention Design Advisor**

Although I do not have an objection to this planning submission, due to the crime levels within the local ward, historical and present-day issues with this estate and potential crime concerns by only applying some crime prevention measures but not others – I would respectfully request your consideration to apply a planning condition to any approval, whereby this development must achieve Secured by Design accreditation, prior to any occupation. I would recommend that this development achieves SBD Gold accreditation as this also includes external areas of public realm such as lighting and footpaths.

The commercial space must also be included under separate SBD accreditation and guidance for these buildings can be provided from the most recent SBD guide – ‘Commercial 2015’.

I would also respectfully request the inclusion of a planning condition in relation to the implementation of a robust CCTV strategy for the public realm areas of this application. As an overt deterrent, this can help to assist with the prevention and detection of crime and disorder.

### Officer Comment

The absence of an objection is noted, a condition is attached to the outline approval requiring the submission of a crime prevention strategy prior to the occupation of any phase which is considered to satisfy the comments made by the Metropolitan Police Service.

## **English Heritage Archaeology**

Thank you for your consultation to GLAAS on 20 May 2022.

This site is not in an archaeological priority area, and although its size does make it consultable, there is no archaeological potential here due to the scale and impact of the previous developments.

No archaeological assessments or conditions are necessary.

## **Natural England**

No objections raised, reference made to standing advice.

### Internal Consultation responses

## **Urban Design**

No objections raised detailed comments incorporated in officer report below.

## **Environmental Health**

Submitted Environmental Statement (ES) Statement of Compliance is acceptable.

## Transport and Regeneration

No objections in principle raised to the scheme subject to appropriate conditions. Detailed comments incorporated in officer report below.

## Ecology

No objections to the findings and recommendations of the updated ecological report (ADAS 2022) as no significant changes have been reported onsite since the previous Preliminary Ecological Appraisal (ADAS 2019).

### Bats

The most recent ecological report (ADAS 2022) referred to individual and groups of trees that still possess suitability for roosting bats outlined in the Preliminary Ecological Appraisal (ADAS 2019) which will need to be inspected prior to felling. Since there has been a significant time lag since the original ground level tree assessment the updated ecological report has recommended **resurvey** (Ground Level Tree Assessment, GLTA) of TG3 (Rhus, Cherry and Whitebeam). This GLTA and any follow up inspections will be required prior to the commencement of works.

The recommendations for five bat boxes within the site (Photos H and K, Phase 2) was welcomed, however, it was noted that no design plans were submitted which highlighted the location and specification of the bat boxes submitted within the application. In addition, no work details were submitted on sensitive lighting strategy for bats e.g., on trees with bat roost potential or on the nearby Heybourne Park SINC. Further details on these will be required prior to commencement of works.

### Invasive Species

Wall cotoneaster is confirmed to be present on site. Previous ecological reports have recommended that "*If any wall cotoneaster is to be removed, any arising containing this plant must be disposed of appropriately;*" However, no details have been provided as to bio secure methods of removal and disposal of the plant or the actions to be undertaken in the event other non-native plant species are discovered onsite.

### Landscape

It was noted that the current planting plans includes almost entirely non-native ornamental grasses, herbs and shrubs across Plot H & K. In contrast no specifications on the native species rich plantings were provided in the submitted landscape plans.

Further details will be required as to the planting specification, schedule and planting/seeding methods relating to the *wildflower - species rich grassland* and *shade tolerant wildlife – species rich grassland* referenced in Landscape GA Planting Plans (NHG-GPE\_HTA-L\_DR\_0902 Rev B) and Landscape GA Planting

Plans Plots H & K Podium (NHG-GPE\_HTA-L\_DR\_0924 Rev B).

This is required to determine whether the proposed planting is in accordance with the recommendation to include “*native species landscape planting to attract insects for foraging bats*” outlined in the Preliminary Ecological Appraisal (Campbell Reith, 2017) and reaffirmed in the updated ecological report (ADAS, 2022).

It is advised that the soft landscape plan for both GA Planting Plans and Landscape GA Planting Plans Plot H & K podium be amended to increase the proportion of native species rich shrubs and herbaceous plantings in relation to non-native species. This amendment will provide benefits to wildlife and help to ensure a net gain in biodiversity for the site.

### **Biodiversity Net Gain**

No biodiversity net gain assessment or calculation has been provided regarding the application. While we are in receipt of the details of soft landscaping and tree plantings which in theory would deliver a net gain in biodiversity, we are however, unable to determine the extent to which the proposed project will result in net gain in biodiversity without the BNG calculation and assessment.

### **Conditions:**

There are no significant ecological reasons to object to this application, however if it is likely to be recommend for approval of the reserved matters, or in the event of an appeal, the following conditions are suggested to obtain a more suitable development.

### **Ground Level Tree Assessment**

Prior to the commencement of works trees (TG3) which had previously been assessed as possessing low suitability for roosting bats a Ground Level Tree Assessment (GLTA) will be required to assess for potential bat roost features, this assessment can be conducted at any time of year but ideally in winter when trees are bare, and features are more visible by an experienced ecologist. If roost features are found, a follow-on climbing inspection to check for signs of bats will be undertaken. This climbing survey can be carried out between May and September.

### **Inspection and soft felling (bat roost feature)**

Prior the removal of those trees previously assessed as having low suitability for roosting bats (a group of cherries in a private garden (G181), a false acacia (T84), another false acacia within group G138), the trees are required to be climbed and the features inspected by a suitably trained ecologist with use of an endoscope. The features will be inspected to determine the presence or absence of any roosting bats that may be present. If no bats are recorded within the feature, then the tree can be declared of negligible concern for bats and be felled without delay. If a roosting bat is discovered, then works that would impact the tree must not take place until Natural England has been informed and the appropriate European Protected

Species mitigation licence has been obtained. For details on the soft fell method statement refer to Appendix 13 of the Preliminary Bat Report (Grahame Park Stage B (Plot 10, 11, and 12) London (ADAS 2017).

**Informative:** - Bats and their roost are strictly protected from damage or disturbance under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Section 42 of the Conservation of Habitat and Species Regulation 2017. Therefore, any activities which have the potential to impact a bat, or its roost will require appropriate mitigation and compensation under the auspice of a Natural England European Protected Species mitigation licence.

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

### **Sensitive Lighting Strategy**

Prior to the commencement of works details of a Sensitive Lighting Strategy shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for 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. A detailed

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

### **CEMP and Ecological Mitigation Strategy**

Prior to commencement of works a **Construction & Environment Management Plan (CEMP) for Biodiversity shall be submitted and approved by the planning authority**. Details within the CEMP shall include the following aspects: to ensure that habitats, species, and statutory and non-statutory designated site of nature conservation (as applicable) are adequately protected throughout all phases of the development in accordance with Legislation and policy. Details to protect species shall include within the Ecological Mitigation Strategy within the CEMP.

- i) **Ecological Mitigation Strategy (EMS)**. The document will outline the methods, responsibilities and timing for all mitigation affecting the protected/notable species (e.g., inspection of trees and soft felling of tree low suitability for bats, nesting birds) habitats and statutory and non-statutory designated sites of nature conservation (Heybourne Park). The details of the EMS will include information on the ecological features/species present, the potential impact risk of the works, and methods and time of avoidance, mitigation and remediation measures required before, during and after the works. The strategy will ensure



compliance with the mitigation hierarchy as described within BS4042: 2014 Biodiversity clause 5.2 Mitigation hierarchy.

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

**Informative:** - In the event of a protected species being found works must stop and the project ecologist consulted, and the correct level of additional surveys and mitigation applied including any licences needed as referenced within Construction & Environment Management Plan (CEMP). Following the appropriate level of approval works may resume.

### **Invasive Species Management Plan**

Prior to the commencement of works details of an Invasive Species Management Plan A detailed plan showing the location of invasive species (Schedule 9 listed species Wildlife and Countryside Act 1980 (as amended) and Species of Concern under the London Invasive Species Initiative). In accordance with best practice and as directed by Ecological Mitigation Strategy these species shall treated or prevented from spreading out with the site.

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

### **Biodiversity Net Gain**

1. **Biodiversity Net Gain;** prior to commencement of works a Biodiversity Net Gain assessment and supporting plan that demonstrates biodiversity net gain including watercourses and details of landscape enhancements shall be submitted and approved by the local planning authority.
  - A. This document shall include details of habitat creation, enhancement measures for biodiversity gains using an appropriate DEFRA Biodiversity Metric calculator. This shall be incorporated into the scheme of the hard and soft landscaping, of the development. This scheme will include details of existing trees to be retained and size, species, planting heights, densities, positions of any soft landscaping, and habitat enhancements such as bird and bat boxes log piles etc appropriate to location shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
  - B. All work comprised in the approved scheme of landscaping and biodiversity enhancements shall be carried at the most optimal time wildlife and plantings. be all works must be completed within 12 months after occupation before the end of the first planting and seeding season and when most optimal for when following occupation of any part of the buildings or

completion of the development, whichever is sooner, or commencement of the use.

**Informative:-** No works shall be undertaken during outside of the species-specific activity period. Guidance can be found within BS 8683: 2021 *A process for designing and implementing biodiversity net gain* and BS42040:2013: Biodiversity – Code of practice for planning and development, and documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval.

Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan 2021 and Environment Act 2021

### **Biodiversity, Landscape & Ecological Management Plan (30 years)**

1. 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, and any new soft landscaping to be planted as part of the approved **Combined Biodiversity and Landscape 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, enhancement measures (including the location and specifications of the recommended bat 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 redundancies.

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.

#### Officer Comment

Biodiversity enhancement, tree protection and landscaping conditions were attached to the outline permission. An additional ecology condition plus informative

is however attached to address the comments of the Council's ecology officer.

### **Capita Drainage (Lead Local Flood Authority)**

Comments provided in relation to the scheme. Final details to be agreed subject to a future discharge of condition application pursuant to the outline application.

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

### **2.1 Site Description and Surroundings**

Grahame Park is the borough's largest housing estate, originally comprising 1,777 units of mostly social rented accommodation, along with a small neighbourhood shopping centre and various community facilities. The estate suffers from a number of socio-economic and physical problems. A tenant's participation survey in 1999 identified a number of issues including the poor physical environment and poor image, unsafe and difficult circulation routes owing to the Radburn style separation of vehicles and pedestrians, overcrowding and inappropriate occupancy for large families, a high turnover of stock, poorly placed and poorly integrated local facilities and poor levels of shopping choice.

Grahame Park estate itself comprises a mixture of flats and houses, in buildings of varying heights and set in areas of open space. The central area, known as the Concourse, comprises mainly 5-7 storey apartment blocks and also contains almost all of the retail and community facilities. 4 and 5 storey apartment blocks extend to the north and south of the Concourse, whilst the remaining accommodation is generally 2-3 storey houses and flats. The main area of open space is known as Heybourne Park (formerly known as Grahame Park Open Space) which is located to the west of the Concourse, whilst other areas of informal open space exist between buildings.

In 2003 residents voted in favour of a full regeneration of the estate and in 2004 an outline planning application was submitted for the redevelopment of the Estate involving the demolition of 1,314 existing residential units and construction of 2,977 new residential units providing a total of 3,440 units on the estate along with replacement retail, office, food and drink, social and community uses, associated open space, car parking and new access arrangements (planning permission ref. W01731JS/04) which was granted permission in 2007.

Following the approval of the outline planning application a number of reserved matters applications were approved for the redevelopment of the parts of the estate to the west of Heybourne Park and at the southern end of the Estate (known as Stage A) comprising 685 new homes. This part of the redevelopment also included retail uses, a new library and office space for Barnet Council.

As mentioned above this masterplan became out of date and a subsequent application planning application reference (19/5493/OUT) was submitted in 2019 and approved in July 2020 for the redevelopment of Plots 10, 11, 12 (Stage B) of the Estate. Plots H & K the subject of the current reserved matters application are located to the southern part of the approved illustrative masterplan and within the

existing Plot 12 and comprise part of Stage 2 of Phase B of the regeneration proposals for Grahame Park.

The immediate site surroundings are mixed in character. To the north and west of Grahame Park Estate are low-density, predominantly 2-3 storey residential estates, ranging from 1970s to schemes currently under construction or recently completed, as well as the Blessed Dominic School. To the south of the estate are Middlesex University student halls of residence, with blocks ranging between 3 and 4 storeys and the residential development known as Beaufort Park. Immediately to the east of the estate is Colindale Police Station, St James' School and the RAF Museum.

Colindale Underground Station, on the Edgware branch of the Northern Line, serves the immediate area and is located some 400m from the southern edge of the estate. The site is well served by the strategic road network, with good access to the A5 to the west and the A41/A1 to the east. The borough boundary with the London Borough of Brent runs along the A5, whilst the M1 and the Thameslink railway form the eastern boundary of the CAAP area.

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

The Proposed Development is as follows:

*Reserved Matters application seeking approval of, layout, scale, appearance, access and landscaping in respect of Plots H and K (Phase 2) of the Grahame Park Stage B Regeneration pursuant to Conditions 7, 10, 12, 28 and 44 attached to hybrid planning permission reference 19/5493/OUT dated 31st July 2020, involving the erection of buildings ranging between 3 and 14 storeys high comprising of 364 residential dwellings and flexible commercial space (Use Class E), a housing office (Use Class E), community centre (Use Class F2(b)), energy centre, public open space and public realm, car parking spaces, cycle parking spaces, refuse storage space, construction of part of Bristol Avenue and other associated works. The application is accompanied by an Environmental Statement of Compliance*

## **3. PLANNING CONSIDERATIONS**

### **3.1 Environmental Impact Assessment**

An Environmental Statement (2019 ES) was approved as part of the hybrid planning permission.

An Environmental Statement (ES) Statement of Compliance has been submitted in support of this RMA. The purpose of the ES Statement of Compliance is to demonstrate that the environmental assessment provided in the 2019 ES is adequate in order to assess the environmental effects of the RMA, and that no further information is required under Regulation 22.

In order to demonstrate that the findings of the 2019 ES are still valid in the context of this RMA, the ES Statement of Compliance submitted with the RMA has taken into account the following:

- Changes to the baseline conditions;
- Consistency with the specified parameters and indicative scheme;
- Effects that were not identified or identifiable at the outline stage;
- Incorporation of mitigation identified at the outline stage; and
- Any further relevant information.

The ES Statement of Compliance concludes that the progression of the project via the reserved matters application is compliant with the 2019 ES.

### **3.2 Principle of Development**

The principle of constructing 364 residential dwellings, commercial space and community centre etc on the site is established by the hybrid/outline planning permission 19/5493/OUT.

The reserved matters currently under consideration as per condition 10 of the hybrid permission are relates to details of layout, scale, landscaping and appearance:

**Scale** – the height, width and length of each building proposed in relation to its surroundings.

**Layout** – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

**Appearance** – the aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

**Landscaping** – this is the treatment of private and public space to enhance or protect the site’s amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

**Access** – The internal road layout was established at outline stage. This current application shows roads in the same location in compliance with the outline parameters for access.

The ‘outline’ element of the hybrid planning permission provided for a series of parameter plans which establishes a series of parameters and principles to create a clear framework of planning control and fix the quantum of development, land uses, levels and access arrangements.

The key parameter plans of relevance to the consideration of this application are:

- Site Location Plan (ref: HP-PTA-MP-ZZ-DR-A-0100)
- Existing site layout and demolition (ref: HP-PTA-MP-XX-DR-A-0101)
- Development plot plan (ref: HP-PTA-MP-XX-DR-A-0102)
- Development phasing plan (ref: HP-PTA-MP-XX-DR-A-0103)
- Horizontal limits of development plots (ref: HP-PTA-MP-XX-DR-A-0105)
- Vertical limits of development plots ref: HP-PTA-MP-XX-DR-A-0106)
- External ground levels (ref: HP-PTA-MP-XX-DR-A-0107)
- Access and circulation plan (ref: HP-PTA-MP-XX-DR-A-0111)
- Horizontal boundary restrictions on development plots (ref: HP-PTA-MP-XX-DR-A-0112)

The proposed reserved matters application accords with the maximum parameter thresholds established under the above plans.

### **3.3 Design**

#### Height, Bulk, Scale and Massing

Barnet Core Strategy defines tall buildings as buildings of 8 storeys or 26m and states that they may be appropriate in strategic locations subject to detailed assessment criteria.

Policy D9 of the London Plan 2021 state that tall buildings should be part of a plan-led and design-led approach, incorporating the highest standard of architecture and materials and should contribute to improving the legibility and permeability of an area, with active ground floor uses provided to ensure such buildings form an appropriate relationship with the surrounding public realm. Tall buildings should not have an unacceptably harmful impact on their surroundings in terms of their visual, functional, environmental and cumulative impacts, including wind, overshadowing, glare, strategic and local views and heritage assets. Policy D9 states that tall buildings should only be developed in locations that are identified as suitable in development plans.

The submitted RMA proposal broadly aligns with the illustrative principles as specified under the outline/ hybrid planning framework.

#### Elements in full accordance with outline planning framework.

- Plot H aligns with the strategy within the Outline Permission and incorporates:
  - A marker element with more storeys in the north west corner (Block H1) than elsewhere in the masterplan;
  - A background building with fewer storeys in the south west corner (Block H2); and
  - Low rise, three storey buildings in the east (Blocks H3 and H4) which respond to adjacent existing low level buildings.

Plot K aligns with the strategy within the Outline Permission and incorporates:

- a taller element in the west (Block K1); and
- a lower element in the east (Block K2) that responds to adjacent existing context

The heights of all plots and buildings sit within the Parameter Envelope defined in the Outline Permission.

#### • Amendments from the Approved Parameters

- Building H1 is a total of G+13 storeys. The consented outline heights parameter allowed for G +12 storeys with a plant enclosure on top. Due to design developments a plant enclosure is not needed and a residential storey is incorporated in its place.

- Building K1 is a total of G+11 storeys including the plant enclosure level. The podium height and ground floor non residential uses have been optimised to facilitate an additional residential storey within the approved volume; and
- Building K2 is a total of G+7 storeys which includes a mezzanine floor incorporated into the height of the podium where non residential height at grade is not required.

The proposed departures from the approved site wide parameters are considered acceptable by officers as they do not exceed the AOD building heights approved under the outline approval making use out of space within the approved volumes. It is therefore considered that proposed scale, height and massing is appropriate and successfully responds to the site constraints and opportunities, emerging context and neighbouring properties.

### Detailed Design

The National Planning Policy Framework (published 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

The London Plan 2021 policy D1B requires development to respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives consideration to the use of use of attractive, robust materials which weather and mature well. Policy D2 (Delivering good design) requires masterplans and design codes to help bring forward development and ensure it delivers high quality design.

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

The two plots are located in the masterplan area to the south of the concourse with Plot K at the bottom of the development site and H located a bit further to the north beyond Block L which will be the subject of a future reserved matters application. The character of the western edge of both of these plots adjoin the more urban nature of the central avenue down the re-configured Bristol Avenue, while on the eastern edge the development adjoins the proposed woodland walk and the lower suburban form of houses retained outside the application site boundary.

The application responds to this typology with larger apartment blocks along the western edge, and a lower rise block on the eastern edge of plot K and town houses on the eastern edge of plot H facing the proposed woodland walk and St Margaret church. The proposed community centre is located in the centre of these two blocks in plot K.

In terms of the materiality both the proposed houses and apartment buildings will be predominately brick built with some changes to materials within buildings to add contrast and the buildings gradually transitioning from a buff brick to darker brick moving north along the new Bristol Avenue. Banding is also included in the taller apartment blocks facing towards Bristol Avenue to provide contrast. Balconies are proposed to be bronze coloured as are the commercial frontages and louvres. A distinctive base is proposed to the blocks containing commercial units to delineate the different uses and to add articulation to the building.

Overall officers consider that the proposals represent a high quality of design and materiality in keeping with the character and appearance of the area and the future adjoining phases which will come forward in future phase. The proposals demonstrate a building design and layout in broad accordance with the Illustrative Masterplan and is considered to achieve the requirements of Policies CS5 and DM01.

#### *Archaeology*

English Heritage have written to the Council advising them that there are no archaeology constraints on the site and as such it is considered that there are no archaeology constraints arising from the proposals.

### **3.4 Development Quantum**

#### *Housing Quantum and Mix including Affordable Housing*

Condition 7 attached to the outline approval sets out the maximum number of residential units (2088) and the maximum floorspace for non residential uses including community uses permitted as part of the hybrid planning permission across the masterplan area.

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 the housing needs in Barnet (See policy DM08). The Council's Local Plan documents identify 3 and 4 bedroom units as being of the highest priority



types of market housing for the Borough. The need for a diverse range of units sizes is also echoed within London Plan H10.

The proposed unit and tenure break down of the current reserved matters application is as follows:

**Table 1: Proposed Accommodation Schedule Plot H**

Size	Shared Ownership Units	Private Units	Total Units
Studio	0	20	20
1-Bed	45	45	90
2-Bed	38	52	90
3-Bed	2	12	14
<b>Total</b>	<b>85</b>	<b>129</b>	<b>214</b>

**Table 2: Proposed Accommodation Schedule Plot K**

Size	Shared Ownership Units	Private Units	Total Units
Studio	0	39	39
1-Bed	0	43	43
2-Bed	0	62	62
3-Bed	0	6	6
<b>Total</b>	<b>0</b>	<b>150</b>	<b>150</b>

**Table 3: Proposed Accommodation Schedule Plots H and K**

Size	Shared Ownership Units	Private Units	Total Units	%
Studio	0	59	59	16.2%
1-Bed	45	88	133	36.5%
2-Bed	38	114	152	41.8%
3-Bed	2	18	20	5.5%
<b>Total</b>	<b>85</b>	<b>279</b>	<b>364</b>	<b>100%</b>
<b>%</b>	<b>23.4%</b>	<b>75.6%</b>	<b>100%</b>	

The proposed residential accommodation for both plots therefore provides: 23.4% affordable housing by unit (24.1% habitable room) in Block H2, comprising '85 "shared ownership units' along with 279 private units within both plots H and K.

Account does however need to be taken of the context of the outline/ hybrid overall which provided for 50% affordable housing (by both habitable room and floorspace): 346 social rent/affordable rent and 699 shared ownership homes. It is also noted that Plot A approved in detail under the hybrid approval and under construction provided for 100% of the units within this phase to be affordable and with early delivery of social rent units to aid the scheme's decant strategy. As such the total percentage of units approved (or proposed under this reserved matters application to date) equal 51.3% affordable homes taking Plots A, H and K together. On this basis the proposed unit mix for this phase is considered acceptable being in accordance with the site wide unit schedule. It is noted that due to the nature of the scheme some phases will have more private and some phases more affordable units (included rented units) and the configuration of this phase is considered acceptable in this context.

## Non Residential Floorspace

The proposal incorporates the following non residential floorspace each of which is discussed in turn below.

**Table 5.4: Proposed Non- Residential Floorspace**

Use	GIA	GEA
Commercial	264 sqm	301 sqm
Commercial Ancillary	26 sqm	31 sqm
Community Centre	859 sqm	901 sqm
Community Centre Ancillary	38 sqm	44 sqm
Housing Office	166 sqm	178 sqm
Service	834 sqm	881 sqm
Car Park	1,723 sqm	1,739 sqm
Service (Comm)	265 sqm	272 sqm
<b>Overall Total (without service space)</b>	<b>1,353 sqm</b>	<b>1,455 sqm</b>
<b>Overall Total (with service space)</b>	<b>4,175 sqm</b>	<b>4,347 sqm</b>

### **Community Centre**

The existing community centre on the Concourse is c.309sqm which will be demolished as part of the application proposals. As such it was a requirement that a replacement community centre is provided as part of the Grahame Park regeneration.

The new community centre will be located on Plot H within the centre of the Grahame Park redevelopment along the proposed central north-south spine road of Bristol Avenue in accordance with the approved parameters of the hybrid planning permission. The new community centre will be 897sqm which exceeds the floorspace of the existing community centre. In addition to the increase in floor area, the proposed community centre is designed to provide a much higher quality and flexible accommodation than the existing community centre.

The design of the new community centre has been drawn up following extensive consultation with local groups including the Colindale Community Trust who operate the existing facility and are intended to take on the management of the new facility.

The community centre has been designed to provide a modern and flexible space that can accommodate a range of uses that will meet residents' needs and those of local community groups, and will also be financially sustainable.

The new community centre will provide flexible spaces to accommodate a range of different types of events such as group training, flexible workspace, specialist

spaces, small group training/meeting space and smaller office spaces.

In accordance with the requirements of the s106 agreement pursuant to the hybrid planning permission, a ‘New Community Centre Scheme’ and ‘New Community Centre Specification’ are submitted concurrently with this RMA the content of which has been discussed with the Council’s Regeneration Team who have advised that the submitted details are acceptable.

### ***Retail***

London Plan (2021) policy E9 advises that development proposals should support convenience retail in local and neighbourhood centres, to secure inclusive neighbourhoods and a sustainable pattern of provision where there is less need to travel. Local Plan policies CS6 and DM12 also seek to enhance and protect local neighbourhood shopping facilities, preventing the loss of retail uses unless there are accessible alternative shopping facilities; it meets a local need and there is no demand for the continued A1 use. The Council’s policy DM12 identifies Grahame Park as a local centre, with number 1-21 The Concourse designated as a local shopping frontage.

The proposed development will deliver replacement retail/cafe uses on the Site in line with the approved uses in the hybrid planning permission contributing to the replacement of the neighbourhood centre on The Concourse which is to be demolished. The proposals will create a higher quality of retail space and the creation of new jobs locally that will meet the objectives to protect, enhance and support neighbourhood centres and local convenience shops in accordance with the Grahame Park SPD, Local Plan policies CS6 and DM12, London Plan (2016) policy 4.8, and London Plan (2021) policy E9.

### **Housing Office**

The hybrid planning permission included provision for up to 1,000sqm of flexible B1 employment space at ground floor level along the proposed north-south central spine road. In accordance with this, the current proposals under this reserved matters application propose the inclusion of a new housing office for Notting Hill Genesis in Plot H along the central north-south road. This is considered acceptable by officers in accordance with the outline permission and would also enable residents on the estate to more easily contact the housing association regarding any issues with either accommodation, the construction or the wider regeneration programme.

### **3.5 Quality of Accommodation**

London Plan (2021) policy D6 requires new homes to have adequately sized rooms and convenient and efficient room layouts which are functional and fit for purpose,

to meet the changing needs of Londoners without differing between tenures. The London Plan incorporates the National Described Space Standards. Draft Local Plan policy CDH01 also requires development to be in accordance with the standards of the London Plan.

All homes in Plots H and K will meet the minimum floorspace criteria defined in the Technical Housing Standards – Nationally Described Space Standard. All units will also comply with standards in the London Plan at policy D6 for bedroom sizes, bathrooms/WC's and storage and utility.

London Plan (2021) policy D5(C), Draft Local Plan policy CGH01, Grahame Park SPD and LBB's Sustainable Design and Construction SPD seek to maximise the provision of dual aspect units and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of London Plan (2021) policy D1 than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation daylight and privacy and avoid overheating.

A total of 46.2% dual/triple aspect homes and no north facing single aspect homes are proposed. The Daylight and Sunlight report (discussed later in this report) demonstrates that the proposed homes will still have good levels of daylight/sunlight and aspect and is considered acceptable by officers in this instance.

London Plan (2021) policy SI 4 require major development proposals to demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance. An Overheating Analysis was submitted as part of the Energy assessment demonstrating that all apartments have an acceptable risk of overheating in line with the GLA's requirements. Further mitigation in the form of passive measures is proposed in relation to all dwellings most 'high risk' which is considered an appropriate response.

#### *Disabled Units/Access*

A total of 37 wheelchair M4(3) homes (10%) will meet Building Regulations requirement M4(3) and all remaining units will meet Building Regulations Requirement M4(2) in accordance with Local Plan policy DM03, London Plan (2021) policy D5 and Condition 37 of the hybrid planning permission. The M4(3) homes are a mixture of 1-bedroom and 2-bedroom units and are distributed across the blocks in grouped stacks at lower levels to provide ease of access.

#### *Sunlight and Daylight to Proposed Units*

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

Daylight has been assessed in terms of Vertical Sky Component (VSC) and sunlight has been assessed in terms of Annual Probable Sunlight Hours (APSH) and overshadowing has been assessed against the above BRE guidelines. The BRE Guidelines provide numerical guidelines, however these are not mandatory and should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

*The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or*

*The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.*

It should be noted that the London Plan guidance states that in view of London's context accepting VSC reductions exceeding 20% is acceptable.

Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment it is considered that there would be no real noticeable loss of sunlight where:

*In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period; and In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.*

The Internal Daylight Report submitted with the RMA, concludes, there will be acceptable levels of natural light for future occupants in the proposed development. Of the 355 rooms assessed, 312 achieve or surpass the daylight requirements for their room use providing an 88% compliance rate. A total of 90% of rooms assessed meeting their ADF target value in the 'as built' position.

It is considered that this level of compliance on a scheme of this scale is considered acceptable and that the proposed development accords with relevant development plan policies.

Private Amenity Space

The Mayor’s Housing SPD and London Plan (2021) policy D6 require a minimum of 5 sqm of private outdoor space for all 1-2 person dwellings and an extra 1sqm for each additional occupant.

Barnet's Sustainable Design and Construction SPD sets the minimum standards for outdoor amenity space provision in new residential developments. Flats are expected to provide 5sqm of usable outdoor communal or private amenity space per habitable room proposed and houses considerably more as detailed in Table 2.3 below of SPD Adapted from the Sustainable Design and Construction SPD and are as per the London Plan requirements. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

Table 2.3: Outdoor Amenity Space Requirements	Development Scale
<b>For Flats:</b> <ul style="list-style-type: none"> <li>• 5 m<sup>2</sup> of space per habitable room.</li> </ul>	Minor, Major and Large scale
<b>For Houses:</b> <ul style="list-style-type: none"> <li>• 40 m<sup>2</sup> of space for up to four habitable rooms</li> <li>• 55 m<sup>2</sup> of space for up to five habitable rooms</li> <li>• 70 m<sup>2</sup> of space for up to six habitable rooms</li> <li>• 85 m<sup>2</sup> of space for up to seven or more habitable rooms</li> </ul>	Minor, Major and Large scale

Draft Local Plan policy CDH07 in the Reg 22 for flats repeats the standards in the London Plan and for houses repeats the standards in the Mayor’s SPD.

All dwellings in Plots H and K will have access to private amenity space that complies or exceeds the minimum standards set out in London Plan policy D6 and the principles set out in the hybrid planning permission through the provision of balconies, private terraces and gardens. A total of 1,969 sqm of private amenity space is provided in Plot H and 1,079 sqm in Plot K (total of 3,048 sqm of private amenity space).

A majority of homes have private amenity space in the form of balconies. First floor apartments bounding the west side of podium gardens are provided with private terraces which are raised slightly from the podium level to provide separation and additional privacy. All dwellings on the top floor of Plot H2 also benefit from residential terraces. Each town house benefits from a terrace garden where access is provided to the shared podium gardens. Additional amenity space in the form of gardens is provided fronting east onto the woodland walk at ground level, and the two south facing ground floor maisonettes within Building H2 also benefit from at grade gardens.

All homes with ground floor access benefit from private amenity space and/or gardens at grade which is buffered appropriately from the public realm without impacting upon views and visibility of public spaces.

### *Communal Amenity Space*

There is no specific minimum requirement for communal amenity space provision in the London Plan. The Mayor's Housing SPG requires communal open space to be accessible to disabled people including people who require level access and wheelchair users. Communal amenity space will be provided across the proposed development in multiple forms in accordance with the principles set out in the hybrid planning permission. A total of 4,219 sqm of communal amenity space is provided in the form of communal gardens, podiums, a play street, a community garden and Woodland Walk.

Access to the communal gardens will be step free via the communal core and available to all residents within each Plot including ground floor homes. All access points to the courtyards will be provided with accessible thresholds of suitable width.

#### *Play space*

London Plan Policy S4 requires housing development to make provisions for play and informal recreation based on child yield, referring to the Mayor's SPG Shaping Neighbourhoods: Play and Informal Recreation 2012.

London Borough of Barnet Core Strategy Policy CS7 requires improved access to children's play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan.

The play strategy for the masterplan area has been developed to all relevant standards and approved in the hybrid planning permission. Child play space is distributed across the masterplan area with larger offerings in Heybourne Park for all ages. The hybrid planning permission establishes a minimum of 9,150sqm of playspace to be provided across the masterplan area within a mix of semi private and public areas.

The level of children's play space required for Plots H and K is 1,230.6 sqm based on the GLA calculator. In line with the hybrid planning permission play strategy, the total child yield is broken down into bands of ages with proportional percentages applied to them (under 5's – 30%, 5-11's – 40%, and 12+ – 30%). A total of 375 sqm of under 5's child play space is provided across the two plots in communal courtyards with a further 100 sqm provided outside the future nursery opposite the Plot H community centre entrance, and a further 330 sqm within the east west play to the north of Block K (a total of 800sqm) in accordance with the provisions in the masterplan. This exceeds the requirement for Plots H and K of 370sqm for the benefit of future phases. In accordance with the proposals in the illustrative masterplan, playspace for the over 5's is to be provided within Heybourne Park, the proposals for which are being led by the Council.

### **3.6 Landscaping**

Condition 10 requires inter alia details of proposed landscaping to be submitted with each reserved matters application. In line with this, detailed landscape plans have been submitted with the application along with a landscape strategy is contained within section 8 of the DAS.

In summary, the proposed development of Plots H and K incorporates a comprehensive landscaping strategy that will introduce landscaped podiums, public spaces, and planting along Bristol Avenue and the Woodland Walk, including a mixture of hard and soft landscaping and buffer treatments.

The landscape proposals at ground floor have been designed to provide a new accessible, clear, navigable, pedestrian and cycle friendly green streets and open spaces. Greening through the retention of existing trees, provision of new tree planting, swales, rain gardens and species rich planting creates an incredibly diverse, rich and green public realm. The street hierarchy, character areas and range of public open spaces have been derived from the principles set out in the masterplan for the hybrid planning permission.

Key areas of public realm have been focused around the community facilities. In particular, community focused flexible outdoor space directly linked to the east of the community centre in Block H allows for opportunities for flexible use such as community events, community growing etc.

The public realm is designed to provide flexibility as well as maximising soft landscape, whilst also creating clearly defined public and private open spaces. Opportunities for informal spill out have also been provided within the street scape.

One of the strategic goals of the approved masterplan is to create green streets where pedestrians are in constant contact with open green spaces, trees or planting. This is achieved partially by the inclusion of trees and low level planting in all streets, but also via the design of the edges to the residential amenity areas at ground floor. These include generous soft landscape zones on the public side of the boundaries which create a continuous strip of green livery surrounding the Plot. This strategy has been taken a step further through creating a semi continuous series of planted rain gardens/swales that run along the eastern side of Bristol Avenue.

The landscape proposals for the first-floor courtyards have been designed to meet the needs of residents of all ages and a range of uses. This includes play areas for under 5's, passive, and quiet spaces, viewing points with seating, generous planting buffers to allow privacy to private terraces on the communal courtyards, and opportunities for community growing by the provision of raised beds.

The site will achieve an urban greening factor of over 0.4 as required by London Plan (2021) policy G5.

The proposed development seeks to deliver a net gain in the number of trees on the Site, and retain as many of the existing high value trees as possible as well as new varied tree planting. The existing category A London Plane trees along the Woodland Walk will be largely retained to reinforce the Woodland Walk character as set out in the approved masterplan.

A lighting strategy will be implemented in line with the hybrid planning permission. The lighting strategy will be designed to create a safe and legible environment whilst enhancing the public realm and creating safe and walkable streets and public open



spaces. Full details will be submitted for approval prior to the occupation of Plots H and K in accordance with Condition 39 of the hybrid planning permission.

### **3.7 Impact on Neighbouring Amenity**

At a national level, Chapter 11 of the NPPF has an approach based on the central principle of sustainability through the pursuit of amenity improvements, developments driven by context, long term improvements to the environment and high quality design.

Under the Local Plan, the protection of existing amenity arrangements in any area is considered to be an important aspect of determining whether a proposal is acceptable or otherwise. The protection of existing residential amenity is required through good design in new developments which intern promotes quality environments. More specifically Policy DM01 states that proposals should seek to manage the impact of new developments to ensure that there is not an excessive loss of amenity in terms of daylight/sunlight, outlook and privacy for existing occupiers.

This is further supported by Barnet's Adopted Residential Design Guidance SPD (adopted April 2013) which provides further guidance on safeguarding the amenities of neighbouring and surrounding residential occupiers.

#### *Privacy, overlooking and outlook*

Policy DM01 of Barnet's local plan requires development proposals to be designed to allow for adequate privacy and outlook for adjoining and potential occupiers and users. The Barnet Residential Design Guidance SPD provides more detailed guidance and states that 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. Shorter distances may be acceptable between new build properties where there are material justifications.

London Plan (2021) policy D1 (London's form and character and capacity for growth) further explains that development proposals should deliver appropriate outlook, privacy and amenity. The Council's Supplementary Planning Document Residential Design Guide recommends minimum distances between habitable room windows and to neighbouring gardens to protect privacy.

The Design Guidelines approved by the hybrid planning permission provide a number of rules that govern the sub-division of Plots, including a minimum separation distance of 18m between any residential building and other buildings with facing windows whether within the proposed masterplan or adjacent existing context. With the exception of one minor deviation at first floor level between Buildings H1:H3 and H2:H4 – see 4.9.1 in the DAS, the proposals for Plots H and K maintain this minimum distance between the development plots. This deviation is only 0.2m and is a result of the position of the town houses at the most easterly setting in order to ensure minimal incursion onto the route protection areas of existing trees on the Woodland Walk.

As per the parameters established by the hybrid planning permission there will be an absolute minimum separation distance of 18m between facing windows in buildings that form part of the proposed development and windows in buildings that surrounding the application site. Again, the proposals for Plot H and K maintain this distance.

Overall, it is considered that the development is more than compliant with the required policies governing loss of privacy, outlook, overshadowing and overlooking to any future neighbours when taken in the context of the Outline consent.

### *Daylight, sunlight and overshadowing*

A Daylight and Sunlight Report has been submitted with the application to assess the daylight/sunlight amenity on surrounding residential properties following the redevelopment of the Site. The Daylight and Sunlight report demonstrates that retained levels of amenity to neighbouring properties will remain good post development. In terms of daylight, 96% of the total number of windows assessed retain above the suggested 15% VSC target (established as an appropriate level given its urban context in the outline/ hybrid approval). In terms of sunlight amenity, the APSH analysis confirms that almost all the surrounding rooms orientated within 90 degrees of due south retain above the suburban 25% APSH target for sunlight.

In terms of overshadowing, the proposed amenity spaces will experience sufficient direct sunlight. During the March equinox, 5 of the 7 amenity spaces assessed are compliant with the BRE guidelines as they enjoy 2 hours of direct sunlight to over 50% of their area. The communal nature of the space suggests that the amenity is most likely to be used during the summer months, thus when the June solstice assessment is undertaken, the results provide that each of the 7 amenity spaces enjoy 2 hours of direct sunlight to 85% to 100% of the amenity area.

When the Daylight and Sunlight report is compared to the Daylight and Sunlight report of approved masterplan, there is no material difference between the proposal regarding daylight, sunlight or overshadowing.

In light of the above, the proposed sunlight and daylight impact on existing residential units is acceptable.

### **3.8 Trees and Biodiversity**

Policy DM01 requires that proposals should include hard and soft landscaping that:

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

- Makes a positive contribution to the surrounding area.

DM01 further states that trees should be safeguarded and when protected trees are to be felled the Council will, where appropriate, require replanting with trees of an appropriate size and species. This is also supported by the Barnet Local Plan Policy DM16, which elaborates that when considering development proposals, the Council will seek the retention, enhancement or creation of biodiversity.

London Plan (2021) policy G7 sets out that wherever possible, existing trees of value are retained. If a planning permission necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed and the planting of additional trees should be included in new developments – particularly large-canopied species which provide a wider range of benefits.

The masterplan approved under the outline/ hybrid approval proposed a vehicular route to the east of Plot H, which would have resulted in the loss of a significant number of category A trees. This route has been amended under the current reserved matters application and will now be a shared pedestrian and cycle route which allows for the majority of these trees to be retained which is welcomed.

As part of the proposals for Plots H and K, 31 trees are to be retained and 68 are to be removed. The RMA proposals seek to retain 2 more trees than was originally proposed in the hybrid planning permission within the RMA boundary. Furthermore, the proposals retain a greater proportion of higher category A trees than the hybrid planning permission proposed (9 more overall). The proposals for Plots H and K and the surroundings have sought to retain as many mature existing trees within the streets and central greenspaces as possible and have integrated the play facilities within the trees.

The proposals aim to deliver an overall net gain in the number of trees on the Site, including retaining as many of the existing high value trees as possible, as well as new, varied native tree planting. The existing category A trees along the Woodland Walk will be largely retained helping to reinforce the Woodland Walk character as set out in the hybrid planning permission. Tree planting proposals will focus on the implementation of street trees, and new 'groups' of a variety of species which are disease resistant and drought tolerant. Specimen trees will also be selected to retain the character and habitat of the current landscape once mature trees begin to decline and need to be removed.

The landscaping proposals also incorporate the planting of over 100 new trees across the development of Plots H and K.

Overall, the proposed tree retention and planting strategy is considered acceptable representing a qualitative and quantitative improvement over the outline/ hybrid approval.

## **Biodiversity**

London Plan (2021) policy G6 requires development proposals to manage impacts on biodiversity and aim to secure biodiversity net gain.

An Ecological Assessment was submitted with the hybrid planning application which concluded that the areas of habitat recorded were considered to have negligible ecological value due to poor species diversity, isolated location, and high level of disturbance from vehicles. The site was considered to be suitable for supporting common breeding birds and low numbers of roosting bats in four trees on the site. A number of recommendations were provided to protect birds during construction and increase the biodiversity of the site.

An Ecology update was undertaken and submitted with the current reserved matters applications. The conclusions of the report was that the Site had not changed since the previous report. Recommendations include the provision of five bat boxes across the site and native species landscape planting. The Landscape section of the DAS provides details of the proposed landscape across the Site and details of the locations of proposed bat boxes which will increase biodiversity. A high level assessment of the landscape proposals has been undertaken which confirms that the proposals will deliver a biodiversity net gain of at least 10% in accordance with London Plan policy G6, and Local Plan policy CS7.

A suitable additional ecology condition is also included in the recommendation to address any concerns of the Council's ecology officer. The outline consent includes a condition to achieve maximum biodiversity enhancements of this phase.

### **3.9 Drainage**

Local Plan policy CS13, DM04 require development to utilise SUDs, aim to achieve greenfield run off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out in the policy. Drainage should be designed and implemented in ways that deliver other policy objectives of the Plan, including water use efficiency and quality, biodiversity, amenity and recreation. Similarly, London Plan policy SI13 replicates much of the adopted policy requiring development proposals to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the drainage hierarchy detailed in the policy.

A Site Wide Drainage Strategy was approved as part of the hybrid planning permission which included separate surface and foul water networks. For this it was proposed that a foul water network would be laid out to serve the buildings in each phase and would be connected to the diverted/existing sewer. It is proposed to attenuate the surface water flows to greenfield run off rates before discharging to the public sewer via various SuDS methods including rainwater harvesting, trench planters, swales and permeable surfaces which will also provide other benefits such as enhancing biodiversity and urban greening.

The drainage strategy for Plots H and K proposes to attenuate surface water runoff from the two Plots separately before a controlled release to the public sewer. In accordance with the hybrid permission drainage strategy, attenuation for Plots H and K has been calculated based on the 1 in 100 year plus 40% climate change return period and is proposed to be in the form of below ground cellular storage crates. Controlled rates to the public sewer are proposed to be limited to the 1 in 1 year greenfield run-off rate from Plot H, K and the private highway.

The use of SuDS planters (bio-retention) and permeable paving has also been proposed on the Plots. Where applicable it is proposed to allow private footway runoff to run directly into the SuDS planters before entering the below ground piped system. Private highways are proposed to outfall to the below ground system via permeable paving located in parking bays. Bio-retention facilities are proposed at podium level on Plots H and K, it is proposed that these areas are used for treatment only and are allowed to free drain to the private below ground network.

The proposed highway west of Plots H and K (Bristol Avenue) is proposed to be offered for adoption, and as such surface water runoff from this highway is proposed to outfall to the diverted public sewer or to a proposed highway drainage system. There is a future section of Bristol Avenue that does not fall within the RMA boundary. However, the diverted sewers and highway drainage proposed in this section of Bristol Avenue have been included in the drainage strategy as enabling works. The catchment for the enabling works section of Bristol Avenue has also been included in any calculations relating to the adoptable highway catchment.

Foul Water is proposed to outfall via gravity to the diverted foul water public sewer. It is proposed Plot H and K will have separate foul systems catering for their respective Plots only.

The submitted information has been assessed by the Capita Drainage team who for statutory purposes are the Lead Local Flood Authority (LLFA). The LLFA have requested additional information and clarification regarding the proposed drainage strategy including evidence of consent from third parties regarding discharge. Following a meeting on 15<sup>th</sup> November between the applicant and the LLFA it was agreed that any outstanding matters could be dealt with by means of a future discharge of condition application of Condition 24 attached to the Outline Consent and as such no objections were raised to this application being reported to committee on this basis.

### **3.10 Wind**

London Plan (2021) policy D9 and Local Plan policy DM05 requires the impact of wind conditions around buildings and neighbourhoods to be carefully considered and not compromise the comfort and enjoyment of open spaces around the building and in the public realm.

A Wind Microclimate Assessment was submitted with the hybrid planning application which assessed the microclimate conditions around existing and proposed buildings in the illustrative masterplan including the maximum parameters of buildings proposed for Plots H and K. It demonstrated that the proposed

development shown in the illustrative masterplan would not result in major impacts in terms of wind microclimate as a result of the development. There would be no safety failings due to wind, and all pedestrian areas would be suitable for all uses during the summer months.

A Wind Microclimate Wind Assessment has been submitted with the RMA to assess the impacts of the buildings proposed for Plots H and K. It demonstrates that the wind conditions in and around the site are expected to be suitable for the intended use with the proposed minor mitigation measures in place. The proposed development is therefore compliant with London Plan (2016) policy 7.6Bd, London Plan (2021) policy D9, Local Plan policy DM05 and draft Local Plan policy CDH04.

### **3.11 Air Quality**

The Site is located within the Borough wide Air Quality Management Area (AQMA). The Environmental Statement of Compliance submitted with this RMA concludes that the scheme is compliant with the Air Quality Assessment approved under the hybrid planning permission and will be Air Quality Neutral. The proposed development is therefore compliant with Local Plan policy DM04c, London Plan (2016) policy 7.14, and London Plan (2021) policy SI1.

### **3.12 Noise**

The Environmental Statement of Compliance submitted with this RMA concludes that the scheme is compliant with the Noise Assessment approved under the hybrid planning permission. The proposed development is therefore compliant with Local Plan policy DM04d, London Plan (2016) policy 7.15 and London Plan (2021) policy D1.

### **3.12 Sustainability**

At the heart of the NPPF is the fundamental principle to build in favour of sustainability. It states that developments should reduce greenhouse gas emissions and in determining planning applications local planning authorities should expect developments to comply with local policies in terms of the layout of development, paying particular attention to create developments that would reduce energy consumption through building orientation, massing and landscape.

London Plan Policy SI 2 Minimising greenhouse gas emissions requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

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

London Plan Policy SI 2 requires all residential developments to achieve zero carbon on new residential developments of which a minimum on-site reduction of at

least 35 per cent beyond Building Regulations is required for major development. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough through a cash in lieu contribution to the borough's carbon offset fund.

Condition 28 of the hybrid planning permission requires that details of the energy supply for each building in the relevant development plot shall be submitted as part of RMA's for all development plots. Details must be in accordance with the Energy Statement unless otherwise agreed and shall include:

- Details of the energy supply for each building connections, including a statement of compliance with the Energy Statement;
- Details of any temporary energy provision required; and
- Details of the safeguarded provision for connections to an area wide heat network if feasible.

Pursuant to condition 28 an Energy and Overheating Assessment for the development of Plots H and K has been submitted demonstrating compliance with the principles of the Energy Strategy approved as part of the hybrid planning permission.

No temporary energy provision is required for the Site during the construction process. A safeguarded single point of connection will be provided to the plot K energy centre, ensuring that a future connection to an area wide heat network is feasible.

### **3.13 Highways**

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) states that the Council will promote the delivery of appropriate transport measures to relieve pressure on the existing infrastructure and support growth, whilst maintaining the level of freedom in terms of public access to these facilities. The Council is also driven by the objective to ensure that any proposed use or development would match the current transport capacity and capabilities at the local. If necessary these will be undertaken via the use of the Community Infrastructure Levy or S106 Legal Agreements. In doing so, the following measures will be prioritised:

- The reduction congestion
- Continued investment in the highways network
- Working with TFL
- The management of parking
- Maintaining road safety
- Encouraging sustainable modes of transport

Policy DM17 states that the Council will ensure that there is safety for all road users and will refuse applications that may lead to safety concerns on the highway or increase risk to vulnerable users. In considering new developments the Council will require the submission of a Transport Assessment where the proposed

development is anticipated to have significant transport implications. Developments should be located close to existing public transport links and should encourage their use and if necessary, new routes and services should be created. Cycle and parking provisions should be proposed in line with the London Plan standards.

A full Transport Assessment and Healthy Streets Assessment was submitted with the outline/ hybrid planning application and the masterplan scheme was considered to be acceptable by officers and members in transport and highways terms subject to s106 obligations for improvements to local public transport, local pedestrian and cycle routes and other local highways works and planning conditions requiring details of a Site Wide Sustainable Transport Strategy and Car Parking Strategy and then further details to be submitted for each plot.

### **Access and Movement**

Vehicular access to the off-street car parking areas of Plot H will be facilitated via two access points provided at Gauntlet Street (to the south of Plot H) and Hudson Street (to the north of Plot H) retrospectively. Vehicular access to the off-street car parking areas of Plot K will be facilitated via an access point provided at Percival Avenue (to the south of Plot K). All access points of both plots will have adequate waiting space for vehicles to access/ egress the internal/ off-street car parking areas and will be secured with gates being electronically controlled.

The Reserved Matters proposal generally complies with the high level parameters identified in the approved parameters centred around a repositioned Lanacre Avenue along the west of the site acting as a primary circulation route alongside a secondary trafficked circulation route running north- south to the east of Plot K (and the future Plot L) and stitches an access route into the existing Percival Avenue in the south.

However, the scheme makes some minor deviations along the east of Plot H. Previously in the outline permission this was envisaged as a vehicular route, while in the current reserved matters application this has been altered to a pedestrian/ cycling route only in order to allow for the retention of additional mature London Plane trees and to improve the pedestrian environment around the block. These proposed deviations are considered acceptable by officers and the scheme as a whole is considered acceptable in this regard.

A temporary access layout is also proposed and shown on the approved plans to allow for the construction of the development while maintaining access to surrounding properties and local bus routes. The details of this temporary route has been assessed by Council Highway officers who have advised that the submitted details and routes are considered acceptable subject to detailed approval under highway legislation.

### **Trip Generation and Impact**

London Plan (2021) policy T4 requires the cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, to be taken into account and mitigated. Local



Plan policy DM17 also expects major development proposals with the potential for significant trip generation to be in locations which are, or will be made, highly accessible by a range of transport modes.

In terms of the proposed development's impact on the existing highway and to comply with condition 44 of the outline consent, the Transport Statement submitted with the RMA concludes that the development of Plots H and K represents a modest change in traffic generation from the existing occupied dwellings which are to be removed from the development. It is therefore not considered necessary to provide any further assessment of network traffic conditions in respect of the development of Plots H and K.

## **Car Parking**

London Plan (2021) policy T6 states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. The maximum car parking standards should be applied to development proposals. For 3% of dwellings at least one designated disabled persons bay per dwelling should be available at the outset. Development should also demonstrate how an additional 7% of dwellings could be provided with one designated disabled space per dwelling in the future upon request.

As part of the hybrid planning permission, it was accepted that a car parking ratio of up to 0.41 spaces per residential unit would be proposed across the masterplan. A total of 134 car parking spaces are proposed across Plots H and K (76 for Plot H and 58 for Plot K). These will be located off-street at podium level and on-street (on adopted and private roads). This includes 1 car club space next to Plot K.

In terms of visitor parking, residents eligible for the proposed bespoke CPZ on adopted street space are able to apply for up to 200 visitor vouchers per year. It will also be possible for the private areas to have controlled visitor parking through the Parking Management Company. For other visitor requirements it is proposed that the on-street spaces on Bristol Avenue will be identified as both resident permit and pay-by-phones. This will allow some short-term parking within the area without encouraging short car trips within the development.

As per the hybrid planning permission, the commercial land uses will be car-free with the exception of two disabled car parking space for non-residential users (one for Plot H and one for Plot K).

In line with London Plan (2016) and condition 49 of the hybrid planning permission across Plots H and K at least 20% of residential car parking spaces (27 spaces) will have active charging facilities with another 20% (27) of spaces having passive provision. The spaces with active charging facilities are proposed to be located on-street at various locations surrounding the plot, while the spaces with passive provision will be located within the off-street car parking areas of the plot.

The residential disabled car parking is also provided at 3% (13 spaces) with the ability to provide up to 10% (33 spaces) if required. Further details of car parking

spaces can be found on the submitted drawings and in the DAS.

Planning condition 49 of the hybrid planning permission requires a Car Parking Management Plan to be submitted and approved by LBB prior to the first occupation of the development. This is required to be in line with the Site Wide Strategy and include full details of car parking spaces, on-site parking controls, enforcement details of unauthorised parking, disabled spaces, location of car club space and electric vehicle charging points. A Car Parking Management Plan has been prepared and was submitted concurrently with the RMA to discharge the requirements of condition 49 of the hybrid planning permission which is currently pending consideration however comments have been received from the highway department advising that they are supportive of the management plan in principle and the level of car parking proposed.

The proposed level of car parking is therefore considered appropriate in line with policy and the parameters of the outline planning approval.

#### Loss of Public Car Park

Concerns have been raised about the loss of existing parking spaces, including the loss of the temporary car park, known as the 'Hundred Acre Car Park' that is understood to be used by some existing residents and visitors on the Grahame Park Estate. This car park has always been a temporary meanwhile use during this phase of the regeneration following the earlier demolition of parts of the Estate. The approved Grahame Park masterplan has been in the public domain since early 2019 and this clearly shows the development of Plot K in the location of this car park.

Furthermore, previous masterplans for the regeneration of the entire estate have shown buildings and landscaping in the area currently being used as the car park. Notably, plans for the RMA for Phase 1B (land to the south of Percival Avenue), that was approved in February 2012 identified the land being use for the car park as 'Temporary Car Park Location'.

Given these factors it is considered that the loss of the temporary car park is acceptable given that planning permission has already been granted for development on this site and due to the temporary nature of the approval.

#### Public Transport

The use of public transport as set out in the site-wide strategy is encouraged through improvements to bus connections. This phase installs the infrastructure for the future realignment of bus routes through Grahame Park. New bus stops are proposed at strategic positions to support community, workplace and retail uses.

A future bus stop has been incorporated in front of the Community Centre (Plot H). This will become operational during a subsequent phase, i.e. once the north-south route in front of Plots H, K and L are completed and traffic re-directed from the N:S stretch of Lanacre Avenue. In the interim the bus route along Lanacre Avenue and bus stop in Quakers Course shall continue to be operational with safe routes to and from these maintained.

## Cycle Parking

London Plan (2021) policy T5 requires development to provide appropriate levels of cycle parking which should be secure, well-located and laid out in accordance with the guidance contained in the London Cycling Design Standards.

The proposed layout of Plots H and K incorporates a cycling network enabling cyclists to safely travel through the overall site of the masterplan. The tertiary roads will provide east-west links for cyclists crossing the Site, whilst the primary and secondary route will provide a north-south link to the existing network. The cycle facilities will follow the delivery of the roads for each phase of the overall development of the masterplan.

A key element of cycle infrastructure will be the delivery of the main north south road to create a central spine (Bristol Avenue). Bristol Avenue will accommodate the primary north south cycle route.

Cyclists will also be able to use the secondary cycle route via the Woodland Walk area, to the east of both plots.

In accordance with policy T5 of the London Plan, a total of 663 cycle space will be provided across Plots H and K:

- 374 residential in Plot H;
- 259 residential in Plot K;
- 18 non-residential in Plot H (5 long stay and 13 short stay); and
- 8 non-residential in Plot K (2 long stay and 6 short stay).

In addition to the non-residential cycle provision at Plots H and K, 4 additional non-residential and 'on-street' visitor cycle spaces are proposed at the public realm surrounding both plots.

Overall, the level and configuration of the proposed cycling provision is considered acceptable, in accordance with policy requirements and the parameters of the outline planning consent.

### **3.8 Refuse and Recycling Storage**

Under Policy CS14 of the Local Plan Core Strategy, the Council has taken a proactive approach to dealing with waste production and disposal. It notes that a key component of dealing with waste in a more sustainable way is to find better ways of reducing the amount of waste and taking more responsibility for its disposal.

In keeping with the above, Policy CS14 encourages sustainable waste management practices for all developments by way of waste prevention, re-use, recycling, composting and resource efficiency over landfill. All developments should seek to present waste disposal techniques which are able to meet future needs. The Sustainable Design and Construction SPD provides a detailed minimum requirement for waste provisions stating that "*All non-residential developments should provide a minimum of 10m<sup>2</sup> designated waste storage space for materials*

*for recycling, such as paper, glass bottles and jars, cans, cardboard, and plastic bottles” (p.30) and “A minimum internal storage capacity of 60 litres per dwelling (flats and houses) should be provided which can accommodate containers for the temporary storage of materials to be recycled.” (p.30).*

Details of the proposed refuse and recycling strategy have been submitted with the planning application, the content of which appears acceptable. The final details of the refuse strategy will be subject to a future discharge of condition application.

#### **4. 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 the above legislation.

#### **5. 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 Mayor's London Plan and the Barnet Local Plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

As conditioned, the proposal would not compromise the outline planning permission (19/5493/OUT) for the redevelopment of the wider site. It accords with the relevant development plan policies, conforms to the design principles and the parameters established in the approved outline application for the Grahame Park Estate.

The proposal is acceptable on design, visual amenity and archaeology grounds. The proposal would not significantly affect the amenities of neighbouring residential properties. It would provide for much needed quality family housing that would have

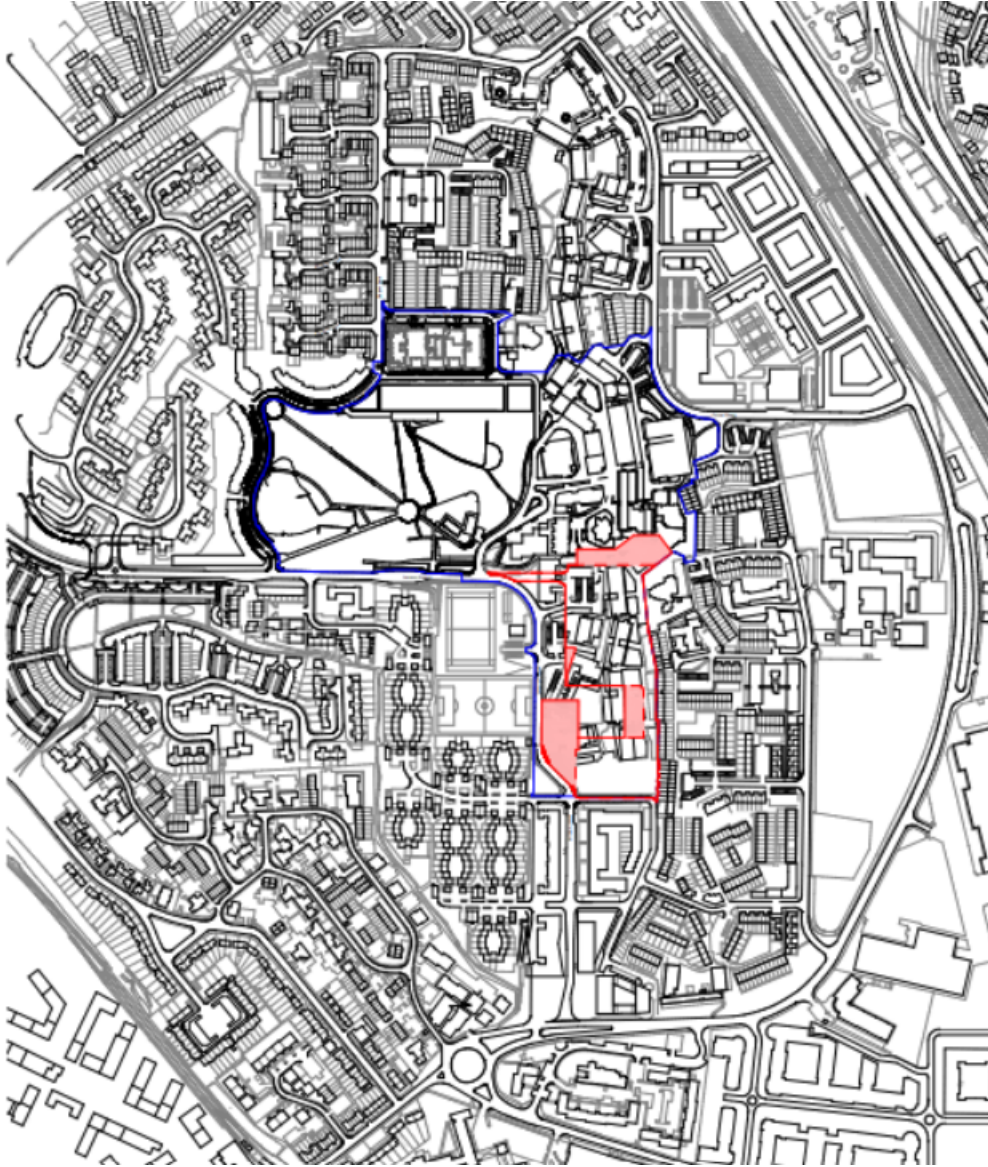
a good standard of accommodation including outlook, privacy and access to daylight.

The design of the development is considered appropriate for its location, which also provides for variety and legibility in Built Form. The materials and form relates well to the surrounding development. The layout of the development provides permeability around the site as well as to the wider development.

It is recommended that the application be **Approved** subject to the attached conditions.

**SITE LOCATION PLAN: Grahame Park, London NW9**

**REFERENCE: 22/2599/RMA**



**LOCATION:** North London Business Park, Oakleigh Road South,  
London, N11 1GN.

AGENDA ITEM 7

**REFERENCE:** 21/4433/OUT

**Received:** 10 August 2021

**WARD:** Brunswick Park

**Accepted:** 10 August 2021

**Expiry:** 9 November 2021

**APPLICANT:** Comer Homes Group

**PROPOSAL:** Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises up to 461 residential units in five blocks reaching 9 storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline element comprises up to 1,967 additional residential units in buildings ranging from three to twelve storeys, up to 7,148 sqm of non-residential floor space (use Class E and F) and public open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking.

## RECOMMENDATION

### Recommendation 1

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

### Recommendation 2

Subject to Recommendation 1 above, the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes of seeking to secure the following, subject to any changes as considered necessary by the Head of Development Management:

- (a) Legal Professional Costs Recovery  
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.
- (b) Enforceability

All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

- (c) Affordable housing  
21% affordable housing by units across the whole development (2428) units in total) on the basis of the following tenure split.

Affordable Rent (246 Units)

20 x 1 bed  
136 x 2 bed  
90 x 3 bed

Shared Ownership (266 Units)

92 x 2 bed  
174 x 2 bed

- (d) Affordable Housing – Review Mechanism Early, Mid and Late  
Viability Review mechanisms to be agreed in liaison with the GLA
- (e) School plot land transfer to the EFA on a levelled, decontaminated and serviced plot.
- (f) Community Use Agreement School
- (g) Details of Delivery of SME Business Space including new Start up Units including tenancy details and rental costs..
- (h) Details of new Community and Health Care Space
- (1) *Comer to deliver a long leasehold interest (not less than 99 years) of a shell of the new Centre to CWC (or alternative provider to be agreed in writing with the Local Planning Authority) in a position and configuration agreed by the Council within Block 3A;*
  - (2) *The shell to be available for community provision and uses within Class E;*
  - (3) *The Lease to reserve a peppercorn rent and a service charge that is directly related to the Centre's uses and not the overall upkeep of the new development;*
  - (4) *The long leasehold to include the use of appropriate car parking and an ambulance bay in locations agreed by the Council.*
- (i) Provision of Minibus Services in perpetuity, details of number of vehicles, frequency of movement and mechanism of funding to be specified.
- (j) Bus Services Contribution of up to £1,525,000
- (k) Betstyle Circus Feasibility Study
- (l) Off Site Highway Works and Transport Measures



Funding for measures identified in the ATZ within a 1 mile radius, including accident mitigation

Funding for local junction improvements including the main access (Brunswick Park Road) upgrade and signalisation.

Funding to improve Cycling /walking experience as identified in the TAA, including a new link to Ashbourne Avenue & associated works.

Provision of signage to direct pedestrians and cyclists to key locations on and off-site.

Funding to upgrade and widen the footways on Brunswick Park Road (to the south and north bound bus stops) to provide 3m wide footways to each of the respective bus stops.

Contribution towards a review of the signalised junctions (J1, J3 and J8) will be undertaken with the TfL signals team to determine if any appropriate and proportionate mitigation can be delivered at these locations. Contribution towards implementation of the findings.

CPZ Monitoring contribution & provision for permit restriction in any future schemes

(m) Travel Plan measures and monitoring:

Including Provision of Travel Plans covering the following:

Travel Plan – School

Travel Plan - Residential

Travel Plan – Non Residential

Travel Plan - Nursery

An appropriate Travel Plan Monitoring Fee would also need to be paid.

(n) Section 278 Works

Necessary works to the public highway under section 278 of the Highways Act to facilitate the implementation of the development

(o) Carbon Offset Payment (Currently £4,196,877)

(p) Local Employment Agreement

Shall include Forecasting of job opportunities; Notification of job vacancies; Local labour target; Jobs brokerage and skills training; Apprenticeships and work experience; Use of local suppliers and delivery of specific LEA targets in regards to providing identified number of apprenticeships or alternative cash sum.

(q) Public Open Space

Provision of Public Open Space which shall remain open and accessible to the general public.

(r) Reptile Receptor Site Protection, Management and Monitoring

Appropriate identification of any off site location to be agreed with the LPA. Either works to be carried out to satisfaction of LPA or a financial contribution to be made to the LPA to enable the translocation, management and monitoring.

(s) Section 106 Monitoring contribution

(t) All financial contributions listed above to be subject to indexation.

### **Recommendation 3**

The Committee grants delegated authority to the Service Director Planning & Building Control or Head of Strategic Planning 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 his absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

#### Conditions

- 1 The development of Phase 0 and Phase 1 hereby permitted shall be carried out in accordance with the following approved plans:

School plans (Phase 0):

FS0200-ALA-XX-XX-DR-L-0001 P06  
FS0200-STL-01-01-DR-A-0200 P05  
FS0200-STL-01-01-DR-A-0201 P05  
FS0200-STL-01-02-DR-A-0202 P05  
FS0200-STL-01-B1-DR-A-0204 P05  
FS0200-STL-01-EL-DR-A-0300 P05  
FS0200-STL-01-EL-DR-A-0301 P05  
FS0200-STL-01-EL-DR-A-0302 P05  
FS0200-STL-01-R1-DR-A-0203 P05  
FS0200-STL-01-SX-DR-A-0400 P05  
FS0200-STL-01-SX-DR-A-0401 P05  
FS0200-STL-01-SX-DR-A-0402 P05  
FS0200-STL-02-00-DR-A-0205 P05  
FS0200-STL-02-EL-DR-A-0303 P05  
FS0200-STL-02-EL-DR-A-0304 P05  
FS0200-STL-02-R1-DR-A-0206 P05  
FS0200-STL-02-SX-DR-A-0403 P05  
FS0200-STL-XX-EL-DR-A-0310 P02  
FS0200-STL-ZZ-XX-DR-A-0900 P05  
FS0200-STL-ZZ-XX-VS-A-0050 P05  
FS0200-STL-ZZ-XX-VS-A-0051 P05  
FS0200-STL-ZZ-XX-VS-A-0052 P05  
FS0200-STL-ZZ-XX-VS-A-0053 P05  
FS0200-STL-ZZ-XX-VS-A-0054 P05  
FS0200-STL-ZZ-XX-VS-A-0055 P05

FS0200-STL-ZZ-XX-VS-A-0056 P05  
FS0200-STL-ZZ-XX-VS-A-0057 P05  
FS0200-STL-ZZ-XX-VS-A-0060 P05  
FS0200-STL-ZZ-XX-VS-A-0061 P05  
FS0200-STL-ZZ-XX-VS-A-0062 P05  
FS0200-STL-ZZ-XX-VS-A-0063 P05  
FS0200-STL-ZZ-XX-VS-A-0064 P05  
FS0200-STL-ZZ-XX-VS-A-0065 P05  
FS0200-STL-ZZ-XX-VS-A-0066 P05  
FS0200-STL-ZZ-XX-VS-A-0067 P05  
FS0200-STL-ZZ-XX-VS-A-0068 P05  
FS0200-STL-ZZ-XX-VS-A-0069 P05

Block 1B:

211\_1B\_01\_01  
211\_1B\_02\_00  
211\_1B\_02\_01  
211\_1B\_04\_01  
211\_1B\_04\_02  
211\_1B\_05\_01

Block 1C:

211\_1C\_01\_01  
211\_1C\_02\_00 Rev C  
211\_1C\_02\_01 Rev C  
211\_1C\_02\_02 Rev C  
211\_1C\_02\_03 Rev C  
211\_1C\_02\_04 Rev C  
211\_1C\_02\_05 Rev C  
211\_1C\_02\_06 Rev C  
211\_1C\_02\_07 Rev C  
211\_1C\_02\_08 Rev C  
211\_1C\_02\_09 Rev C  
211\_1C\_02\_10  
211\_1C\_05\_01  
211\_1C\_04\_01 Rev C  
211\_1C\_04\_02 Rev B

211\_C\_09\_01  
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211\_C\_09\_16  
211\_C\_09\_17

Block 1D:

211\_1D\_01\_01  
211\_1D\_02\_00 Rev A  
211\_1D\_02\_01 Rev C  
211\_1D\_02\_02 Rev C  
211\_1D\_02\_03 Rev C  
211\_1D\_02\_04 Rev C  
211\_1D\_02\_05 Rev C  
211\_1D\_02\_06 Rev C  
211\_1D\_02\_07 Rev C  
211\_1D\_02\_08 Rev C  
211\_1D\_02\_09 Rev C  
211\_1D\_02\_19  
211\_1D\_04\_01 Rev C  
211\_1D\_04\_02 Rev B  
211\_1D\_05\_01

211\_D\_09\_01  
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211\_D\_09\_25  
211\_D\_09\_26  
211\_D\_09\_27

Block 1C and 1D (basement floor plan):  
211\_02\_001

Block 1E:  
211\_1E\_02\_01 Rev A  
211\_1E\_02\_02 Rev A  
211\_1E\_02\_03 Rev A  
211\_1E\_02\_04 Rev A  
211\_1E\_02\_05 Rev A  
211\_1E\_02\_06 Rev A  
211\_1E\_02\_07 Rev A  
211\_1E\_02\_08 Rev A  
211\_1E\_04\_01 Rev A  
211\_1E\_04\_02 Rev A  
211\_1E\_05\_01 Rev A

211\_E\_09\_01 Rev A  
211\_E\_09\_02  
211\_E\_09\_03 Rev A  
211\_E\_09\_04 Rev A  
211\_E\_09\_05  
211\_E\_09\_06  
211\_E\_09\_07  
211\_E\_09\_08 Rev A  
211\_E\_09\_09 Rev A  
211\_E\_09\_10 Rev A  
211\_E\_09\_11 Rev A

Block 1F:  
211\_1F\_01\_01  
211\_1F\_02\_00  
211\_1F\_02\_01 Rev B  
211\_1F\_02\_02 Rev B  
211\_1F\_02\_03 Rev B  
211\_1F\_02\_04 Rev B  
211\_1F\_02\_05 Rev B  
211\_1F\_02\_06  
211\_1F\_02\_07  
211\_1F\_02\_08  
211\_1F\_04\_01  
211\_1F\_04\_02 Rev B  
211\_1F\_05\_01

211\_F\_09\_01  
211\_F\_09\_02  
211\_F\_09\_03  
211\_F\_09\_04  
211\_F\_09\_05  
211\_F\_09\_06

211\_F\_09\_07

Landscaping drawings (detailed phase):

HED-1140-RBP-P1-1001  
HED-1140-RBP-P1-1002  
HED-1140-RBP-P1-1003  
HED-1140-RBP-P1-1004  
HED-1140-RBP-P1-1005  
HED-1140-RBP-P1-1006  
HED-1140-RBP-P1-1007  
HED-1140-RBP-P1-1013  
HED-1140-RBP-P1-1014  
HED-1140-RBP-P1-1016  
HED-1140-RBP-P1-1017  
HED-1140-RBP-P1-1018  
HED-1140-RBP-P1-1019  
HED-1140-RBP-P1-1020  
HED-1140-RBP-P1-1021  
HED-1140-RBP-P1-1022  
HED-1140-RBP-P1-1023  
HED-1140-RBP-P1-1024  
HED-1140-RBP-P1-1025  
HED-1140-RBP-P1-1026  
HED-1140-RBP-P1-1027  
HED-1140-RBP-P1-1028  
HED-1140-RBP-P1-1029  
HED-1140-RBP-P1-1030  
HED-1140-RBP-P1-1031  
HED-1140-RBP-P1-1032  
HED-1140-RBP-P1-1033  
HED-1140-RBP-P1-1034  
HED-1140-RBP-P1-1035  
HED-1140-RBP-P1-1036  
HED-1140-RBP-P1-1037  
HED-1140-RBP-P1-1038  
HED-1140-RBP-P1-1039  
HED-1140-RBP-P1-1040  
HED-1140-RBP-P1-1041  
HED-1140-RBP-P1-1042  
HED-1140-RBP-P1-1043  
HED-1140-RBP-P1-1044

Highways drawings (attached-were sent to Costi):

ST-3013-717-Brunswick Park Road Signalised Access Option with Right Turn Lane and ASL  
ST-3013-700-Means of Access Rev 5  
ST-3013-804-Swept Path Analysis-Fire Tender Site Access  
ST-3013-805-Swept Path Analysis-Refuse Vehicle 9.6 Brunswick Park Rd

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 Either Phase 0, or Phase 1, hereby permitted shall begin no later than 3 years from the date of the original permission (24 February 2020).

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

- 3 In respect of each of Phase 0 and Phase 1, no development in the relevant Phase, other than Ground Works and Site Preparation Works (site clearance, site hoarding, decontamination and demolition) shall commence until a Construction Environmental Management Plan in respect of the relevant Phase, setting out the construction and environmental management measures associated with the development of that phase (either 0 or 1), has been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the ES and shall include:

#### Construction site and works

- i. Site information (including a site plan and management structure);
- ii. Description of works, equipment and storage;
- iii. Programme of works;
- iv. Temporary hoarding and fencing;
- v. Temporary works;
- vi. Interim drainage strategy;
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority);

#### Construction management and procedures

- viii. Code of Construction Practice;
- ix. Consultation and neighbourhood liaison;
- x. Staff training and briefing procedures;
- xi. Schedule of environmental legislation and good practice;
- xii. Register of permissions and consents required;
- xiii. Environmental Audit Programme;
- xiv. Environmental Risk Register;
- xv. Piling Works Risk Assessment;
- xvi. Health and safety measures;
- xvii. Complaints procedures;
- xviii. Monitoring and reporting procedures;

#### Demolition and waste management

- xix. Demolition audit;

- xx. Site clearance and waste management plan;
- xxi. Asbestos survey and disposal strategy;

#### Construction traffic

- xxii. Construction traffic routes;
- xxiii. Construction traffic management (including access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution)

#### Environmental Management

- xxiv. Ecology surveys and management plan (as required by the ES) in relation to any existing ecological features that may be affected by works in that Development Phase.
- xxv. Measures to minimise visual impact during construction
- xxvi. Measures to minimise noise and vibration levels during construction;
- xxvii. Measures to minimise dust levels during construction;
- xxviii. Measures to control pollution during construction (including a Pollution Response Plan);
- xxix. Construction lighting strategy, including measures to minimise light spill;
- xxx. Measures to reduce water usage during construction;
- xxxi. Measures to reduce energy usage during construction;
- xxxii. Any other precautionary and mitigation measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register;

Phase 0 and Phase 1 shall thereafter be implemented in accordance with the Construction Environmental Management Plan relevant to each individual phase as approved by the LPA.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highways and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and London Plan policies.

- 4 A contamination remediation scheme shall be submitted to and approved in writing by the Local Planning Authority before development is commenced. The scheme shall be in accordance with the approach to remediation set out in the Environmental Statement.

The parts of the remediation scheme requiring works on the land within Phase 0 shall be implemented as approved prior to the occupation of Phase 0. The parts of the remediation scheme requiring works on the land within Phase 1 shall be implemented as approved prior to the occupation of Phase 1.



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) and the Sustainable Design and Construction SPD.

- 5 In accordance with the ES, and unless otherwise agreed with the Local Planning Authority, no construction works shall occur outside of the following times:

08:00 - 18:00 hours weekdays;  
08:00 - 13:00 hours Saturdays.

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

- 6 Vegetation clearance should take place outside the bird breeding season (October to February). In accordance with the ES, any clearance of vegetation with the potential to support nesting birds during this period may only occur following a check by a qualified ecologist. If any active nests are found, works must cease, the area left in situ and an appropriate buffer zone established until such time as a qualified ecologist confirms that the nest is no longer in active use.

The clearance of vegetation within the gardens of properties that adjoin Rohan Drive must be undertaken according to a precautionary working method, with progressive clearance undertaken under the supervision of a qualified ecologist during the period that reptiles are active (April to September).

Reason: To avoid the potential for an offence under the Wildlife and Countryside Act 1981, as amended.

- 7 In respect of each of Phase 0 and Phase 1, no development of the relevant Phase (with the exception of Ground Works, Site Preparation Works and demolition) shall commence until a scheme of Advanced Infrastructure Works for that phase is submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. Underground drainage details;
- ii. Below ground energy infrastructure;
- iii. Below ground services and utilities;
- iv. Ground Works, earthworks, contouring and levels;
- v. A statement of compliance with the site wide strategies (including the DAS Volume I and Addendum sections 6.19, 7.1 - 7.16, 8.1 - 8.3 and approved Primary Control Documents).

Development of Phase 0 and Phase 1 shall be carried out in accordance with the approved scheme for that relevant phase.

Reason: To ensure appropriate arrangements are made for servicing, utilities and infrastructure and to avoid potential conflicts between any impacts upon the development as proposed and its servicing, utilities and infrastructure, in the interests of a sustainable development in accordance with the NPPF.

- 8 The development shall be carried out in accordance with the landscaping works as specified in discharge of condition application 21/0155/CON approved on the 17/09/2021.

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 policies G4, G5 & G7 of the London Plan 2021.

- 9 Prior to the occupation of each building within Phase 0 and Phase 1, a scheme of bird and bat boxes for that building shall be submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes approved shall be installed and maintained over the lifetime of the development.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with Policies DM01 and DM02 of the Barnet Local Plan and policy G6 of the London Plan.

- 10 Phase 0 and Phase 1 shall be undertaken in accordance with the drainage strategy outlined in the Environmental Statement. No foul or surface water from each of Phase 0 and Phase 1 shall be discharged into the public system until the drainage works set out in the strategy in respect of that Phase have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

- 11 If within a period of five years from the date of planting of any tree within Phase 0 or Phase 1, that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place in the next available planting season.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with Policies DM01 and DM02 of the Barnet Local Plan and Policy G7 of the London Plan 2015.

- 12 A Car Parking Management Strategy for Phase 1 shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of

Phase 1. This should also include details of proposed electric charging and disabled parking provision. The strategy shall be in accordance with that set out in the Transport Assessment and Addendum. The Strategy shall thereafter be implemented as approved.

Reason: to ensure the development meets the needs of its future occupiers and to comply with the requirements of policy T6 of the London Plan and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (adopted) and Policy DM17 of Development Management Policies (adopted).

- 13 10% of residential units in Phase 1 shall be designed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users.

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 and to ensure that parking is provided and managed in line with the Council's standards in the interest of highway and pedestrian safety in accordance with Barnet's Local Plan Policy CS9 of the Core Strategy and DM17 of Development Management Policies Document.

- 14 Prior to the construction of each building within Phase 0 or Phase 1 the following details for that building shall be submitted to and approved in writing by the Local Planning Authority:

- i. Full details (including samples, where appropriate) of the materials and finishes to be used on all external surfaces;
- ii. Doors, entrances, windows (including glazing specifications) and balconies (including drawings and sections showing thresholds to adjacent internal spaces and drawings and sections of privacy screens);
- iii. Details of the design and access controls for the car park gate(s);
- iv. Building lighting;
- v. Podium details (including hard and soft landscaping, planting species, furniture and play provision);
- vi. Details of bio-diverse roofs;
- vii. Details of any building security measures including CCTV;

Development shall be carried out in accordance with the approved details and the scheme shall thereafter be maintained in secure and good working order for the lifetime of the development.

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

- 15 Notwithstanding the details submitted with the application, prior to the construction of each building within Phase 0 or Phase 1, the following details shall be submitted to and approved in writing by the Local Planning Authority for that building:

- i. Enclosures, screened facilities and / or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
- ii. Satisfactory points of collection; and,
- iii. Details of the refuse and recycling collection arrangements.

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

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

- 16 Prior to the construction of each building within Phase 0 or Phase 1, details of all extraction and ventilation equipment to be installed for that building shall be submitted to and approved in writing by the Local Planning Authority. The details shall be accompanied by a report carried out by a qualified acoustic consultant that assesses the likely noise impacts from the development of the ventilation and extraction plant, and proposed mitigation measures for the development if necessary. In respect of each of Phase 0 and Phase 1, the development shall be carried out in accordance with approved details before first occupation of each relevant phase 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.

- 17 The level of noise emitted from any plant within Phase 0 or Phase 1, including ventilation equipment hereby approved shall be at least 5dB(A) below the background noise 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 noise 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 D14 of the Development Management Policies DPD and D14 of the London Plan.

- 18 Prior to the occupation of each of Phase 0 and Phase 1, details of the energy supply network for that specific phase shall be submitted to and approved in writing by the Local Planning Authority. Details shall be in accordance with the Energy Statement and Addendum and shall include:

- i. Details of connections available for each building;
- ii. Proposals for the staged installation of plant within the energy centre and any temporary energy provision required
- iii. Details of safeguarded connections to an area wide heat network if found to be feasible following further engagement with the local planning authority and GLA.
- iv. Details of any potential future connections available to nearby buildings;
- v. A statement of compliance with the site wide Energy Statement and Addendum.

The relevant phase shall thereafter be implemented in accordance with the approved strategy".

Reason: to ensure that the development is sustainable and complies with the requirements of London Plan Policies SI 2 and SI3.

- 19 CHP and / or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London's Plan Sustainable Design and Construction SPG document.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy SI 1 of the London Plan in relation to air quality.

- 20 Prior to the construction of any building in Phase 1, a rainwater and grey water feasibility study, investigating the potential for incorporating rainwater or grey water recycling into buildings across Phase 1, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan Policy SI 5.

- 21 Prior to occupation of each of Phase 0 and Phase 1, an External Lighting Assessment of lighting proposed within that specific phase shall be submitted to and approved in writing by the Local Planning Authority. The external lighting assessment submitted shall detail the existing average night time luminance and light spread levels at night, identify the levels of light pollution received at the windows to residential properties within the development and, where appropriate, identify the measures to be used to mitigate any impacts to species including bats. Any light pollution mitigation identified in the lighting assessment in respect of the relevant Phase shall be implemented in full prior to occupation of that Phase.

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

- 22 In respect of each of Phase 0 and Phase 1, no building within the relevant shall be occupied until a Delivery and Servicing Management Plan in respect of each building in that respective phase has been submitted to and approved in writing

by the Local Planning Authority. The Plan shall be in accordance with the strategy set out in the Transport Assessment and Addendum and each building shall be carried out in accordance with the approved Plan.

Reason: in the interest of highway safety in accordance with Barnet's Local Plan Policy CS9 and DM17 of the Development Management Policies Document.

- 23 No residential unit within Phase 1 shall be occupied until the access roads and highways works (on and off-site) as identified in the Highways Drawings hereby approved through Condition 1 are made available for use.

Reason: To ensure there is adequate access available for all residential units in accordance with the NPPF, London Plan and Core Strategy.

- 24 No residential unit within Phase 1 shall be occupied until the private and/or communal amenity space provision (excluding public open space) associated with the block within which the unit is located is available for use in accordance with the approved plans.

Reason: To ensure there is adequate amenity space available for all residential units in accordance with the NPPF, London Plan and Core Strategy.

- 25 Prior to occupation of each residential block within Phase 1 a scheme for the provision of communal/centralised satellite and television reception equipment for that block shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed prior to first occupation of that block and shall thereafter be retained and made available for use by all occupiers of that block.

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

- 26 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and reenacting that Order) the following operations shall not be undertaken without planning permission being granted by the Local Planning Authority: 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.

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.

- 27 In respect of each of Phase 0 and Phase 1 no piling within the relevant Phase 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 shall be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) for the relevant phase has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement for that relevant phase.

Reason: To prevent any damage to nearby underground sewerage utility infrastructure.

- 28 In accordance with the plans approved under application 21/0155/CON, the approved scheme of biodiversity measures shall be implemented in full accordance with the approved details before Phase 1 is first occupied.

Reason: to ensure that the development represents high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with Policies DM01 and DM16 of the Local Plan and Policy G6 of the London Plan.

- 29 In accordance with the plans approved under application 21/0155/CON, the approved scheme method statement including temporary tree protection measures shall be implemented and Phase 0 and Phase 1 shall be carried out in full accordance with the approved details.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with Policy DM01 of the Local Plan and Policy G7 of the London Plan.

- 30 Cycle parking for Phase 0 and Phase 1 shall be provided in accordance with the approved plans and in respect of each Phase, shall be available for use prior to occupation of that phase, and shall be maintained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with Barnet's Local Plan Policies CS9 and DM17.

- 31 Before Blocks 1E and 1F hereby permitted are first occupied windows in the eastern wing elevations of these blocks facing properties in Howard Close and Brunswick Park Gardens shall be non-openable below 1.7m and glazed with obscure glass only, and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD and the Residential Design Guidance SPD (April 2013).

- 32 Other than infrastructure works in relation to Phase 0 and Phase 1, no development within either Phase 0 or Phase 1 shall take place until a programme of archaeological recording of the existing air raid shelters and any

finds of industrial heritage, in accordance with a written scheme of investigation to be submitted to and agreed in writing by the Local Planning Authority, has been carried out.

Reason: The planning authority wishes to secure the recording of these structures in accordance with the provisions of the NPPF and London Plan Policy HC1 and Barnet Policies CS5 and DM06.

- 33 The development of the outline elements of the proposal hereby permitted shall be carried out in accordance with the following approved plans:

**Parameter Plans:**

211\_WS\_02\_00 (Existing Site Plan – Red Line Boundary Plan)  
211\_WS\_02\_01 Rev B (Proposed Development Zone Plan)  
211\_WS\_02\_02 (Access and Circulation Plan)  
211\_WS\_02\_03 (Landscape Treatment Plan)  
211\_WS\_02\_04 (Ground Floor Frontage Plan)  
211\_WS\_02\_05 Rev A (Development Zones and Maximum Heights)  
211\_2S\_02\_06 Rev A (Site Plan)  
211\_WS\_02\_07 (Development Zones & Horizontal Lines of Deviation)  
211\_WS\_02\_08 (Proposed Site Levels and Vertical Limits of Deviation)  
211\_WS\_02\_09 (Proposed Site Basement Levels & Limits of Deviation)

**Sections:**

211\_WS\_05\_01 (Contextual Section AA and BB)  
211\_WS\_05\_02 (Contextual Section CC)  
211\_WS\_05\_03 (Parameter Sections 1-4)  
211\_WS\_05\_04 (Existing Section 1-4)

**Landscape drawings:**

HED-1140-RBP-LA-1001  
HED-1140-RBP-LA-1002  
HED-1140-RBP-LA-1003  
HED-1140-RBP-LA-1004  
HED-1140-RBP-LA-1005  
HED-1140-RBP-LA-1006  
HED-1140-RBP-LA-1007  
HED-1140-RBP-LA-1008  
HED-1140-RBP-LA-1009  
HED-1140-RBP-LA-1010  
HED-1140-RBP-LA-1011

**Supporting documents:**

Design Principles Document (August 2021)

**Approved documents:**

Design and Access Statement including Landscape Assessment and Inclusive Design Statement (B&K) August 2021  
Flood Risk and Drainage Assessment Revision 2 (Stomor), July 2021



Response to LLFA Comments Reference: ST-3013/211209-LLFA Response (Stomor), November 2021  
 Statement of Community Involvement (BECG), June 2021  
 Design Principles Document (August 2021)  
 Townscape and Visual Impact Assessment – ES Appendix 12.1 (Peter Stewart Consultancy), August 2021  
 Daylight and Sunlight Report (eb7), August 2021  
 Internal Daylight Report (eb7), August 2021  
 Internal Daylight Addendum (eb7), July 2022  
 BS5837 Tree Survey and Arboricultural Impact Assessment (Greengage), August 2021  
 Energy and Sustainability Assessment  
 Environmental Statement Volume 1 -Main Text and Figures (Greengage), September 2021  
 Environmental Statement Volume 2 – Appendices (Greengage), September 2021  
 Environmental Statement Volume 3 - Non-Technical Summary (Greengage), September 2021  
 EIA Compliance Statement, Ref. 551510JB03AUG22L1 (Greengage), August 2022  
 Planning Fire Safety Statement (Fire Risk Solutions), August 2021  
 Overheating Assessment 2548-MKP-SW-ZZ-RP-1002-P2 (MKP), August 2021  
 Phase 2 Geoenvironmental and Geotechnical Assessment 1921321-R01(00) (RSK), April 2021  
 Transport Assessment including Travel Plan, Delivery and Servicing Plan, ST3013/TA-2 108 Rev 0 (Stomor), August 2021  
 Utilities Report 2548-MKP-SW-ZZ-RP-M-1003 Rev P1 (MKP), August 2021  
 Planning Statement (Daniel Watney), August 2021  
 Pedestrian Level Wind Microclimate Assessment RWDI #2102824 – REV B, October 2021

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 DM01 of the adopted Barnet Development Management Policies DPD (2012) and NPPF and CS1 of the adopted Barnet Core Strategy DPD (2012).

- 34 Applications for the approval of reserved matters (being scale, layout, appearance and landscaping) for Phases 2, 3, 4 and 5 shall be made to the Local Planning Authority before the following:
- i. Applications for Reserved Matters for Phase 2 shall be made within 3 years from the date of this permission;
  - ii. Applications for Reserved Matters for Phase 3 shall be made within 4 years from the date of this permission;
  - iii. Applications for Reserved Matters for Phase 4 shall be made within 5 years from the date of this permission;
  - iv. Applications for Reserved Matters for Phase 5 shall be made within 7 years from the date of this permission.

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

- 35 The development hereby permitted in the later phases shall begin no later than 2 years from the final approval of the last Reserved Matters application in relation to each phase made pursuant to Condition 34.

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

- 36 As part of Reserved Matters applications, details of the energy supply for each building in Development Phases 2 - 5 shall be submitted to and approved in writing by the Local Planning Authority. Details shall accord with the Energy Statement and Addendum and shall include

- i. Details of the energy supply for each building connection, including a statement of compliance with the Energy Statement and Addendum;
- ii. Details of any temporary energy provision required;
- iii. A statement of compliance with the site wide Energy Statement and Addendum.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan Policy S12.

- 37 The development shall be carried out in accordance with the approved phasing plans which show development phases 0A to 5, or in accordance with such alternative phasing details as submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in appropriate phases and to allow the phasing plan to be amended to reflect changes to the phasing of the development that were not foreseen at the date when the phasing plan was approved.

38. No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are

unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

39. No development other than demolition of any phase other than Phase 0 shall take place until a detailed surface water drainage strategy has been submitted to, and approved in writing by the London Borough of Barnet Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the deployment in accordance with Policy CS13 of the Barnet Local Plan (2012), Policies SI 12 and SI 13 of the London Plan 2021, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance (incl. the SuDS Manual, C753).

40. The development, including any works of demolition shall be carried out in full accordance with the Air Quality Assessment and Air Quality Neutral Assessment as submitted in accordance with the Environmental Statement.

Reason: To ensure that the development does not have an adverse impact on air quality in the vicinity, in line with the Sustainable Design and Construction SPD (adopted October 2016) and policy SI 1 of the London Plan.

41. The development shall be carried out in accordance with the fire prevention measures stated in the fire strategy by Dr Raymond Connolly at Fire Risk Solutions hereby approved.

Reason: In accordance with Policy D12 (Fire Safety) of the London Plan.

42. Prior to above ground works of a building within the relevant Development Plot, details shall be submitted demonstrating that the building has been designed using the principles of Secure by Design. The development shall be carried out in accordance with the approved details and thereafter retained.

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

43. Within 6 months of completion, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the Circular Economy Statement, prepared by Greengage approved pursuant to this application, shall be submitted to the GLA at: [circulareconomystatements@london.gov.uk](mailto:circulareconomystatements@london.gov.uk), along with any supporting evidence as per the GLA's Circular Economy Statement Guidance.

The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials.

44. Prior to commencement details of works within Phase 2: The following shall be undertaken:

- i) Details of the required translocation shall be submitted and approved by the LPA in line with the recommendations outlined within Section 5.5 of the submitted Phase 2 Ecology Survey Report (Greengage Environmental Ltd, September 2021). The details shall include the timing of the translocation, the persons responsible, the location of the required reptile exclusion fencing, and the reptile protection and mitigation measures necessary to complete the translocation, and the supervised clearance measure for the removal of suitable sheltering and hibernation habitat within phase 2.
- ii) The translocation works shall be undertaken in strict accordance with the approved translocation details outlined above. The reptiles captured shall be translocated to the to be approved receptor site in accordance with the agreed S106 agreement.
- iii) The field data on the translocation including the number, age and species or reptiles translocated shall be collated and submitted within the conditioned Reptile Mitigation Strategy.

Reason: To ensure that the protection of reptiles is not prejudiced during construction in accordance with Section 197 of the Town and Country Planning Act 1990 in accordance with Policy DM16 of the Local Plan Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy G6 of the London Plan (2021).

45. Prior to the commencement of any ground-breaking works with Phase 2 (including mobilisation, and ground works) a detailed Reptile Mitigation Strategy must be submitted to the Local Planning Authority and be approved. No further development on Phase 2 shall commence until the Local Authority has confirmation that all reptiles within the Phase 2 have been successfully translocated to the receptor site.

This document is to include the following:

- i) Reptile surveys to be undertaken within the remnant habitat for 21 days during the active reptile survey season (March to July and September inclusive).
- ii) Detailed mitigation plan outlining the measures to enhance the site for reptiles, the location and specification of the reptile exclusion fencing and, the methods for undertaking the required 30-day translocation.

iii) The 30-day translocation exercise shall be undertaken during the active reptile survey season (April to July, September). All reptiles captured during the translocation exercise shall be carefully translocated to the receptor site to be agreed within the S106.

iv) Details of protective measures for avoidance of harm to existing reptiles on site and on adjoining land.

v) The result of the translocation exercise shall be provided to the Local Authority within the document.

vi) Details of the appointed Ecologist who will oversee all aspects of the safeguarding of onsite ecology and habitats.

Reason: To ensure that the protection of reptiles is not prejudiced during construction in accordance with Section 197 of the Town and Country Planning Act 1990 in accordance with Policy DM16 of the Local Plan Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy G6 of the London Plan (2021).

46. Prior to commencement of works a detailed Landscape and Ecological Management Plan (LEMP) (BNG) and supporting plan that demonstrates the habitat creation, enhancement, management and monitoring measures that will result in the expected biodiversity net gain including water features shall be submitted and approved by the local planning authority.
1. This document shall include details of habitat creation, enhancement measures for biodiversity gains that accord with the submitted Defra Metric calculation within the Biodiversity Impact Assessment of “4.06 % for area-based units and a net gain of 77.70% for hedgerow units” (Greengage, August 2021). This shall be incorporated into the scheme of the hard and soft landscaping, of the development. This scheme will include details of existing trees to be retained and size, species, planting heights, densities, positions of any soft landscaping, and habitat enhancements such as bird and bat boxes log piles etc appropriate to location shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
  2. All work comprised in the approved scheme of landscaping and biodiversity enhancements shall be carried at the most optimal time wildlife and plantings. All works must be completed within 12 months after occupation before the end of the first planting and seeding season and when most optimal for when following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
  3. An updated Biodiversity Impact Assessment using the Defra 3.0 tool will be required prior to commencement of occupancy, in which it will be required to show that the final design delivers a net gain.
  4. Details for the required monitoring of the habitats over a mandatory 30 year period including person responsible, timing shall be submitted and a condition assessment shall be undertaken periodically over the 30 year period and

contingency landscaping measures put in place to remediate any habitats which are not projected to achieve their desired BNG condition and score.

Reason: To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policy G6 of the London Plan 2021.

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

Reason: To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan and to mitigate the impact to species including bats in accordance with policies CS7 and DM16 of Barnet's Local Plan and policy G6 of the London Plan 2021.

48. Prior to first occupation of any development plot within the Phases 2, 3, 4 and 5 of this development a Car Parking Management Plan demonstrating compliance with the Site Wide Car Parking Strategy shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:

- i. Location and layout of car parking spaces;
- ii. Allocation of car parking spaces (for residential, non-residential users and visitors);
- iii. On-site parking controls and charges (if any);
- iv. The enforcement details of unauthorised parking in line with the Council's parking regime in Colindale within the development's surrounding area;
- v. 'Blue badge' space quantities in accordance with the London Plan;
- vi. Location of car club space (if required) in accordance with Site Wide Parking Strategy;
- vii. Electric Charging Points: Location and specification. For residential parking spaces, delivery of the 20% of parking spaces which shall be active and 20% which shall be passive electric charging points. For non-residential spaces, provision at 20% of spaces shall be undertaken with potential provision at a further 10% of spaces;
- viii. Car parking reconciliation (evidence that the number of vehicular parking spaces proposed for each Development Plot is proportionate having regard to the Site Wide Parking Strategy);

The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan and the abovementioned provisions shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy T6 of the London Plan and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

49. Prior to above ground works for each Development Plot further details of cycle parking including the location and number of cycle spaces and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority and such spaces shall be permanently retained thereafter. Minimum aisle widths, as set out in London Cycling Design Standards, must be met and 5% of space should be provided for the storage of non-standard cycles.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of Development Management Policies (Adopted) September 2012 and the London Cycling Design Standards 2016 and policy T5 of the London Plan.

#### **INFORMATIVE(S):**

1. A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
2. 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.
3. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

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](mailto:cil@barnet.gov.uk).

## **1. MATERIAL CONSIDERATIONS**

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

#### Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is The London Plan 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.



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.

#### National Planning Policy Framework

This document replaces the previous version of the National Planning Policy Framework (NPPF) published in February 2019. The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states at Para 126, "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

In addition the NPPF retains a 'presumption in favour of sustainable development', unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

#### The London Plan 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 now supersedes the previous Plan (2016).

The new London Plan policies (arranged by chapter) most relevant thought not exclusive to the determination of this application are:

##### Chapter 1

GG1 Building strong and inclusive communities

GG2 Making the best use of land

GG3 Creating a healthy city

GG4 Delivering the homes Londoners need

GG5 Growing a good economy

GG6 Increasing efficiency and resilience

##### Chapter 2

Policy SD6 Town centres and high streets

##### Chapter 3

Policy D1 London's form, character and capacity for growth

Policy D2 Infrastructure requirements for sustainable densities

Policy D3 Optimising site capacity through the design-led approach

Policy D4 Delivering good design

Policy D5 Inclusive design

Policy D6 Housing quality and standards

Policy D7 Accessible housing

Policy D8 Public realm

Policy D11 Safety, Security and resilience to emergency  
Policy D12 Fire safety  
Policy D14 Noise

#### Chapter 4

Policy H1 Increasing housing supply  
Policy H4 Delivering affordable housing  
Policy H5 Threshold approach to applications  
Policy H6 Affordable housing tenure  
Policy H7 Monitoring of affordable housing  
Policy H8 Loss of existing housing and estate redevelopment  
Policy H10 Housing size mix  
Policy H15 Purpose-built student accommodation

#### Chapter 5

Policy S1 Developing London's social infrastructure  
Policy S2 Health and social care facilities  
Policy S4 Play and informal recreation

#### Chapter 6

Policy E2 Providing suitable business space  
Policy E11 Skills and opportunities for all

#### Chapter 7

Policy HC1 Heritage conservation and growth

#### Chapter 8

Policy G1 Green infrastructure  
Policy G5 Urban greening  
Policy G6 Biodiversity and access to nature  
Policy G7 Trees and woodlands

#### Chapter 9

Policy SI 1 Improving air quality  
Policy SI 2 Minimising greenhouse gas emissions  
Policy SI 3 Energy infrastructure  
Policy SI 4 Managing heat risk  
Policy SI 5 Water infrastructure  
Policy SI 7 Reducing waste and supporting the circular economy  
Policy SI 8 Waste capacity and net waste self-sufficiency  
Policy SI 12 Flood risk management  
Policy SI 13 Sustainable drainage

#### Chapter 10

Policy T1 Strategic approach to transport  
Policy T2 Healthy Streets  
Policy T3 Transport capacity, connectivity and safeguarding  
Policy T4 Assessing and mitigating transport impacts  
Policy T5 Cycling  
Policy T6 Car parking

Policy T6.1 Residential parking  
Policy T6.2 Office Parking  
Policy T6.5 Non-residential disabled persons parking  
Policy T9 Funding transport infrastructure through planning

Chapter 11

Policy DF1 Delivery of the Plan and Planning Obligations

### Mayoral Supplementary Guidance

#### **Planning for Equality and Diversity in London (October 2007)**

This guidance sets out some of the overarching principles that should guide planning for equality in the London context.

#### **All London Green Grid (March 2012)**

This strategy provides guidance for designing and managing green and open spaces to bring about previously unrealised benefits. In doing so, we aim to encourage boroughs, developers, and communities to collectively increase the delivery of green infrastructure for London.

#### **Play and Informal Recreation (September 2012)**

Provides guidance to Local Authorities and development to estimate the potential child yield from a development, and the resulting requirements for play space provision.

#### **Sustainable Design and Construction (April 2014)**

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development.

#### **The control of dust and emissions during construction and demolition (July 2014)**

The aim of this supplementary planning guidance (SPG) is to reduce emissions of dust, PM<sub>10</sub> and PM<sub>2.5</sub> from construction and demolition activities in London.

#### **Accessible London: Achieving an Inclusive Environment (October 2014)**

The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.

#### **Housing (March 2016)**

The housing SPG provides revised guidance on how to implement the housing policies in the London Plan.

#### **Affordable Housing and Viability (August 2017)**

Set's out the Mayor's policies for assessing and delivering affordable housing and estate renewal.

#### **Relevant Local Plan (2012) Policies**

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD which

were both adopted on 11 September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

**Core Strategy (Adopted 2012):**

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet’s Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)

CS5 (Protecting and enhancing Barnet’s character to create high quality places)

CS7 (Enhancing and Protecting Barnet’s Open Spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive integrated community facilities and uses)

CS11 (Improving health and wellbeing in Barnet)

CS13 (Ensuring the efficient use of natural resources)

CS15 (Delivering the Core Strategy)

**Development Management Policies (Adopted 2012):**

DM01 (Protecting Barnet’s character and amenity)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM14 (New and existing employment space)

DM13 (Community and education uses)

DM15 (Green Belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are material considerations for the determination of planning applications:

*Local Supplementary Planning Documents and Guidance:*

Sustainable Design and Construction SPD (April 2013)

North London Business Park Planning Brief

The Council adopted the Copthall Planning Brief following extensive public consultation in March 2016 .The brief sets out the spatial strategy for the development of the North London Business Park Site.

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)

Planning Obligations (April 2013)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Health Issues in Planning (June 2007)  
Planning for Equality and Diversity in London (October 2007)  
All London Green Grid (March 2012)

### 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. The EIP opened in September 2022 and recently concluded aural hearings. 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 has been taken of the policies and site proposals in the draft Local Plan limited weight has been given to the draft Local Plan in the determination of this application.

### **1.2 Key Relevant Planning History**

The site at North London Business Park was historically first brought into use as a cemetery by the Great Northern cemetery company in 1855. Subsequently the site was purchased by Standard Telephones and Cables in 1922 and various industrial buildings were subsequently erected in the period up to the Second World War.

The site was partly redeveloped in the 1980's and in the early 200's into the form which is present today. Standard Telephones and Cables was bought out by Nortel in 1991 who vacated the site in 2002 when the site was renamed as North London Business Park.

### Recent Relevant History

15/07932/OUT Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises 360 residential units in five blocks reaching eight storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline element comprises up to 990 additional residential units in buildings ranging from two to nine storeys, up to 5,177 sqm of non-residential floor space (use Classes A1-A4, B1 and D1) and 2.54 hectares of open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking. March 2017 RECONSULTATION Amended Plans: involving the provision of 10% Affordable Housing across the site with an overall increase in the proposed number of housing units from 1,200 to 1,350. The tallest buildings have been reduced in height from 11

to 9 storeys with some buildings along the boundary of the rail line increased from 7 to 9 storeys.

The planning application was recommended for approval by LB Barnet Officers but refused by Members of the Planning Committee in June 2017 for the following reason:

*'The proposed development, by virtue of its excessive height, scale and massing would represent an over development of the site resulting in a discordant and visually obtrusive form of development that would fail to respect its local context and the pattern of development in its context, to such an extent that it would be detrimental to the character and appearance of the area. The proposal would therefore not constitute a sustainable form of development and would be contrary to policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (July 2011, October 2013 and January 2014)'*

The application was subsequently appealed and recovered by the Secretary of State (SoS), and an Inquiry was held between October and November 2018.

The Inspector reported to the SoS in January 2019 recommending the appeal to be allowed, with the SoS agreeing in January 2020, issuing the decision allowing the appeal. A costs award was also awarded against Barnet Council.

The hybrid permission was approved as follows:

- Phase 1 was approved in detail and comprises 360 residential units in five blocks reaching up to 8 storeys, alongside the provision of a 5 form entry secondary school including a multi-use sports pitch and associated changing facilities, MUGA facilities on the school roof, improvements to open space and transport infrastructure; and
- Phases 2 – 5 were approved in outline and comprise a further 990 residential units in buildings ranging from two to nine storeys, up to 5,177 sqm of non-residential floorspace including shops, offices, food and drink, and public buildings. This includes 2.54 hectares of public open space including play, alongside associated transport infrastructure, further landscaping and car parking.

In addition to the S73 application pursuant to this report a separate planning application was submitted in August 2021 for alterations to the appeal scheme to allow amongst other things an uplift of 1,078 units from 1350 to 2428 units. This scheme is still under consideration, the details of this application are as follows:

22/1579/S73 Variation of condition 1 (Approved Plans) of planning permission reference 15/07932/OUT dated 24/02/20 for 'Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises 360 residential units in five blocks reaching eight storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline

element comprises up to 990 additional residential units in buildings ranging from two to nine storeys, up to 5,177 sqm of non-residential floor space (use Classes A1-A4, B1 and D1) and 2.54 hectares of open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking. March 2017 RECONSULTATION Amended Plans: involving the provision of 10% Affordable Housing across the site with an overall increase in the proposed number of housing units from 1,200 to 1,350. The tallest buildings have been reduced in height from 11 to 9 storeys with some buildings along the boundary of the rail line increased from 7 to 9 storeys.' Variation to include: Changes to the school: Changes to the main access point on Brunswick Park Road: Changes to phasing. Approved on 20.10.2022.

There are other minor applications for historic consents on the site including consents for educational uses utilising existing buildings on the site.

### **1.3 Pre-application Consultation by the Applicant**

A statement of community involvement has been submitted with the Planning Application which outlines the consultations which the applicant carried out prior to the submission of the application. This included workshops with the GLA and the London Borough of Barnet, meetings with Local Ward Councillors, MP's and residents associations as well as Public Consultation Events. Due to covid submissions at the time, these consultation events were carried out online.

### **1.4 Public Consultations by the Council and Views Expressed**

#### **Public Consultation**

**3206** local residents were consulted on the planning application by letter on 16.08.2021. The application was advertised in the local press on 19 August 2021 and site notices were put up on site on 19 August 2021. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

#### **Reconsultation**

Neighbouring residents were re-consulted on the 21<sup>st</sup> October 2022 following the receipt of amended plans involving alterations to the junction arrangements including the installation of a signalised junction on Brunswick Park Road.

The plans were also previously amended in relation to minor amendments to the proposed blocks increasing the percentage of dual aspect units and reducing the quantum of development by 9 units, however this change was not subject to formal consultation as the amendments did not significantly change the nature of the application and did not affect the substance of the comments received.

#### **Public Representations**

As a result of the consultation, a total of 879 responses have been received with 773 objections, 102 letters of support and 4 neutral responses.

The comments received from members of the public have been summarised as follows:

Summary of main points raised by members of the public in objecting to the scheme.

Original scheme should never have been approved and this adds to it.  
Proposal would increase density of the site by 80% over the previous appeal scheme.  
Ridiculous to add height to proposals which were already too high (on the previously approved scheme)  
Insufficient green space  
Proposal over large for surrounding area  
Insufficient car parking, will put pressure on surrounding roads.  
Insufficient infrastructure to support proposed housing including doctors, primary schools and surrounding roads and public transport.  
Local Primary schools over subscribed, and long waits at local doctor's surgeries  
Brunswick Park Road unable to cope with volume of traffic and additional bus services will not be able to get through.  
Proposals will add to local congestion and pollution.  
Proposed heights of up to 13 storeys out of keeping with surrounding area.  
Surrounding area is all low rise housing.  
Out of keeping with suburban character of the area  
Letters of support from outside the area and relate to the school only.  
Leverage of school proposals should be ignored in considered residential proposals.  
Too many properties proposed for the area.  
Proposals contradict local plan policies.  
Site is not within an identified tall building area and proposals are contrary to this point.  
Proposal would exceed site capacity of the draft Reg 22 local plan  
Proposal would destroy character of the area.  
Object to Weirdale Avenue link, as will encourage parking and movement through these roads which are already too narrow and full of parking.  
Proposals would cause mental and physical distress to neighbouring residents.  
Increasing population densities bad for health, environment and the economy.  
Lack of demand for flats post Grenfell and preference for houses with gardens post covid means properties could be unsold.  
High rise development could result in high crime rates and is building the slums of the future.  
Insufficient employment space left on site and surrounding area as a result of the development.  
Proposal would cause overlooking and loss of light to neighbouring properties, particular Brunswick Crescent and Meadsway  
Recent removal of trees has removed screening of development  
Disturbance caused by development which has commencement, traffic, vibration etc.



Damage which has been done to ecology on site, through removal of trees, draining of pond and activities on the top of the site.

Summary of main points raised by members of the public in support of the scheme.

Support provision of new school.

Pupils have been in temporary accommodation too long, need permanent school building.

Officer Comment

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

**Elected Representatives.**

Councillors

(Former) Cllr Weedon Sanz

*I am writing to object to the above planning application for the North London Business Park.*

*I am appalled by the new proposals which increase the existing approved plans unacceptably in height, bulk, massing and density which is totally at odd with our suburban and low rise area. It would damage the neighbourhood further and be intrusive over neighbouring roads and homes. The increase in height to 13 storeys is totally excessive and in the wake of Grenfell and of our experiences of lockdown throughout Covid and how it affected the mental health of those living in tower blocks it is clear that tall buildings do not create happy communities or residents, highlighted in the recent report by the London Assembly too.*

*The reasons the previous application was recommended for approval by the inspector included that the borough had not met its housing targets which I now understand the borough has and so to increase this development's density would be damaging to the local community and serve no purpose other than to line the developers pockets.*

*These plans are a clear violation of the Barnet Local Plan and our Core Strategy CS5 given that the site is not an approved location for tall buildings. To approve this application would be to make a mockery of our local plan and policies. It would impose unbearable pressure on local infrastructure, including primary schools, local health services and cause chaos on the roads surrounding the sight with the increase in traffic volume it will cause.*

*It is also disappointing to see the developer attempting to open access through to Ashbourne Avenue too after this was removed from the previous application, quite rightly, because it would destroy the sense of community in that road and in Weirdale Avenue and create a rat run and further problems with overflow parking.*

(Former) Cllr Rutter

*You will no doubt be aware that many of my constituents will be objecting to this new application with regards to the additional housing and extra stories on the blocks which is completely out of character in the local area and has not taking into consideration how the increased numbers will impact and have greater pressures on local services and infrastructure.*

***I would therefore like this to be noted and ask that this application be called in to committee for decision please and I would like to speak as before.***

*This new application includes “.....the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities.....”*

*In our telephone conversation earlier, I informed you that I was surprised to note that the Comer’s new application also included the school. The school should not be tied up with this new application and should be separate.*

*This is very confusing for the residents. The school should not have been included in this application especially as you also confirmed to me in our conversation that the Education Trust would be sending a new school planning application soon and you will be finding out when this will be received. This is contradicting. If the committee decide to refuse this planning application, will the school be affected too?*

*In response you confirmed however in our telephone conversation that any decision by the committee would not affect the school.*

*I would therefore be grateful if you could please confirm in response to my email - that any decision by the committee with regards to this application will not affect the school and its build and you will also find out and let me know when the Education Trust will be sending their school planning application.*

#### Members of Parliament

Teresa Villiers MP has made comments on the application but has not submitted formal comments. Any formal response received will be reported in the Addendum.

#### GLA Assembly Member

None Received

#### **Consultation responses from neighbouring associations other non-statutory bodies.**

#### **Consultation Responses from Statutory Consultees**

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

## Strategic issues summary

**Land use principles:** The proposed optimisation of this consented residential-led masterplan to deliver an uplift of up to 1,078 new homes over the extant consent at a site which is locally designated for residential led mixed use redevelopment is supported (paragraph 20-22).

**Housing:** The application proposes 10% affordable housing (67/33 London Affordable Rent / shared ownership). In the absence of a verified viability position, and noting the significant uplift in quantum proposed, this level of affordable housing is wholly unacceptable. The GLA Viability Team is rigorously scrutinising the submitted FVA to advance viability discussions and ensure that the maximum level of affordable housing is secured over the lifetime of the development. Review mechanisms are required and affordability levels must be secured via S.106 (paragraph 23-30).

**Urban design:** The proposed height and massing would have relatively significant visual prominence in this suburban context and would also impact upon the setting of the Metropolitan Open Land to the south and east. The applicant must provide additional views from within the Metropolitan Open Land to allow a full assessment of any harm to be undertaken. The applicant must also address issues in respect of housing quality, architecture, and height and massing (paragraph 31-46).

**Transport:** The applicant must provide additional information in respect to; the transport assessment, public transport impacts, public transport improvements, the proposed shuttle service and vehicle and cycle parking. Noting the proposed uplift in quantum, the Council must appropriately secure; a contribution towards public transport improvements, vehicle and cycle parking, construction logistics, delivery and servicing and a travel plan (paragraph 54-63).

Sustainable development: Further information and clarification is required on the sustainable development strategies before compliance with the London Plan can be confirmed (paragraph 64-69).

## Recommendation

That Barnet Council be advised that the application does not comply with the London Plan for the reasons set out in paragraph 73. Possible remedies set out in this report could address these deficiencies.

### Comments Received 04/12/2022 (GLA Viability Officer)

From the perspective of the GLA's Viability Team, the updated offer represents the maximum viable amount. The affordable offer is some way below levels secured in the majority of schemes referred to the Mayor.

If it is decided that the application is acceptable, then robust review mechanisms will need to be secured in the S106; it is noted that LB Barnet's Planning Committee may want to consider key terms of the mechanisms.

The GLA Viability Team advise the following with respect to the review mechanisms:

Early, mid and late stage reviews will be required.

Mid stage reviews should take place prior to each phase (beyond phase 1). The late stage review should be triggered upon the occupation of a specified number of market tenure units within the final phase (for example 75%).

Given the scale and outline nature of the scheme and the effect of the development programme on the viability of the scheme, the approach to the viability reviews should not use the formulas set out in the Affordable Housing and Viability SPG, but rather comprise of a full reappraisal of the scheme. Only the Benchmark Land Value and Developer Return should be fixed in the Section 106 Agreement.

All reviews excepting the late stage review should, where a surplus is identified, deliver additional genuinely affordable housing on-site.

Only with the late stage review should any surplus be split between the developer and Local Planning Authority. For all other reviews, the surplus should be dedicated to additional on-site affordable housing.

### **Transport for London (TfL)**

Using references in Stage 1 report:

**Para 54** There is further assessment material in addendum TA. There are technical comments we need to provide direct to the consultant that won't impact on general conclusions but are concerns with how the LU station assessment has been undertaken.

**Para 55** Please confirm measures secure reference to ATZ assessment. As long as they there, we just need to review in detail when you refer to the GLA.

**Para 56** For buses, we requested an uplift in line with development quantum. We also need to make sure the original contribution will also be paid to TfL as intended.

So it would helpful to confirm that £825,000 is still secured in accord with the original permission plus £700,000 relative to the uplift.

This based on original development = 1350

Uplift = 1,150

The developers proposed this approach though. TfL is ok to agree.

**Para 57** Please confirm if the highway authority will be able to justify the new signals in accordance with TfL guidance namely Appendix L:

<https://content.tfl.gov.uk/design-standards-signal-schemes.pdf>

TfL requested justification within Stage 1 report. I understand the highway authority supports this proposal and the design.

I had concerns with the layout from an active travel point of view, so I welcome the layout changes, and overall design is acceptable to TfL, subject to my general comments about the principal needing justification

If the highway authority (and LPA) confirm they believe new signals are justified in accordance with TfL guidance. Then they need to secure the full costs of the signals including commuted maintenance payments to TfL to ensure this is not a additional cost to TfL in the longer term.

The modelling to support the proposals need to be submitted to TfL and subject to TfL Model Audit Process. The model prepared to support the planning application hasn't been audited by TfL colleagues, so TfL can't comment on its validity. Therefore, your highway colleagues will need to confirm if the models are valid.

**Para 58** I've not seen any further information on shuttle bus services as requested.

**Para 59** We not supportive of the approach to car parking. We looking for further constraint given the density of development proposed, we don't support a ratio of 0.8. We know this is better than the approved permission of 1.5 space per unit. However, the level of constraint is not sufficient to support mode shift targets in the London Plan. We welcome the aspiration for mode shift, starting at 40% on opening to 27% within 10 years. This would suggest that increasing car parking constraint should be applied to later phases, whilst not rule out, there is no commitment.

For avoidance of doubt, at the meeting I attended in September. I asked for commitment to lower parking provision for future phases, with a preference to reduce car parking from the outset. The "monitor and manage" approach is not agreed by TfL.

**Para 60** Notwithstanding the above, we are ok with the approach to Blue Badge parking and Electric Vehicle charging, subject to securing appropriate conditions.

**Para 61** Have indicative layouts for cycle parking be provided? If so, do you need TfL to review them? Or if you or your colleagues reviewed against LCDS? If the latter, I'm ok with that approach but useful if you confirm in your report so I can reference in Stage 1.

### **London Borough of Enfield**

**Comments:** The site is located approximately 1km away from the borough boundary (west of Southgate) in the London Borough of Barnet.

The site benefits from planning permission for redevelopment. The original application was submitted in hybrid form and planning permission was granted at appeal in February 2020 (London Borough of Barnet reference 15/07932/OUT and PINS reference APP/N5090/W/17/3189843).

The application is accompanied by a Transport Assessment (TA) and Travel Plan.

The TA states: *“With regard to the secondary school, it has been concluded that the proposals for the school relate to a re-location only, and subsequently no additional traffic will be generated by the school proposal. In light of this, no assessment of the secondary school development has been included within this assessment.”*

Public Transport Accessibility Level (PTAL) is a widely adopted methodology in Greater London for quantifying a site’s accessibility to public transport and is considered to be a usable measure of relative accessibility to public transport at any location within a London borough and provides a general comparison of a site’s accessibility relative to another. TfL’s web-based calculator has been used to determine the site’s existing PTAL, which shows a rating of 1a - 2 across the site. This demonstrates that based on the PTAL calculator, the site is considered to have poor access to public transport.

According to the TA, as part of the scoping discussions, TfL stated that they do not wish to divert any of the existing bus services through the development site. As part of the extant 2020 permission, a financial contribution was secured as part of the S106 to provide an additional bus service on the 382 bus route. Given that it is not be feasible to divert any existing TfL bus services through the site, it is proposed that the financial contribution sum is increased to reflect the uplift in residential development. This is positive, however, it is unclear from the TA what impact the proposed development will have on bus capacity, clearly there will be an increase in trips, but it is not known what impact the development will have on this mode of travel and whether existing users will be negatively affected.

The nearest National Rail stations to the site are Oakleigh Park to the north and New Southgate to the south (a 23-minute walk or 8-minute cycle journey from the centre of the site). These stations are on the Great Northern line between Moorgate and Welwyn Garden City. Secure cycle storage is available at New Southgate and Oakleigh Park stations, making sustainable trips to the station attractive to residents of the area. there are cycle storage spaces at New Southgate and at Oakleigh Park station.

The site is located between two London Underground lines; the Northern Line and Piccadilly Line, with the nearest station being Arnos Grove on the Piccadilly Line (24- minute walk or 8-minute cycle away). The TA states that there are 10 cycle storage spaces at the station with additional stands in the local area, when the station can in fact accommodate the parking of 36 cycles. The Active Travel Zone assessment identifies Arnos Grove Station as a key destination, a route from the proposal site to the Station was reviewed, but no improvements are proposed. We don’t agree, the route between the site and the station is poor (particularly for cyclists) and needs to be improved if the development is genuinely to promote active travel modes.

An assessment of the impact of the proposed development on the London Underground network does not appear to have been undertaken.

The TA points to a study undertaken and a report produced by TfL that found:

- The more parking provided by a new development, the higher the household car ownership level. Where there is more parking, there are more cars.

- Developments with more parking produce more car travel. People who own cars use them: driving their cars frequently at all times of day, including the busiest peak periods; and
- The level of car parking provided in new developments therefore has a substantial impact on the level of car use generated by that development.

A low level of car parking is proposed for the development (0.08 spaces per dwelling) and therefore it is concluded that car travel will subsequently be lower at the development. In addition to this, a number of measures such as a financial contribution towards improved local bus services, the provision of on-site car club bays, and cycle maintenance/repair kits available and an accompanying Travel Plan document are proposed for the development to encourage sustainable travel.

We have concerns about the developments impact on the surrounding road network. The 2011 Census 'Travel to Work' data for the Barnet 010 ward (where the proposal site is located) suggests that 47.9% of journeys to work are made via single occupancy vehicle. We accept this trend is unlikely to continue because of the low level of car parking being provided across the proposal site and the impact this will have on the way future residents of the site travel. However, Junction capacity assessments had not been undertaken at the time of preparing the TA. The document states that *"a separate addendum will be prepared focussing on trip generation, distribution and junction capacities."* Without this information we cannot determine what the proposals impact will be on LB Enfield's road network and whether mitigation is required.

The proposal site provides vehicular access and egress from/to Brunswick Park Road and the A109, Oakleigh Road South both of these roads feed onto the Betstyle Circus Roundabout in Arnos Grove, in the London Borough of Enfield.

**Conclusion:** For the reasons set out above, T&T are unable to determine this developments impact. More information is therefore required to properly assess whether the development will have an impact on the surrounding road network.

I would appreciate it if you could take these comments into account as part of your assessment of the application.

## **Network Rail**

Following assessment of the details provided to support the above application, Network Rail has **no objection in principle to the development**, but below are some requirements which must be met, especially with the proximity of the development to high voltage overhead line equipment and a railway tunnel.

## **Sport England**

### **Sport England - Statutory Role and Policy**

It is understood that the site forms part of, or constitutes land last used as playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). However,

as the playing field has not been used for at least five years, the consultation with Sport England is not a statutory requirement. Consultation with Sport England is also advised by national guidance due to the number of new residential units and that new sport facilities are proposed. More detail can be found at <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#open-space-sports-and-recreation-facilities>

Notwithstanding the non-statutory nature of the consultation, Sport England has considered the application in light of the National Planning Policy Framework (particularly Paragraph 99) and against its own playing fields policy and its own wider planning policy. More detail can be found at [https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport?section=planning\\_for\\_sport\\_guidance](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport?section=planning_for_sport_guidance)

Please note that Sport England applies its policy to any land in use as playing field or last used as playing field and which remains undeveloped, irrespective of whether that use ceased more than five years ago. Lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality. Such land can retain the potential to provide playing pitches to meet current or future needs.

### **The Proposal and Impact on Playing Field**

The hybrid planning application proposes the redevelopment of North London Business Park including up to 2,428 residential units in total, a secondary school with a sports block, rooftop Multi-Use Games Area (MUGA), sports hall and Artificial Grass Pitch (AGP) and uses falling with Use Classes E and F. The proposed redevelopment would result in the loss of the disused playing field.

The proposed development is a revision of the scheme approved in 2017 which Sport England had concerns so submitted an objection. The current application raises similar issues to the previous scheme therefore these comments are attached for reference purposes.

### **Strategic/Local Need for the Facility**

Sport England previously concluded (see attachment) that there could be a need for both the proposed sports hall and AGP, which was informed by Sport England's Facility Planning Model (FPM). Since this time the Council have developed a Playing Pitch Strategy (PPS) and are now in the process of refreshing this document. The existing PPS, albeit arguably out-of-date, highlighted a deficit of sports pitches and recommended that AGP's were delivered at various sites throughout the borough. The Council have, and are currently, developing masterplans to meet this identified need. As a result, it is questionable if the proposed AGP is required to meet the needs of community sport within the borough therefore Sport England now has its concerns that the proposed AGP would not meet local need and could not be sustainable in the long-term. However, as noted above, the Council are currently refreshing the PPS which is expected to be completed soon which could highlight a need above that indicated in the current PPS but, based on the information Sport England currently has available and



without any discussion of need in the application documents, it cannot conclude that there is a need for the proposed AGP. Sport England, however, would happily review this situation if the applicant can provide a robust justification of community need/demand for the proposed AGP that could not be not accommodated at other sites planned within the borough.

Notwithstanding the above, it is not clear if the proposed AGP is intended for mitigation for the loss playing field at the site therefore it would be beneficial if the applicant could clarify this when it sets out the need for the proposed AGP.

Similarly, limited detail has been provided for the community need for the activity studio that demonstrates there is a local need for this facility.

In relation to sports halls, it is not clear if there is an existing sports hall on site that would be lost and that the proposed sports hall is intended as a replacement . The FPM indicates that there is still a borough wide deficit therefore it could be argued that the position in relation to the proposed sports hall is similar to that in 2016. Furthermore, feedback from England Badminton suggests that there is a need for community badminton facilities and they indicated that they are keen to work with the school/applicants so that facility can be utilised by badminton clubs and coaches.

Sport England notes that there is an existing MUGA on the site, albeit aerial photographs suggests that it has been used for car parking in recent years. As result, the proposed MUGA could be considered a replacement for the existing MUGA that would be lost.

## **Design**

Similar to the previous application, Sport England has concerns with the design/detail of the proposed sports facilities. The dimensions stated in the Design & Access Statement for the proposed AGP does not appear to align with FA guidance while Sport England are unable to locate the dimensions/specification for the proposed sports hall, although it would highlight that doors should not open into the sports hall and they should be flush with the interior wall. Sport England would like to understand/ensure that the proposed sports facilities would be designed and constructed in accordance with its (or FA) guidance to ensure that they are fit for purpose.

## **Community Use**

On the basis that that there is a need for the proposed facilities, Sport England welcome the intention to allow the community to use the facilities. Community use should be secured in a Community Use Agreement (CUA) so that the community are able to access the facilities in the long-term. Sport England recommend that the Council consider imposing a condition on any approval that requires the submission of a CUA. Sport England has a model condition and a template CUA that can be forwarded on request (both are also available on Sport England website).

Sport England notes the submitted documentation indicates that the proposed sports block would have community use until 9:30pm on weekdays and at weekends but the proposed AGP could have different hours of community use. The peak time for community sport is weekday evenings until 10pm and during the day at weekends. Any CUA should reflect these times so that the community benefits of the proposal can be fully realised.

### **Residential development**

The planning application proposes 2,428 residential units the occupiers of which will generate demand for sporting provision. The existing provision within the area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as the Council's Playing Pitch Strategy, Built Facility Strategy or another relevant robust and up-to-date needs assessment.

Although there is proposed floorspace falling within Use Classes E and F it is not clear whether any of these would actually be sport facilities and, if there were to be sport facilities, then it is not clear what sport facilities would be provided. It is also not clear if the proposed school facilities are intended to mitigate the loss of the playing field, meet an existing deficit or to meet the demand from the proposed residential units. As a result, it is currently unknown if any sport facilities would meet the sporting demands arising specifically from the proposed development.

Changes to CIL Regulations has resulted in the Council having the opportunity to seek contributions through CIL or via a S. 106 Agreement however it is not clear how, or if, the Council intends to mitigate the impact of the increase of sporting demand on local sport facilities.

If provision for sports facilities is to be made by the CIL charge, it is acknowledged that there is no requirement to identify where those CIL monies will be directed as part of the determination of any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its Playing Pitch Strategy and/or any other robust borough wide sport facility strategy and direct those funds to deliver new and improved facilities for sport based on the priorities identified in those documents.

In the event that the Council decide to mitigate the impact of increase demand on sports facility provision through a S. 106 agreement rather than the CIL charge then Sport England would be happy to provide further advice. To assist the Council, an estimate of the demand generated for outdoor sports provision can be provided by Sport England's Playing Pitch Calculator strategic planning tool. Team data from the Council's Playing Pitch Strategy can be applied to the Playing Pitch Calculator which can then assess the demand generated in pitch equivalents (and the associated costs of delivery) by the population generated in a new residential development. It can also calculate changing room demand to support the use of this pitch demand.

In relation to built sport facilities, Sport England's established Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain sports facility types. The SFC indicates that a population of 5,827 (calculated by multiplying the number of residential units by the average occupation rate of 2.4) in the London Borough of Barnet would generate a demand for 0.41 sports halls (£1,301,241), 0.29 swimming pools (£1,393,946), 0.18 AGP's (£231,131 if 3G or £210,225 if sand) and 0.34 rinks in an indoor bowls centres (£163,215). Consideration should be given by the Council to using the figures from the Sports Facility Calculator for informing the level of any financial contribution if indoor sports provision was to be made through a S.106 agreement.

### **Active Design**

Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015), a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments. The document can be downloaded via the following link:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>

I hope that these comments can be given full consideration when a decision is made. I would be happy to discuss the response with the Local Planning Authority and/or the applicant as the determination of the application progresses. Please contact me if you have any queries

We would be grateful if you would advise us of the outcome of the application in due course by forwarding a copy of the decision notice.

### **Conclusion**

Given the above assessment, Sport England wishes to raise an objection as it is not clear if the proposal meets the NPPF and its own Planning Policy. It is not clear if the loss of playing field has been mitigated, whether there is a need for all the proposed facilities and whether the proposed sports facilities would be fit for purpose. If the applicant can consider these aspects and provide Sport England with clarification it would be happy to reconsider its position.

Sport England would like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

### **Officer Comment**

As noted above the comments expressed above were raised in relation to the previous application, and were considered by both the Local Planning Authority as not constituting reasons to refuse the scheme due to the long standing non use of the top field as a playing pitch. Other matters such as the community use of school sport facilities have been secured through obligation and conditions.

## **Natural England**

### **NO OBJECTION**

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

## **Historic England**

### **Recommend Pre-Determination Archaeological Assessment/Evaluation**

Thank you for your consultation received on 16 August 2021.

Advice from this office on a previous scheme at this location was for enhancements to the archaeological desk-based assessment. This work does not yet appear to have been undertaken. A desk-based assessment should be submitted to support the planning application and should include further documentary research conducted into the cemetery records of the Great Northern/New Southgate Cemetery to try to establish if and where burials were made within the site. Evaluation trenches may then be needed to check if burials are actually present in areas of potential and what mitigation is necessary.

Also further investigation should be made through the Barnet Library and Local History Centre of the industry's photographic archive and other information/local contacts for an industrial archaeologist to better understand the factory's history and processes. This will help determine what level of recording would be appropriate for structures such as the coal chutes and air raid shelters.

NPPF Section 16 and the London Plan (2021 Policy HC1) make the conservation of archaeological interest a material planning consideration. NPPF section 194 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. A field evaluation may also be necessary.

I have looked at this proposal and at the Greater London Historic Environment Record but I need more information before I can advise you on the effects on archaeological interest and their implications for the planning decision. If you do not receive more archaeological information before you take a planning decision, I recommend that you include the applicant's failure to submit that as a reason for refusal.

Because of this, I advise the applicant completes these studies to inform the application:

The Greater London Archaeological Advisory Service (GLAAS) give advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter. The planning application lies in an area of archaeological interest.

#### **Desk Based Assessment**

Desk-based assessment produces a report to inform planning decisions. It uses existing information to identify the likely effects of the development on the significance of heritage assets, including considering the potential for new discoveries and effects on the setting of nearby assets. An assessment may lead on to further evaluation and/or mitigation measures.

I will need to agree the work beforehand and it should be carried out by an archaeological practice appointed by the applicant. The report on the work must set out the significance of the site and the impact of the proposed development. I will read the report and then advise you on the planning application.

NPPF paragraphs 199 - 202 place great weight on conserving designated heritage assets, including non-designated heritage assets with an archaeological interest equivalent to scheduled monuments. Non-designated heritage assets may also merit conservation depending upon their significance and the harm caused (NPPF paragraph 203). Conservation can mean design changes to preserve remains where they are.

NPPF paragraphs 190 and 197 and London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Applicants should therefore expect to identify appropriate enhancement opportunities. If preservation is not achievable then if you grant planning consent, paragraph 205 of the NPPF says that applicants should record the significance of any heritage assets that the development harms.

You can find more information on archaeology and planning in Greater London on our website.

This response only relates to archaeology. You should also consult Historic England's Development Management team on statutory matters.

#### **Officer Comment**

A desktop study was included in the submitted ES. A condition was attached to the previous extant scheme regarding archaeological investigation and recording which is also attached to the current application.

#### **Environment Agency (EA)**

No representations received (No objections were made to previous planning application).

#### **Highways England**

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England has undertaken a review of the Transport Assessment (TA) prepared on behalf of Comer Homes Group by Stomor Ltd, accompanying an outline planning application submission. Highways England interests relate to the operation and safety of the SRN, and in proximity to the proposed site. We are interested as to whether there would be any adverse safety implications or material increase in queues and delays on the SRN as a result of this development.

The proposals seek phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises up to 461 residential units in five blocks reaching 9 storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline element comprises up to 1,967 additional residential units in buildings ranging from three to twelve storeys, up to 7,148 sqm of non-residential floor space (use Class E and F) and public open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking, located North London Business Park, Oakleigh Road South, London, N11 1GN.

The site benefits from planning permission for redevelopment (App ref: 15/07932/OUT) which was later granted at Appeal in February 2020. Highways England raised no concerns to this application.

Based on our analysis of the data presented within the TA, the proposals will result in an increase in traffic during peak hours , but given that the site is a good distance away from the SRN i.e. in excess of 10km, we accept the TA conclusions that the development will not impact the safety, reliability and/or operation of the SRN.

### Recommendation

We are satisfied that the proposal would not materially affect the safety, reliability and/or operation of the strategic road network (SRN) (the tests set out in DfT C2/13 para 10 and MHCLG NPPF para 111). As such, Highways England raises No Objections. A HEPR is attached.

Thank you again for consulting with Highways England and please continue to consult on other planning applications via our inbox [planningse@highwaysengland.co.uk](mailto:planningse@highwaysengland.co.uk).

**CWC and NHS Primary Health Care Centre NLBP**

- Comer has been in discussions with CWC and several of the local churches to provide an affordable long leasehold shell of not less than 1900 sqm within Block 3A of the application scheme. CWC is an independent charity which delivers purpose designed and built CWC LiveWell & NHS Primary Health Care Centres in Greater London. CWC owns and manages each LiveWell Centre and delivers local community focused healthy living programmes, social prescribing support and social prescribing programmes from Centres co – located with NHS primary health care. CWC and the local churches are working together to design a joint use of the CWC accommodation.
- CWC’s proposal would be to relocate both Oakleigh Road Clinic and Brunswick Park Health Centre into the new NLBP regeneration area and at the same time provide a co – located CWC LiveWell Centre. There is a clear need for the NHS to relocate both practices, which currently occupy out - dated and non - compliant premises, into new purpose designed and built primary health care accommodation. The offer by Comer to provide not less than 1900 sqm of community and health accommodation could secure the relocation of both practices into the heart of the community within the NLBP regeneration scheme; NLBP is within 0.25 miles of each practice.
- CWC opened its first LiveWell Centre in Kew in February 2020 only to shut it 3 weeks later as a consequence of the Pandemic; it reopened again in early 2022 and has since been able to establish proof of concept. More details of the Centre can be found on the public web site below

[www.livewellkew.org.uk](http://www.livewellkew.org.uk)

CWC’s ownership model and integrated delivery concept is supported both by both NHSE and the LEB as the concept is aligned with Central Government, Local Authority, NHS and ICB’s policies to provide integrated place - based community and health care; in addition, CWC charity ownership structure underpins sustainable delivery of community and social prescribing care.

- CWC has recently had a series of meetings with NCL NHS to discuss various sites. The discussions included NLBP. During the discussions, the NHS said that it had been supporting the Council’s aspirations to redevelop the Osidge Library site to reprovide a new library and health centre for Brunswick Park HC on site with additional residential accommodation; the Council own the freehold of the overall site.

NCL agreed that the CWC proposal to relocate both Brunswick Park HC and Oakleigh Road Clinic into a new purpose designed and built Centre with a CWC LiveWell Centre might provide a better solution for the local community in terms of service delivery and value for money; further work would be required to appraise all potential options for the local community. CWC and NCL NHS have agreed, therefore, to meet with both GP practices to discuss potential relocation options and to consider CWC’s initiative at NLBP.

- The relocation of Brunswick Park Health Centre away from its current site could also provide benefits to the Council.

CWC would also welcome the relocation of a redesigned library co – located with the CWC LiveWell Centre as a central feature of the NLBP redevelopment, freeing up the whole of the Osidge library site for alternative uses. There is evidence from Camborne that a library co – located with health care can achieve library membership levels well in excess of the national average; in this case the library would also benefit from spin off membership generated by the CWC LiveWell Centre, particularly within the pre – school /primary school age

groups.

The relocation of both Brunswick Park Health Centre and Osidge Library into a purpose designed new community facility would be a significant local benefit.

- Planning Application 21/4433/OUT is an outline application in relation to Block 3A. If the Council is minded, however, to approve the application, it will be essential to preserve Comer's offer to CWC if the Council and the NHS decide in due course that CWC's proposals offer a better service solution for the local community and better value for money to both the Council and the NHS.
- I have attached CWC's NHS Team's assessment of the floor space requirement for a new CWC LiveWell and NHS Combined Primary Care Centre. I have also attached CWC's standard planning obligations.

Comer's offer to CWC is as follows:

Comer to deliver a long leasehold interest (not less than 99 years) of a shell of the new Centre to CWC in a position and configuration agreed by the Council within Block 3A;

The shell to be available for community provision and uses within Class E;

The Lease to reserve a peppercorn rent and a service charge that is directly related to the Centre's uses and not the overall upkeep of the new development;

The long leasehold to include the use of appropriate car parking and an ambulance bay in locations agreed by the Council.

I would welcome the opportunity to meet with you, appropriate officers and/or Councillors to discuss the content of this email further and before the formal consideration of the application at committee.

I would also wish to address the Planning Committee considering the application.

### **Thames Water (TW)**

#### **Waste Comments**

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning



application approval.

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for SURFACE WATER drainage, but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-2:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to

implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information : [www.thameswater.co.uk/help](http://www.thameswater.co.uk/help)

#### Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

#### Supplementary Comments

Wastewater: Wastewater: No detailed designs for Phase 0 & 1 drainage included, only outline for Phases 2-5 (shows connection into Phase 1 design but the specific connection point into our network is unknown from Phase 1.) To discharge condition, provide point of discharge for Phase 0 & 1. Management of surface water from new developments should follow London Plan Policy SI 13 Sustainable drainage, subsection B (the drainage hierarchy). Typically, greenfield run off rates of 5l/s/ha should be aimed for using the drainage hierarchy. The hierarchy lists the preference for surface water disposal as follows; Store Rainwater for later use > Use infiltration techniques, such as porous surfaces in non-clay areas > Attenuate rainwater in ponds or open water features for gradual release > Discharge rainwater direct to a watercourse > Discharge rainwater direct to a surface water sewer/drain > Discharge rainwater to the combined sewer. To assist in capacity assessments, all applications should include current and proposed drainage plans, including points of connection and estimations of flow rates. If greenfield runoff rates cannot be achieved, justification must be provided why this is not possible. Also refer to subsection C (avoiding impermeable surfaces) and consider alternatives to hard surfacing. Include flow split between Phase 0&1, and Phases 2-5 for SW. Brownfield rates in flood risk and drainage document likely significantly overestimate current flows into network because existing attenuation basin not accounted for. Also include if connection is via gravity or pumped. Thames Water are aware of some network constraints in the vicinity of the proposed development. We are however confident that should the planning application be approved, any investigations to understand the network performance in more detail and if required, associated upgrades can be delivered in time to serve the development.

There is no right of discharge of highway drainage into the public sewerage system. An agreement to allow a discharge may be granted under section 115 (WIA 1991) by negotiation between the Highway Authority and Thames Water.

#### **Metropolitan Police Crime Prevention Design Advisor**

I do not object to this proposal but due to the reported issues affecting the ward, overall crime levels and size of the development, I would respectfully request that a planning condition is attached to any approval, whereby each phase/development must achieve Secured By Design accreditation, prior to occupation.

Objection: measurable net gain to biodiversity has not been proven, only a preliminary report has been supplied in contravention of CIEEM guidance, insufficient detail supplied on compensation measures. The ecological report is therefore not compliant with BS 42020, NPPF, or CIEEM guidance.

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

1. NPPF states:

'170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity'

This ecological report does not provide a measurable assessment of biodiversity net gain. It cannot be approved until it does so. A Defra biodiversity metric is required to demonstrate whether a net gain has been achieved and should be supplied before an application can be approved. A net gain is a 10% increase in biodiversity units.

2. A preliminary survey is not appropriate to support a full or outline planning application. The CIEEM guidelines on PEA states:

'1.5 Under normal circumstances it is not appropriate to submit a PEA in support of a planning application.'

Only a full ecological survey which shows how measurable net gain will be achieved is appropriate. The application cannot be determined without this information. The ecological report is not compliant with CIEEM guidance.

3. BS 42020 Biodiversity Code of Practice for Planning and Development states:

6.6.2 An ecological report should avoid language that suggests that recommended actions "may" or "might" or "could" be carried out by the applicant/developer. Instead, the report should be written such that it is clear and unambiguous as to whether a recommended course of action is necessary and is to be followed or implemented by the applicant.'

No such definitive mitigation or compensation measures are contained in the preliminary ecological report. The application cannot be approved without this information and it cannot be left to condition as stated in the preliminary report.

### Internal Consultation responses

#### **Transport and Regeneration**

No objections subject to appropriate conditions and S106 obligations. Detailed Comments contained within officer section below.

#### **Environmental Health**

No Objections raised subject to the attachment of appropriate conditions regarding construction method extraction, noise mitigation and contamination.

## **Trees and Landscape**

No additional comments as planning application building footprints the same as the extant permission.

## **Ecology**

Proposal: Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises up to 461 residential units in five blocks reaching 9 storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline element comprises up to 1,967 additional residential units in buildings ranging from three to twelve storeys, up to 7,148 sqm of non-residential floor space (use Class E and F) and public open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking.

Dear Andrew,

Thank you for consulting with us on this application and providing the ecology documents, Preliminary Ecological Appraisal (PEA) Report (Greengage Environmental Ltd 2021), Phase 2 Ecology Survey Report (Greengage Environmental 2021) and Biodiversity Impact Assessment Report (Greengage Environmental 2021).

### **SUMMARY**

Having reviewed the ecology documents provided with the application we are satisfied that the evidence provided by the applicant sufficiently addresses potential impacts and implications on biodiversity receptors and therefore it can be recommended that the application may be approved with some conditions attached.

### **COMMENTS**

#### **Bats**

The Phase 2 Ecology Survey Report (Greengage Environmental 2021) states that five trees were initially identified as having moderate bat roosting potential but following the PEA Report (Greengage Environmental 2021) it was confirmed that there was an active woodpecker nest and so this was discounted from further survey.

Any trees identified as having low bat roosting potential were not subjected to further survey, in line with Bat Conservation Trust Guidelines (BCT, 2016), any tree for removal would be soft felled under the supervision of a suitably licensed ecologist, if required.

Two emergence/re-entry surveys were undertaken on each of the four trees identified as having moderate bat roosting potential from May to July 2021. No roost activity was noted, and thus roosting bats are confirmed as likely absent from the Site.

In addition to the above, bat activity surveys were undertaken which entailed three walked activity surveys consisting of one walked transect on each occasion and the installation of two static bat detectors in strategic locations across the site for monitoring periods of five consecutive days. The transects identified low levels of

bat activity on site with six species recorded, with most of the activity being from common pipistrelle and soprano pipistrelle.

Large areas of grassland and scrub habitat, as well as large mature trees will be removed from the Site and make way for the proposed development and their loss may significantly impact foraging bats, therefore compensation for the loss of these habitats in the form of extensive landscaping will be delivered on site.

Therefore, further bat/presence/absence surveys on trees or buildings, or activity surveys of the Site are not required, and the information submitted is suitable for assessing impacts to bats.

If at any time following the start of works, should a bat roost or evidence of a bat roost be observed, all work will be required to cease until a suitably licensed bat ecologist has been consulted and advice sought on how best to proceed under current laws and legislation. Where a bat roost is identified, destruction of the roost would usually need to be covered by a European protected Species License obtained from Natural England. The planning authority would need to have sight of any mitigation strategy developed for a licence application in order to address their obligations under The Habitats and Species Regulations 2017 (as amended).

If work is delayed more than one year after the date of the bat surveys (July 2021), repeat Preliminary Roost Assessments (PRAs) on affected trees and buildings should be undertaken along with any follow-up emergence/re-entry surveys, as well as a repeat bat activity survey of the Site.

### **Reptiles**

The Phase 2 Ecology Report (Greengage Environmental Ltd 2021) confirms that surveys using artificial refugia were undertaken in April and May 2021, with seven survey visits being undertaken during this period. A peak count of 18 slow-worm and 11 common lizards were recorded. This is considered a 'good' population for species. However, the assessment for reptiles has been based off only seven survey visits between two months of the active reptile season. Ideally, population assessments should be based off 21 survey visits over the period of March to July and then September. This allows for inclusion of the breeding season, and thus a more accurate determination of population size. Therefore, a follow up assessment of the reptile population should be undertaken to assess if mitigation proposed below is suitable. All results should be detailed within a reptile specific mitigation and habitat management plan and submitted to the LPA for approval.

To reduce the risk of reptiles being harmed a receptor site will be created along the north-western boundary, in advance of any construction works, which will be followed by a trapping exercise to exclude reptiles from the working area. The receptor site will be specifically designed to improve both the botanical and structural diversity of vegetation in order to benefit reptiles. A destructive search of any hibernation features will also be undertaken, and the area made unsuitable for reptile habitation.

### **Invertebrates**

The Phase 2 Ecology report (Greengage Environmental Ltd 2021) states that invertebrate surveys were undertaken on 10 June 2021 and 152 taxa were recorded including 11 with conservation statuses. The invertebrate assemblage is of local interest primarily associated with the open herb rich verges and banks.

The Phase 2 Ecology report also states that given the value for invertebrates associated with the banks surrounding the car park, it is proposed to recreate this habitat at roof level on biodiverse green roofs which

will incorporate a diverse mix of plant species and features such as log piles, rope coils, sandy piles and ephemeral water features.

Further invertebrate surveys are not required; therefore, the information is sufficient for assessing impacts to invertebrates.

### **Biodiversity Net Gain**

As per recommendations detailed within the Preliminary Ecological Appraisal Report (Greengage Environmental Ltd 2021), an assessment of the scheme was undertaken to calculate the ecological value of the pre- and post-development sites using the DEFRA 3.0 methodology. The Biodiversity Impact Assessment (Greengage Environmental Ltd 2021) details the results of this assessment and confirms that the potentials have the potential to result in a net gain of 1.10 habitat units. This equates to a 4.06% increase. In addition, the development will result in a net gain of 0.33 hedgerow units, which equates to a 77.70% increase. However, in order to achieve this net gain, a Landscape Environment Management Plan will need to be produced at final design stage and secured through planning condition. Within the LEMP a final biodiversity assessment will be required

### **Recent Construction Activity**

The applicant recently commenced construction of the school buildings. Pursuant to these works several trees were removed and works to drain the lake carried out. These works were supervised by on site ecologists and are in accordance with previous permissions and consents on the site.

However the school site is located on a different portion of the NLBP site to the area at the top with the reptiles. Contractors connected with the school build accessed this site to store materials and caused some damage to the slow worm habitat. The site was visited by the Council's ecology officer, as a result of which all work in this area ceased and log piles were erected along the site periphery as recommended in the ecology surveys. The applicant also reported themselves to the Police and have provided copies of this to the Local Authority.

While this breach is clearly regrettable it is not in itself a reason to withhold permission and the applicant has taken appropriate steps upon request by Council Officers. Suitable additional conditions are also suggested along with S106 obligations to ensure that suitable replacement habitat is provided either on or off site to the satisfaction of the LPA. Conditions are also attached requiring the provision of Bat and Bird Boxes and a scheme of ecological enhancements.

### **Capita Drainage Lead Local Flood Authority**

This review relates solely to the outline elements of the application comprising the 1,967 additional residential units in buildings ranging from three to twelve storeys, up to 7,148 sqm of non-residential floor space (use Class E and F) and public open space. Associated site preparation/enabling work, transport infrastructure and junction work, landscaping and car parking.

The applicant has submitted additional information, and while this has addressed our previous points, this has brought to light additional concerns that need

addressing at this stage. At present it is recommended this application is not approved for the following reasons:

Hydraulic calculations show several areas of exceedance flooding. It's acknowledged that these are small volumes, will likely reduce at the detailed design stage and can be managed on site; however, additional clarification is required for flood volumes at the final pond storage structure. The drainage layout drawing pond parameters (normal water level, top water level, and cover level) don't align with hydraulic calculation model parameters for this structure. And the exceedance flood volume for this node is potentially underestimated. This flood volume should be confirmed, as well as confirmation that any flooding can be retained on site and won't bypass the final flow control; and,

Half drain times during the 1%+CC AEP event exceed 24 hours. Structures with large half drain times during this AEP event should be confirmed, and if excessively high, additional comments should be provided on how the proposals will ensure the drainage network will have capacity for successive storm events.

#### Informatives

Given the scale of the development and potential phasing, a phase construction plan will be required. This will need to demonstrate sufficient drainage features will be implemented at each stage of construction to accommodate all contributing areas and discharges surface water runoff

from the developed site at a suitable rate relative to the development area. While the applicant has alluded to this with multiple proposed discharge rates at the penultimate outfall, additional phase hydraulic calculations and phased layouts will be required at the detailed design stage.

It's also noted that several smaller attenuation structures (permeable paving, swales, filter drains, etc) have been modelled within the hydraulic calculations, and while their location has been illustrated in the drainage layout drawing, their design parameters have not been confirmed. Given the outline nature of the application, and smaller attenuation volume provided by these features, we are happy for the design parameters to be confirmed at the detail design stage.

Noting the above, any approval will need to be accompanied a suitably worded drainage condition covering the additional information required at the detailed design stage, and will include the above Informatives.

Typically, we would expect the Drainage Strategy to include the following but not limited to;

A fully labelled SuDS network diagram showing, pipes and manholes, suds features with reference numbers etc.

SuDS design input data and results to support the design.

Infiltration site investigation results showing that infiltration systems are feasible method of discharge for this site, if SuDS infiltration method is proposed;

Appropriate design rainfall i.e. Flood Estimation Handbook (FEH) design rainfall 2013.

Assessment of the proposed drainage system during the 30-year design rainfall according to Design and Construction Guidance, March 2020;

Assessment of the attenuation storage volumes to cope with the 100-year rainfall

event plus climate change. Evidence of Thames Water (Water Company) agreement for discharge to their system (in principle/ consent to discharge) if the proposal includes connecting to a sewer system.

Details of overland flood flow routes in the event of system exceedance or failure, with demonstration that such flows can be appropriately managed on site without increasing the flood risk to occupants or neighbouring properties;

SuDS operation and maintenance plan;

SuDS detailed design drawings;

SuDS construction phasing.

#### Reason

To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with Policy CS13 of the Barnet Local Plan (2012), Policies 5.13 and 5.14 of the London Plan (2016), and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance (such as the SuDS Manual, C753). Please refer the West London SFRA which has more guidance and checklists available for the developers for application submission.

#### Officer Comment

It is considered that any outstanding issues can be adequately addressed by conditions as suggested above.

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

### **2.1 Site Description and Surroundings**

This planning application concerns the redevelopment of the North London Business Park (the Site), which is located within the Brunswick Park Ward in the east of the London Borough of Barnet.

The Site measures 16.53 hectares, of which approximately 13 hectares comprises of areas of disused open space and car parking. The Site is bounded by the East Coast Mainline railway along the entire western boundary, whilst the New Southgate Cemetery is adjacent to the eastern boundary. Properties to the north and south are predominantly residential, typically characterised by two/three storey suburban detached, semi-detached and terraced housing. The Site does not contain any listed buildings, nor is it located within a Conservation Area.

There are principally 4 buildings on site providing office accommodation in buildings up to ground plus three storeys in a campus style layout. The previous single largest tenant of the site was Barnet Council who occupied approximately over 55% of the total floorspace on the site, before vacating the site in 2017.



St Andrew the Apostle School is also located on the Site having opened as a free school in September 2013, occupying 'Building 5' on a temporary basis, which is a central block to the west of the existing lake.

The northernmost existing building on the Site is currently occupied for function / conference purposes, as well as an existing nursery (Leo's Nursery).

The Site varies significantly in topography with a steep gradient comprising a level difference of 24 m across the Site from the northern boundary to its lowest point at Brunswick Park Road.

A lake currently occupies part of the lower section of the Site, which can be seen upon entry from Brunswick Park Road. This is a man-made structure dating from the mid-1980s with the primary function of water attenuation.

The nearest National Rail stations to the Site are New Southgate to the south and Oakleigh Park to the north, both of which are located within one mile of the Site and provide access to central London within 20 minutes. Also located within one mile of the Site is Arnos Grove Station which provides access to the London Underground Piccadilly Line. New Southgate has also recently been identified as a preferred location for Crossrail 2, which is proposed to connect National Rail networks in Surrey and Hertfordshire and link in with the existing London railway infrastructure, through tunnels connecting Wimbledon and New Southgate.

The Site is served by the 382 bus along Brunswick Park Road connecting the Site from Southgate in the east, to Friern Barnet and Finchley in the west, and also the 34 (connecting the Site from Barnet in the west to Walthamstow in the east) and 251 (connecting the Site from Edgware in the west to Friern Barnet in the east) from Oakleigh Road South. The PTAL of the site is currently 1-2.

The site has two principal access points, one to the south onto Oakleigh Road South (A109) and one to the east onto Brunswick Park Road. There is also a redundant, unused access point to the northern boundary which would provide access to Ashbourne Avenue, were it not currently fenced off. Ashbourne Avenue leads onto Russell Lane (B1453), which comprises a neighbourhood retail frontage.

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

Planning permission is being sought for the following works (the Proposed Development): *“Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park to deliver a residential-led mixed use development. The detailed element comprises up to 452 residential units (Reduced from 461 as submitted) in five blocks reaching 9 storeys, the provision of a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure, including improvements to the access from Brunswick Park Road and; the outline element comprises up to 1,967 additional residential units in buildings ranging from three to twelve storeys, up to 7,148 sqm of non-residential floor space (use Class E and F) and public open space. Associated site*

*preparation/enabling work, transport infrastructure and junction work, landscaping and car parking..*

The planning application is submitted part in full and part in outline with all matters reserved other than access, with the details of both elements provided below.

### **Detailed Element**

The detailed part of the Hybrid Application comprises Phase 1 of the masterplan as identified in the Parameter Plans. This includes the new secondary school and associated facilities together with 452 residential units.

### ***New Secondary School Facilities***

A new secondary school is proposed to be located in the south-eastern corner which will provide a purpose built and larger facility for the St Andrew the Apostle Greek Orthodox School which are currently operating out of converted office accommodation in Building 5. While the form of the proposed school building and ancillary space differs from the original approval under outline application 15/07932/OUT, a drop in S73 application (Ref 22/1579/S73) was approved by the Strategic Planning Committee in July 2021 (Decision issued in October 2022 following completion of Deed of Variation). The school proposals in the current application are identical to those approved under the S73 application.

### ***Residential Accommodation***

In addition to the secondary school facilities, Phase 1 also proposes the delivery of 454 residential units in five development blocks with the following unit mix

Phase	Unit sizes				Total proposed units
	1 bed	2 bed	3 bed	4 bed	
1	152	198	94	8 (inc 7 houses)	452
<b>Percentage</b>	33.6%	43.8%	20.8%	1.8%	100%

### **Outline Element**

The outline element of the Hybrid Application comprises Phases 2-5 detailed on the masterplan and Parameter Plan. The outline elements are predominantly residential, however also include provision for complementary non-residential uses such as office floorspace, small-scale retail floorspace and community facilities, alongside the provision of public open space, play space and other infrastructure.

### ***Residential Accommodation***

The outline elements of the application propose the delivery of an additional 1967 residential across within four development phases. The unit split and configuration is set out below.

Phase	Unit size			Total. of proposed unit
	1-bed	2-bed	3-bed	
2	11	37	107	155
3	85	315	85	485
4	129	478	128	735
5	104	385	103	592
<b>Total</b>	<b>329</b>	<b>1,215</b>	<b>423</b>	<b>1,967</b>
<b>Percentage</b>	<b>16.7%</b>	<b>61.8%</b>	<b>21.5%</b>	<b>100%</b>

### ***Non-Residential Floorspace***

The application proposes approximately 7,148 sqm of non residential floorspace falling within Classes E & F of the uses classes order. The breakdown of the proposed space is as follows:

- Community floorspace – 1,908sqm
- Childcare – 960sqm
- Office – 2,552sqm
- Retail – 1,728sqm

Post submission following discussions with the local health trust the community space is now currently proposed to include provision for a new health centre as well as space for a collection of faith groups. The community floorspace proposed within this mix has been increased as a result of this at the expense of a small reduction in the amount of retail and office space.

### **Car Parking**

In addition to the school car parking residential car parking is proposed to be located within basement car parks with some additional on street parking spaces for visitors. For Phase 1 - It is proposed to provide car parking at a ratio of approximately 0.8 spaces per dwelling resulting in a total of 367 car parking spaces for the 445 total dwellings. A similar ratio is currently proposed for the outline elements of the proposals although the final details will be established at reserved matters stage.

### **Access**

It is proposed to utilise the existing access routes into the Site at both Oakleigh Road South and Brunswick Park Road. In order to provide a safe entry and egress point for the School, it is proposed to undertake off-site improvements through the introduction of a new signalised junction and carriageway improvements.

The application also proposes to reopen an extinguished connection at Ashbourne / Weirdale Avenue, which is currently fenced off for pedestrian and cycle traffic only. This element has already been consented in the previous outline approval (15/07932/OUT).

### **Landscape**

The Proposed Development would provide a total of 20,250sqm of usable open space which will include provision for playspace. This is predominantly laid out in

three main parks, with additional publically accessible open space located throughout the development.

The existing surface water attenuation lake in the south-eastern portion of the Site is retained but slightly reconfigured to reflect the location of the School, as well as maximising the landscape enhancements in the surrounding parkland. It is noted that the alterations to the lake have already been approved under the S73 approval earlier this year.

### Scheme amendments in the course of the application

Following the initial consultation and assessment of the application, there have been amendments to the scheme.

A summary of the changes are as follows:

#### 3 August 2022

Increase in community floorspace from 960 sqm to 1908 sqm within Block 3a. This involves a corresponding decrease of 474 sqm of retail space and 474 sqm of office space within Block 3a.

Reduction in number of single aspect units within blocks 1C, 1D and F and improvements in daylight to proposed units. This has had the effect of altering 10 x 1 bed units in block 1C to 5 2 bed units, two one bed units in Block 1D into a dual aspect 3 bed unit, and one 3 bed unit in block F changing to 2 x 3 bed units. As a result of the changes the number of units within the full part of the proposals has reduced from 454 to 445 units.

No consultation was carried out specifically in relation to these changes, as the changes did not materially affect surrounding properties and the minor reduction in the number of units would have been unlikely to have affected the comments which had been made.

#### October 2022 Changes

Amendments to proposed Brunswick Park Road junction providing for a signal controlled junction to replace the existing crossroads arrangements and widening the eastern side of Brunswick Park Road, requiring an alteration to the Goldril Drive part of the junction along with additional junction widening of the site access.

Residents were consulted in relation to these changes for a period of 21 days.

### **3. PLANNING CONSIDERATIONS**

#### **3.1 Environmental Impact Assessment (EIA)**

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (hereafter referred to as 'the EIA Regulations') requires

that for certain planning applications, an Environmental Impact Assessment (EIA) must be undertaken.

The term EIA is used to describe the procedure that must be followed for certain projects before they can be granted planning consent. The procedure is designed to draw together an assessment of the likely environmental effects (alongside economic and social factors) resulting from a proposed development. These are reported in a document called an Environmental Statement (ES).

The process ensures that the importance of the predicted effects, and the scope for reducing them, are properly understood by the public and the local planning authority before it makes its decision. This allows environmental factors to be given due weight when assessing and determining planning applications.

The Regulations apply to two separate lists of development project. Schedule 1 development for which the carrying out of an Environmental Impact Assessment (EIA) is mandatory and Schedule 2 development which require the carrying out of an EIA if the particular project is considered likely to give rise to significant effects on the environment. The proposed development does not fall within Schedule 1 of the regulations.

The development which is the subject of the application comprises development within column 1 of Schedule 2 of the Regulations. The development is deemed to fall within the description of Infrastructure projects and more specifically urban development projects (paragraph 10(b)).

As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is that the area of development exceeds 5 hectares or 150 residential units.

#### Screening and Scoping for EIA development

An Environmental Statement (2015 ES) was approved as part of the original hybrid planning permission. The current application effectively covers the same topics as the previous Environmental Statement namely:

- Air Quality
- Ground Conditions (Contaminated land)
- Noise and Vibration
- Biodiversity (including updated surveys)
- Sustainability
- Cultural Heritage (Principally Archaeology)
- Drainage and Water Resources
- Transport
- Townscape and visual Assessment.

The scope of the assessment is considered acceptable, the findings are discussed where relevant in the sections below.

### **3.2 Principle of Development**

## Employment

The basic principle of the redevelopment of the North London Business Park for a residential led mixed use development has already been established by the previous extant approval (Ref 15/07932/OUT). It is worth noting that while the previous 2016 London Plan and the 2012 Local Plan identified the site as Strategic Employment Land this reference was removed in the 2021 London Plan and is not identified as such in the emerging Barnet Local Plan currently going through examination.

The previous extant approval did however provide 5,177 sqm of non residential floorspace including B1 office space and a new nursery and community space. The current application proposes 7,148 sqm of Class E and F floorspace. This would include a reprovision of the type of B1 starter units currently occupying the Comer innovation Centre along with a proposed health centre and multi faith community space. A small scale nursery will also be provided as a result of the socio economic assessment which identified a shortfall locally.

The provision of further, flexible non-residential floorspace will provide a range of benefits to the scheme including activating the ground floors of the central buildings, creating a vibrant mixed-use scheme which draws people to the site throughout the day, and providing additional local services and amenities which will benefit both existing and future residents in the area.

Overall therefore, the Council considers that the removal of the Industrial Business Park designation is appropriate in this instance in line with the provisions of the NPPF and London and Local Plan Policy. The proposal provides the opportunity to deliver a mixed use development that will better reflect the needs of the local community, whilst retaining some SME/incubator employment to serve local start-up businesses.

## Housing

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

The new London Plan 2021 recognises the pressing need for more homes in London and seeks to increase housing supply to in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. The previous London Plan (2016) had set an annual monitoring target of 2,349 homes for Barnet between 2015-2025, with a minimum provision of 23,489 over the same 10-year period. In the new London Plan 2021, the 10-year target for 2019/20 – 2028/29 is 23,640 for Barnet.

Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to

optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

The site is identified in the emerging Barnet Local Plan site allocation identifies the site as capable of providing 1350 residential units which reflects the extant approval. This however does not mean that the provision of a greater number of units would be contrary to emerging policy as housing targets are a minimum rather than a maximum and the provision of an increased number of units would contribute towards Barnet's housing supply and 5yrs. This is subject to other considerations below such as those regarding the form and design of the development and other impacts such as transport.

### Housing Density

Chapter 11 of the National Planning Framework (Revised 2019) (NPPF) states that:

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

This strategic objective to optimise redevelopment opportunities within sustainable locations is reinforced within the London Plan 2021.

The previous London Plan (2016) set out a density matrix which served as guidance for appropriate densities in different locations and with varying levels of accessibility. However, the new London Plan 2021 takes a less prescriptive approach stating inter alia, that the density of a development should result from a design-led approach to determine the capacity of the site. This should consider site context, its connectivity and accessibility by walking and cycling, existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D3 goes on to state that proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy could be refused.

The density of the proposed development would equate to 147 units per hectare. The 2021 London Plan advises that where higher densities (exceeding 350 units per hectare) or tall buildings are proposed this is subject to additional design scrutiny (Policy D2). Policies D1, D1A and D1B of the 2021 London Plan place a great emphasis on a design-led approach being taken to optimising the development capacity of a particular site and to make the best use of land, whilst also considering the range of factors set out in the preceding paragraph.

The density of the proposed scheme which follows a design based approach and involves extending upwards from the approved extant permission is broadly considered appropriate by officers subject to further assessment on design and highways.

These comments are reflected in the GLA comments which do not raise any strategic concerns and instead, considers that the densities across the site are broadly appropriate subject to further assessment on design and transport.

### Education

Currently the St Andrew the Apostle Free School occupies Building 5 of the NLBP site, operating as a 2-form entry secondary school although temporary permission has been sought to expand this to 5 form utilising additional buildings in NLBP. It is understood that the current facilities are not ideal from an educational perspective utilising converted office space with limited outdoor play facilities. The current application seeks to replace this facility with a new purpose campus fronting Brunswick Road with purpose built outdoor recreation space beyond. The new school would represent both a qualitative and quantitative improvement and is welcomed in Planning Terms in Land Use Terms.

While the proposed amended school building would constitute a significant benefit of the scheme, permission for the proposed school building has already been granted under S73 application 22/1579/S73 and is currently under construction.

### Retail and community uses

In addition to the commercial and residential elements of the proposal, the application also proposes up to 1,728sqm sq.m of retail floor space and 1908 sqm of Community floorspace and 960 sqm of childcare space. This represents a slight reduction of retail space from 2017 sqm in the extant permission and an increase in the community floorspace which was 744 sqm in the extant approval.

In relation to the proposed retail space, the purpose of its inclusion was to enable active ground floor frontages and to cater for local convenience needs rather than attracting visitors from outside the site. On this basis the proposed retail centre is unlikely to adversely affect any neighbouring shopping centres and is considered acceptable. The re-provision of the increased quantum of community floorspace is also welcomed and is in accordance with Policy.

### Sport facilities

The northern area of the site was historically used as a private sports field for the former STC/Nortel business occupiers, and associated changing facilities/club, however it is understood that this has not been in use since the 1990s. The detailed proposals for the school include provision of an all-weather sports pitch, an indoor sports hall and a multi-use games area (MUGA) on the roof of the building. These facilities would be managed and maintained by the school, but are proposed to be made available to the wider community outside of school hours, which is welcomed. Council officers consider that the proposed sports facilities provision would adequately mitigate against the loss of the historic sports facilities on the site and the proposal.

## **3.3 Housing Quality**



A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the ‘sustainable development’ imperative of the NPPF. It is also implicit in the new London Plan 2021. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD and the Residential Design Guidance SPD.

### Unit mix

London Plan Policy H10 sets out schemes should generally consist of a range of unit sizes. To determine the appropriate mix of unit sizes, applications should have regard to robust local evidence, the requirement to deliver mixed and inclusive neighbourhoods, mix of uses in the scheme, the nature of the location (with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station with high PTALs) and the aim to optimise housing potential on sites.

Development Management Policy DM08 sets out that a mix of dwelling types and sizes should be provided in order to provide choice for a growing and diverse population.

In terms of the unit split the detailed phase 1 development proposes the following unit split: 152 1-bed units (33.6% of Phase 1), 198 2-bed units (43.8% of Phase 1), 94 3-bed units (20.8% of Phase 1) along with two 8 bed units (1.8%).

Phase	Unit sizes				Total proposed units
1	1 bed	2 bed	3 bed	4 bed	452
	152	198	94	8 (inc 7 houses)	
<b>Percentage</b>	33.6%	43.8%	20.8%	1.8%	100%

The outline elements of the application propose the delivery of an additional 1967 residential across within four development phases. The unit split and configuration is set out below.

Phase	Unit size			Total. of proposed unit
	1-bed	2-bed	3-bed	
2	11	37	107	155
3	85	315	85	485
4	129	478	128	735
5	104	385	103	592
<b>Total</b>	329	1,215	423	1,967
<b>Percentage</b>	16.7%	61.8%	21.5%	100%

In terms of dwellings types which constitute family accommodation provision, the London Housing Design Guide classifies family housing as all units upwards of 2 bedroom 3 person units. It is worth noting that all of the 2 bed units proposed in Phase 1 are larger 2 bed 4 person units.

As such while the total percentage of three bed units represents 19.8% of the total number of units, the total percentage of family housing represents 66% of all units. Overall therefore it is considered that the proposal proposes an appropriate split in housing type to address housing preference and need in accordance with the abovementioned policy.

### Affordable Housing

London Plan Policy H4 sets a strategic target that 50% of all new homes delivered across London are genuinely affordable. To achieve this aim, major developments which trigger affordable housing requirements are required to provide affordable housing through the threshold approach. Affordable housing should be provided on site. Affordable housing must only be provided offsite or as a cash in lieu contribution in exceptional circumstances.

London Plan Policy H5 states that the threshold level of affordable housing is set at a minimum of 35%. To follow the fast-track route, developments must meet or exceed the threshold level, be consistent with the relevant tenure split, meet other policy requirements and obligations and demonstrate that they have taken account of the strategic 50% target. Where developments do not qualify for the fast-track route, it must follow the Viability Tested route. This requires detailed supporting viability evidence to be submitted in a standardised and accessible format as part of the application and could be subject to early, mid or late-stage reviews.

Development Management Policy DM10 sets out that the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites providing 10 or more units, having regard to the borough wide target of 40%.

The extant approval provided for 10% affordable housing within the development. The proposal as submitted proposed the same with 10% affordable housing proposed for both the extant baseline position as well as the uplift. A Financial Viability Assessment was submitted in support of the application which was independently assessed by Carter Jonas on behalf of LBB as well as by GLA viability officers. As a result of these discussions, the applicant subsequently agreed to increase the affordable housing offer so that it would provide 35% of the uplift units as affordable housing in accordance with GLA policy. The overall percentage on the entire scheme would be around 21% by both unit and habitable room. The revised split of the proposal is as follows:

# beds	Habs pu	# units	Tenure	# habs
1	2	383	PD	766
2	3	1,101	PD	3,303
3	4	380	PD	1,520
4	5	52	PD	260
1	2	20	AR	40
2	3	136	AR	408
3	4	90	AR	360
1	2	92	SO	184
2	3	174	SO	522
		<b>2,428</b>		<b>7,363</b>

PD = Private

AR = Affordable Rented

SO = Shared Ownership

The GLA's viability officer has advised that they consider that the revised affordable housing offer is the maximum viable amount which can be provided. The GLA have however suggested that Early, Mid and Late stage viability reviews should be carried out in order to pick up any future uplift in values to enable to the deliver of additional affordable housing. Subject to these reviews the revised offer is considered appropriate by LBB officers and the uplift in affordable housing units represents a significant benefit of the revised scheme.

#### Floorspace standards

Housing standards are set out in the Nationally Described Space Standards (NDSS), London Plan Policy D6 and London Housing SPG and Barnet's Sustainable Design and Construction SPD. All the dwellings in the within the development meet the minimum standards as demonstrated in the applicant's supporting documents in relation to the unit and room sizes as such the proposal is fully in accordance with the above policies.

The application supporting documents indicate that all of the proposed units within Phase 1 will meet these standards. It will be necessary for the future phases 2-5 to address these minimum floorspace requirements or any update to the standards at the time of later reserved matters applications.

#### Lifetime Homes and wheelchair housing standards

Barnet Local Plan policy DM02 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific considerations. All units should comply with Lifetime Homes Standards (LTHS) with 10% wheelchair home compliance, as per London Plan policy 3.8.

London Plan Policy D7 (Accessible Housing) require 90% of units to meet M4 (2) (accessible and adaptable) and 10% to meet M4 (3) wheelchair standards

In respect of LTHS, while this legislation has been abolished the applicant advises in their application submission that all units will be built to either M4 (2) or M4 (3) standards which have replaced LTHS.

In respects of wheelchair housing, the applicant has advised that 10% of all units will be built to wheelchair standards which is in accordance with this policy.

### Fire Safety

London policy D12 (Fire safety) requires all development proposals to achieve the highest standards of fire safety and comply with a number of criteria set out in the policy, including: identifying outside space for fire appliances to be positioned on; appropriate fire alarm systems; suitable and convenient means of escape; evacuation strategies for all users; and the provision of suitable access and equipment for firefighting. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party suitably qualified assessor to address all of the requirements set out in the policy.

A fire statement has been prepared by a third party suitably qualified assessor demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel.

As such it is considered that the proposal is in full compliance with the London Plan Policy D12 in this regard. A condition will also be attached to ensure its satisfactory implications.

### Amenity space

Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

Policy D6 states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

Each residential dwelling has access to private amenity space which meets this minimum requirement, through the use of a variety of measures including private balconies, terraces, wintergardens or gardens. Additional communal amenity space will be provided on some of the rooftop spaces within the outline phases.

The masterplan includes significant amounts of semi-private and public open spaces too. Each residential block will have access to an internal courtyard for residents of that block, which will provide a range of play space for younger children and also space for other residents to enjoy. In the centre of the site, and at

the southern boundary, extensive parkland will be provided for both existing and future residents to enjoy. The central parks will be located around the non-residential uses to generate activity throughout the day and ensure that this is a high quality place to live and visit.

On balance the provision of both private and communal amenity space is considered acceptable.

### Playspace and Open Space

Policy S4 of the London Plan seeks development proposals to incorporate good-quality, accessible play provision for all ages and at least 10sqm of playspace should be provided per child. London Borough of Barnet Core Strategy Policy CS7 requires improved access to the children's play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan.

In terms of the application proposals the Proposed Development would provide a total of 20,250sqm of open space throughout the development. The size of these spaces would allow for the provision of appropriate play provision within the development although this will have to be balanced against other users of the open space in question.

The Landscape Chapter of the Design and Access Statement, and the Landscape Drawings accompanying the advise that a wide selection of play spaces are proposed through the scheme. Provision for all 0- 5 year olds and all 5-10 year olds will be brought forward through a combination of Doorstep Playable Space and Neighbourhood Playable Space.

The Doorstep Playable Space is provided within each residential block in the internal courtyards, whilst neighbourhood facilities are provided within four separate locations, two of which are to be brought forward in Phase 1.

The GLA have expressed some concerns regarding play provision within Phase 1 and advised that the applicant explores options of providing additional play provision on site and failing that a financial contribution towards Barnet Council to provide improvements off site. These matters are secured as part of the conditions and heads of terms and subject to these safeguards is considered acceptable in this instance.

### Urban Greening

London Plan Policies G1 and G5 embed urban greening as a fundamental aspect of site and building design. Features such as street trees, green roofs, green walls, rain gardens, and hedgerows should all be considered for inclusion and the opportunity for ground level urban greening should be maximised. The applicant has calculated that the scheme would achieve an Urban Greening Factor score of 0.42 across the completed masterplan, this exceeds the target of 0.4. This is considered acceptable.

### **3.4 Design**

The National Planning Policy Framework (revised, 2021) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors; securing high quality design goes beyond aesthetic considerations.

The London Plan 2021 policy D1B requires development to respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives consideration to the use of use of attractive, robust materials which weather and mature well. Policy D2 (Delivering good design) requires masterplans and design codes to help bring forward development and ensure it delivers high quality design.

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

#### **Masterplan Concept**

The proposed illustrative masterplan is based on a hierarchy of streets and interconnected open spaces framed by buildings of varying scale height and density. The streets form a series of perimeter blocks with active ground floor frontages which provide clear and legible routes through the site. It is noted that the overall position of the proposed blocks and road layout is unchanged in the current application from the extant approval.

The masterplan responds to the typography and the surrounding lower density housing to the north and north east of the site (Within the Outline Element), with development in these zones consisting predominately of houses limited to a maximum of three storeys in height. Three storey blocks are also proposed on the south eastern portion of the site fronting Brunswick Crescent and three central blocks 1D, 1E and 1F drop down to three storeys where they adjoining the

residential properties in Howard Close and Brunswick Park Gardens. The School Building fronting Brunswick Park Road is also 3 storeys.

The heights of several of the proposed blocks are increased in height from the extant approval. The location of these and an assessment of the height changes is assessed below.

### Height, bulk, scale and massing

Reflecting the hybrid nature of the application, the details of the height, bulk, scale and massing for Development Phase 1 (detailed component) are secured on the application drawings whereas, the details for Phase 2, 3, 4 & 5 (outline component) are secured in the parameter plans and Design Principles Documents.

As mentioned above the proposed built form of the site comprises a series of perimeter blocks and development zones organised around a network of streets and public spaces. The bulk, scale and massing of individual blocks varies to account for the proposed uses and the scale of the spaces that they frame or relate to. This provides variation in character, visual interest, identity, place and way-finding across the masterplan.

The extant approval proposed heights of blocks of between 3 and 9 storeys, with the maximum height in the detailed phase being 8 storeys. The current application proposes increasing this to a maximum of 12 storeys. The alterations are best demonstrated in plan form as set out below.

- All expressed storey heights include ground level
- The rear wings of blocks E and F are set on a steep incline, the stated storey height of the diagram is the building height at the top of the incline



2020 Permission

It is noted that the places where height has been increased they are not on those parts of the site where the development directly adjoins lower height 2 storey residential housing. As such the main impact on assessing the height changes is from a townscape rather than a neighbouring amenity perspective. It is also noted that the detailed design of the future outline section would be provided as part of a future reserved matters application and as such might not reach the maximum storey heights in all instances.

### Tall buildings assessment

Barnet Core Strategy defines tall buildings as buildings of 8 storeys or 26m and states that they may be appropriate in strategic locations subject to detailed assessment criteria. The application site is located outside of the identified strategic locations.

Policy D9 of the London Plan 2021 state that tall buildings should be part of a planned and design-led approach, incorporating the highest standard of architecture and materials and should contribute to improving the legibility and permeability of an area, with active ground floor uses provided to ensure such buildings form an appropriate relationship with the surrounding public realm. Tall buildings should not have an unacceptably harmful impact on their surroundings in terms of their visual, functional, environmental and cumulative impacts, including wind, overshadowing, glare, strategic and local views and heritage assets. Policy D9 states that tall buildings should only be developed in locations that are identified as suitable in development plans.

Local Development Plan Policy DM05 'Tall Buildings' further advises that:

'Tall buildings outside the strategic locations identified in the Core Strategy will not be considered acceptable. Proposals for tall buildings will need to demonstrate:

- i. an active street frontage where appropriate
- ii. successful integration into the existing urban fabric
- iii. a regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- iv. not cause harm to heritage assets and their setting
- v. that the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm.

Proposals for redevelopment or refurbishment of existing tall buildings will be required to make a positive contribution to the townscape.'

The proposal is not located within an identified tall building area and is similarly not proposed as a tall building area in the Reg 22 Local Plan currently going through examination. The applicant has however made representations to the EIP and until such stage as we have received formal feedback from the Inspector in relation to the new Local Plan limited weight can be attached to this document.

It is also worth noting that the previous planning application (15/07932/OUT) which proposed buildings of up to 9 storeys in height was refused by Barnet Council due to the following reasons:



*'The proposed development, by virtue of its excessive height, scale and massing would represent an over development of the site resulting in a discordant and visually obtrusive form of development that would fail to respect its local context and the pattern of development in its context, to such an extent that it would be detrimental to the character and appearance of the area. The proposal would therefore not constitute a sustainable form of development and would be contrary to policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (July 2011, October 2013 and January 2014).'*

The applicant appealed this refusal and a Public Inquiry was held on 9 -11 October and 9 November 2018. The Planning Inspector in his reasoning considered the proposed development was contrary to policy DM05 which explicitly states that tall buildings outside a tall building area would not be permitted, this policy was not fully in accordance with the equivalent and more recent London Plan Policy 7.7 which allowed for the potential of tall buildings being considered acceptable outside tall building areas subject to an appropriate design assessment and justification.

The inspector concluded in their assessment that the heights of buildings along the boundaries of the site with surrounding residential properties were sufficiently dropped down in scale safeguarding the amenity and outlook from these properties. The taller elements elsewhere in the scheme were considered appropriate in scale by the Inspector located fronting open space or roads. The Inspector noted that the *'higher elements of the proposed development would be visible from other locations in the surrounding area, such as from Fernwood Crescent on the opposite side of the railway line, from Pine Road to the north and from New Southgate Cemetery to the south-east. But the high buildings would only be glimpsed in the background and from some distance away. It is worth noting, in this regard, that a characteristic of the London cityscape, even in the suburbs, is the glimpses of tall buildings from many public vantage points.'*

In conclusion the Inspector's weighed up the conflict with Development Plan Policy DM05 against his assessment of the appropriateness of the scale and townscape of the development along with identified scheme benefits such as the provision of the school and needed residential accommodation in recommending that the scheme was approved. This decision was subsequently endorsed by the Secretary of State at the time.

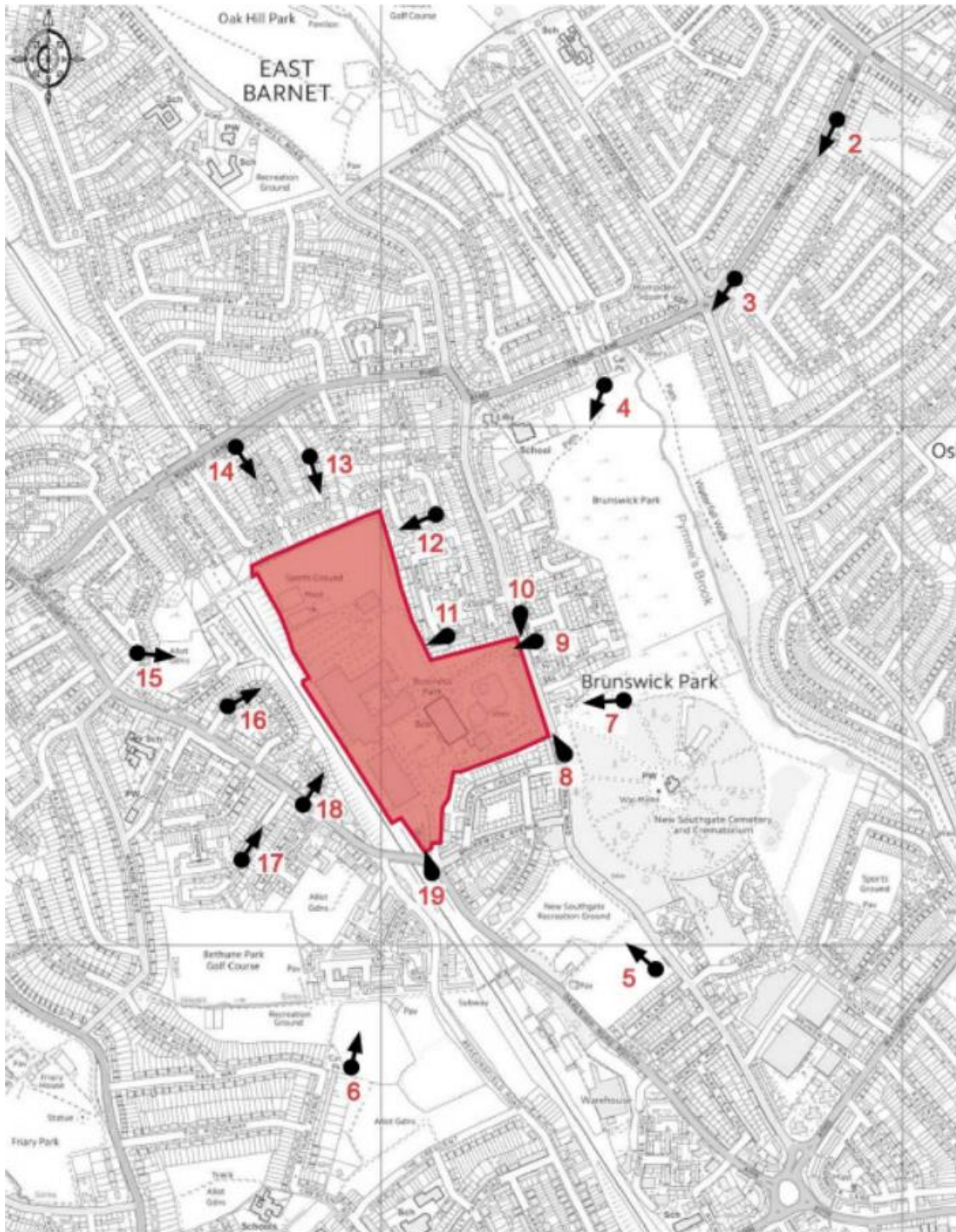
While the proposal is located outside an identified strategic location, this is not in itself considered sufficient grounds for the application to be refused, as planning policy requires Local Authorities to take into account other material planning considerations which can include urban design justifications for a departure, absence of planning harm along with any benefits which the scheme brings forward.

In the light of the Inspector's decision it is insufficient to refuse the scheme based on non compliance with Policy DM05 in itself in the absence of identification of harm. As mentioned above as the increases in height are not in those sections of the site directly adjoining neighbouring suburban housing the main impact to

consider is the Townscape Assessment submitted with the submitted Environmental Statement.

Visual impact and views

The applicant has submitted a detailed Townscape and Visual Impact Assessment which includes viewpoints from 19 different locations around the site as illustrated on the map below:



Ordnance Survey © Crown Copyright 2015. All rights reserved. Licence Number 100022432. Plotted scale - 1:13675.

The Townscape and Visual Impact Assessment demonstrates that the development would be of limited visibility from the surrounding area, with the closer views from the east i.e. the 11, 12, 13 & 14 views being effectively the same as the extant scheme. There is a higher magnitude of change when viewed from the west i.e. views 16 and 19, as well as viewpoint 7 to the east however these views are at a distance and across a railway line and an avenue of trees in relation to views 16 & 18, so difficult to establish as harmful, particularly in the context of the tall buildings deemed acceptable by the Inspector on the previous application.

As such the Officer's conclusions are that the proposed changes in scale would not significantly impact the townscape impact on the surrounding area. While there is some minor degree of harm this needs to be weighed up against other scheme benefits (and any additional harm) including the proposed additional housing including affordable.

### Character and appearance

Both the Phase 1 detailed design component and the information submitted in support of the outline Development phases 2- 53 indicate a high quality design which will improve and enhance the site and the wider area. It is also noted that the design principles have not significantly changed from the extant permission. The following key attributes are noted in particular:

- A traditional architectural composition of a defined base, middle and top. The ground floor of the blocks is carefully designed to ensure that they provide active frontage and natural surveillance of the street. A defensible zone or landscape buffer is provided for residential dwellings which have a front door and habitable rooms and private amenity space fronting the street
- A traditional organisation to dwelling design, employing mansion block and terrace house formats as well as perimeter flat blocks and tall building elements.
- Contemporary architectural design employing a limited palette of high quality materials, including a prevalence of face brick as the primary material as well as other secondary materials to provide a degree of variation across the site as well as articulation of individual buildings.
- Façade detailing including the attention paid to the pattern of fenestration, deep recesses and design and organisation of private balconies and other features, further reinforce a sense of a high quality appearance and enduring architectural character.

### Layout and connectivity

The site layout comprises a network of streets providing access and connectivity in and around the site and defining the perimeter block arrangement of buildings and the public open spaces across the site.

Vehicular access into the site is via two the two existing access points i.e. Oakleigh Road South to the South-West and Brunswick Park Road to the East. Additionally a

pedestrian and cycling link is proposed to the North to Weirdale allowing pedestrians and cyclists easy access to the shops and busses on Russell Lane . These provide the primary route through the site. More minor roads provide servicing and access to the remainder of the development. It is noted that this link was authorised in the previous permission and is not further altered under this application.

The improved connectivity and permeability of the site, which accords with the intent of London Plan and Barnet Core Strategy reconnects the site with its surrounding neighbourhoods providing access to its proposed facilities (retail and community) uses and public open spaces) as well as improved access to adjacent public transport and wider networks such as cycling routes.

### Safety, security and crime mitigation

Pursuant to London Plan policy D11 (Safety, Security and resilience to emergency) and Barnet Core Strategy policy CS12, the scheme is considered to enhance safety and security and mitigate the potential of crime over and above the existing estate.

the scheme is considered to enhance safety and security and mitigate the potential of crime because:

- Routes through the site and network of spaces are legible and will be well maintained noting that the scheme is supported by an estate management plan
- It is considered that the design details provide a clear indication of whether a space is private, semi-public or public, with natural surveillance of publicly accessible spaces from buildings at their lower floors achieved across the entire site
- The design including active ground floor frontages and surveillance and mix of uses encourages a level of human activity that is appropriate across the site, which will maximize activity throughout the day and night, thereby creating a reduced risk of crime and a sense of safety at all times
- The network of communal spaces spaces proposed are considered to be laid out and detailed in such a way to promote an appropriate sense of ownership
- Security measures will be integral to the design of buildings with details secured through appropriately worded conditions, it being noted that the MPS Designing Out Crime Officer has provided advice on achieving Secured by Design accreditation for the scheme
- The design of the scheme including perimeter development, defensible frontages and active ground floors across the site is considered to minimise the safety and security interventions needed and therefore the demands of ongoing management and maintenance costs

The Metropolitan Police were consulted on this application and did not raise any objections, but requested a condition is attached to ensure that the development secures secured by design accreditation. A condition is attached to this effect requiring the applicant to demonstrate compliance with secured by design principles.

### Conservation and Archaeology

The preservation and enhancement of heritage assets is one of the 12 core principles of the NPPF. It is a statutory obligation of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the special architectural and historical interest as well as the setting of listed buildings as well as the character and appearance of conservation areas. Saved PPS5 'Planning and the Historic Environment' provides guidance regarding consideration of designated and non-designated heritage assets. In addition, London Plan policy HC1 and Barnet Core Strategy CS5 and DM06 variously require the consideration of the impact to heritage assets including listed buildings, conservation areas and archaeology.

In respect of archaeology, the application is not located in an area of interest however the submitted Environmental Statement identifies two surviving air raid shelters, historic industrial activity and potential human remains. The applicant has proposed to provide a watching brief to record the air raid shelter and industrial heritage which is welcomed and safeguarded by condition. While the comments from Historic England are noted, the areas of interest in question are in the later outline elements of the scheme and are therefore considered appropriate to cover by condition as was the previous application.

In respect of potential impact on Listed Buildings and Conservation Areas, no Conservation Areas, Listed Buildings or registered parks are located within 1km of the site., while some Listed Buildings are located within 2 km of the site, it is considered that proposal would not result in any demonstrable impact due to the distance and the limited visibility of the site in longer views.

### **3.5 Amenities of Neighbouring and Future Residents**

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

#### **Privacy, overlooking and outlook**

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

#### ***Privacy and separation to surrounding sites***

The majority of the proposed buildings are located over 11m from site boundaries, being located between 30-55m from rear elevations of surrounding properties. It is noted that all larger blocks all of these are located over 40m from neighbouring properties. Due to these distance separations the proposal would not result in any

demonstrable loss of daylight/ sunlight or privacy. It is also worth noting that the heights of the blocks neighbouring low rise surrounding properties are not being increased in height from the extant permission.

The only instance where buildings are located closer than 11m to the respective boundaries are in the case of the flank walls of the 3 storey wings to blocks 1E and 1F. A condition is attached requiring any windows on these elevations to be fitted with obscure glazing in order to ensure no impact on privacy.

#### *Privacy and separation within the site*

In relation to buildings within the site, all of the proposed apartment buildings have large central amenity areas, resulting in a distance separation of between 30 – 76m between opposing flanks. These distance far exceed minimum policy requirements and are considered acceptable.

#### Noise and general disturbance

No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. Whilst there is an increase in the intensity of use of the site, the use is consistent with the residential character of the wider area. The commercial and community uses including the school are appropriately located and accord with the redevelopment intent of the adopted planning brief.

In considering the potential impact to neighbours, conditions are recommended to ensuring that any plant or machinery associated with the development achieves required noise levels for residential environment. The council's environmental health team have recommended appropriately worded conditions for noise reporting and impact mitigation, extract and ventilation equipment, plant noise, noise mitigation in the case of any gym use, acoustic fencing, school noise mitigation as well as informatives relating to extraction flues and acoustic consultants. It should be noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

#### Air quality

In respect of air pollution, no significant impacts are identified by the council's environmental Health Team. The applicant has submitted an Air Quality Assessment in support of the application. Suitable Conditions are attached regarding ventilation and the submission of details of proposed plant and equipment.

In respect of traffic and parking impacts on air quality, the levels of parking are controlled and the travel plans which will be secured as part of planning obligations will encourage transport by other modes. In respect of the design, the scheme contributed towards overall reductions in CO2 production, having regard to energy and sustainability policies.

#### Daylight and Sunlight

The proposal would not result in any demonstrable impact on daylight/ sunlight levels to adjoining properties due to the distance separation of the proposals from neighbouring houses as discussed above. The proposed blocks have also been designed on a spacious layout with large gaps between blocks and within courtyards which will allow daylight and sunlight to permeate through the development to both existing and future residential occupiers.

### **3.6 Transport, highways and parking**

The Planning Application for the redevelopment of the North London Business Park was submitted in August 2021 (Planning reference 21/4433/OUT) supported by a Transport Assessment (TA) prepared by Stomor Ltd (Document reference ST3013/TA-2108 Rev 0). Due to time and data constraints associated with the Planning Application submission deadline, the applicants were advised by LBB and Transport for London (TfL) in July 2021, that a TA Addendum would need to be prepared to provide the necessary supporting analysis to demonstrate the viability of the proposals including:

- Traffic impact assessment of the Proposed Development to the surrounding junctions
- Details of the proposed signalised site access with Brunswick Park Road;
- Details of the proposed footway and bus stop upgrades to Brunswick Park Road;
- London Underground Station Capacity/Line Loading Assessment at Arnos Grove.

The applicant has been working on the above matters over the past 12 months in close consultation with LBB Transport officers and TfL. A number of design iterations, capacity assessments, public transport impact analysis and safety audits have been undertaken to demonstrate the viability of the proposed development. A final Transport Assessment Addendum (ST3013/TAA-2210-North London Business Park-Rev 0) was issued to LBB on 20 October 2022.

Subject to satisfactory completion of legal agreements and conditions to secure the various improvements and mitigation measures identified during the above process, the development is policy compliant and acceptable to LBB officers on transport grounds. The LBB Transport Team set out our comments below.

#### **Existing Conditions**

The site is bounded by the East Coast Mainline railway along the entire western boundary. The eastern boundary is abutted by Properties on Brunswick Park Gardens to the northeast and Brunswick Park Road to the southeast. New Southgate Cemetery is located to the southeast of the site. To the north are properties on Weirdale Road, Ashbourne Avenue, Linden Road and Pine Road. To the south are properties on Brunswick Crescent and Haynes Close. The A109, Oakleigh Road North abuts the south-eastern corner of the site.

The site has two existing access points, one to the south onto the A109 Oakleigh Road North and one to the east onto Brunswick Park Road. There is a redundant, unused access point to the northern boundary which could provide access to Ashbourne Avenue, however it is currently fenced off. Ashbourne Avenue leads onto the B5143 Russell Lane, which comprises a mix of residential properties and neighbourhood retail frontage.

### Current Public Transport & Access

The site is located between two London Underground lines; the Northern Line and Piccadilly Line. The nearest station is Arnos Grove on the Piccadilly Line (24-minute walk / 8-minute cycle). There are 10 cycle storage spaces at the station with additional stands in the local area.

There are two bus stops located adjacent to the site access: one on Brunswick Park Road and the other on the A109 Oakleigh Road North. Both of these stops are within 400m as measured from the centre of the site.

The bus stops along the A109 Oakleigh Road North are accessible via the footways available from the site and along both sides of the A109 Oakleigh Road North. Access to the northbound bus stop is facilitated via a zebra crossing located along the A109 Oakleigh Road North adjacent to the southern site access. The bus stops along Brunswick Park Road are accessible via the footways available from the site and along both sides of Brunswick Park Road. Access to the southbound bus stop is facilitated via a zebra crossing located along Brunswick Park Road to the north of the site access.

In addition to the bus stops located adjacent to the existing site accesses, there are also bus stops located along the B1453 Russell Lane. There is currently no access to the B1453 Russell Lane. The developers propose to deliver a pedestrian/cycle access as part of the proposals, which will link the north of the site to Ashbourne Avenue and connect to Russell Lane.

The Oakleigh Road North access takes the form of a priority junction at the southern extent of the redevelopment site. The existing access from Brunswick Park Road takes the form of a crossroads arrangement on the eastern edge of the development site. Zebra crossings are in place adjacent to both existing site accesses. Additional zebra crossings are located on Oakleigh Road North adjacent to Oakleigh Close, adjacent to Raleigh Drive, at the B14533 Russell Lane mini roundabout on Oakleigh Road South at Betstyle Circus and on Brunswick Park Road to the north of Prevost Road.

An off-highway cycle route to the east of the site provides a north-south connection towards East Barnet and New Southgate through Brunswick Park.

### PTAL Score

TfL's web-based calculator has been used to determine the site's existing Public Transport Accessibility Level (PTAL). The PTAL rating varies between 1a, 1b and 2 across the site depending upon proximity to public transport. This represents a poor level of accessibility. On this basis the development should bring forward measures that seek to improve the public transport accessibility and active travel credentials of the site should be a priority in order to deliver a sustainable development in transport terms.

### Proposed Car Parking

For Phase 1 - It is proposed to provide car parking at a ratio of approximately 0.8 spaces per dwelling resulting in a total of 367 car parking spaces for the 445 total dwellings.

***London Barnet Local Plan Policy (DM17)*** recognises that its 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.

Following publication of the London Mayor's transport strategy TfL recommend that the starting point for all developments should be 'car-free'. Nevertheless, it is recognised that this is not suitable for all locations, especially in outer London Boroughs. The recommended Parking ratios for locations in Outer London under PTAL 4 allow for the provision of parking spaces up to a maximum of 0.5-0.75, however TfL generally encourage much lower provision than this in their formal advice.

LBB officers generally accept that travel patterns including commuting are likely to see permanent changes as a result of Covid 19, which would potentially lead to reduced need for car travel. However, the development will require a robust Travel Plan with strong mode shift targets and associated incentives as well as careful monitoring to ensure these are being met. This should be secured through a s.106 contribution and conditions.

London Barnet Local Plan Policy recognises that its 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.

*LBB Development Management Document Policy DM17:*

*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.*

The parking quantum is also in keeping with Barnet's new Draft Local Plan (**Barnet Draft Local Plan (Reg 19) 2021 to 2036 Submitted for independent examination pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012**), which seeks to align Borough Policy more closely with London Plan Standards. The DLP reiterates that the Council will show flexibility in meeting parking standards and requires parking surveys to ensure that impact to surrounding communities is minimised. The proposed maximum parking ratios for PTAL 1 & 2 are 1.25 and 0.75 respectively. The development falls between these two thresholds and LBB consider 0.8 as an appropriate balance for this location.

However, given the proposed parking ratio is below 1 LBB requested that a robust assessment of the potential trip generation was undertaken to demonstrate that overspill parking would not be problematic for surrounding streets. Due to the lack of CPZ coverage in the surrounding streets a parking stress survey was undertaken to assess the likelihood of adverse impacts to local residents in the event of any overspill parking.

The survey showed that there is adequate parking space in the vicinity of the site in the event of any potential overspill. In addition, and based on the predicted trip generation, the parking provision aims to fully cover the requirements of the development on site. For these reasons the proposed parking ratio is considered Policy compliant and acceptable to LBB Officers subject to a 'monitor & manage' approach to be secured as part of the Travel Planning process.

### Monitor & Manage

As agreed with the applicants and TfL during a highway meeting in September 2022, a 'Monitor and Manage' approach will be adopted for the later phases of the development. This approach is the most appropriate way to ensure that appropriate levels of car parking are provided during the later phases to reflect:

- Actual levels of car ownership observed as part of Phase 1
- Increase in home working due to Covid19
- Results of the Travel Plan monitoring surveys

Notwithstanding the above, the maximum level of car parking provision provided within the development will not exceed 0.8 and will be detailed as part of the subsequent Reserved Matters for the later phases.

Cycle parking provision will be in accordance with London standards. Safe and secure storage of bicycles as part of the overall package of sustainable transport improvements. Care will be taken not to over-provide vehicle parking.

The provision of disabled parking spaces (for all land uses) and electric vehicle charging points (20% active and remaining passive) in accordance with the London Plan should be demonstrated and conditioned.

A car parking management plan, which sets out how disabled parking will be managed including ensuring that disabled spaces are allocated on the basis of need and not attached to a particular flat or leased long term, should be secured by condition.

The proposed development should provide a financial contribution towards an ongoing parking occupancy monitoring programme and fund any potential CPZ consultation arising as a result. (secured via s106 agreement).

Overall, the proposed parking levels are supported by the LB Barnet Transport Team subject to the following:

- Satisfactory provision of sustainable transport and active travel measures / improvements

- Implementation of a Travel Plan (to be conditioned)
- Protection of the local amenity from overspill parking via ongoing review of the need for a Controlled Parking Scheme (CPZ)
- Residents of the development should be prevented from applying for on-street parking permits in any future CPZ
- Implementation of a Parking Design and Management Plan (to be conditioned)

### **Vehicular Highway Impact**

#### **Main Site Access – Brunswick Park Road/Goldrill Drive**

As part of the development proposals for Phase 1, the current site access to the east with Brunswick Park Road will be upgraded. The proposed works will provide a signal-controlled junction to replace the existing crossroads arrangement with Brunswick Park Road/Goldrill Drive/Benfleet Way. The junction will incorporate pedestrian phases with dedicated facilities provided across all arms.

The existing Zebra crossing 20m to the north of the junction will be decommissioned. The southbound approach to the junction is to be allocated two lanes (ahead/left and right only). To accommodate this will require widening the eastern side of Brunswick Park Road, which in turn will require altering the Goldrill Drive arm of the junction. Additional junction widening is also proposed at the site access.

At the request of the Council the applicant has carried out a Stage 1 Road Safety Audit (RSA) in September 2022 and is contained in the TAA Appendix O. A Designers Response was prepared by Stomor in October 2022.

The Council is satisfied that the proposed layout is safe and operationally viable and would not exceed capacity in the peak hours. There is a compromise on the design in terms of lack of Advance Cycle Stop Lines, however given the Safety Audit outcomes this is acceptable. Given the self-contained nature of the development it is considered that if cyclists are inconvenienced at the junction there are adequate alternative routes to safely exit/enter the site should they wish.

During subsequent phases it will be essential to monitor the junction operations as part of the overall 'monitor and manage' and travel planning process to ensure that trip generation and trip distribution forecasts do not substantially deviate from the TAA assumptions. Under the full development scenario in 2031 the junction is likely to operate close to capacity and would be sensitive to small changes.

#### **Other Junctions**

Following extensive discussion with TfL 8 junctions were assessed for capacity & performance for the future year with development flows in 2031. Of these, the following junctions are predicted to exceed capacity in the Future Year scenarios:

Junction 1 – Oakleigh Road (N)/Myddelton Park/Oakleigh Park (S)  
Junction 2 – Church Hill Road/Russell Lane/Brunswick Park Road  
Junction 3 – A109 Oakleigh Road North/Pollard Road/B1453 Russell Lane  
Junction 4 – Site Access/Brunswick Park Road/Goldrill Drive  
Junction 8 – A109 Oakleigh Road/A1000 High Road/Totteridge Lane

The traffic modelling results indicate that the above junctions are also expected to operate above capacity in the Future Year 'Without Development' i.e., without the addition of the proposed development traffic, which is indicative of wider pressures on the network. LBB considers that some form of proportionate mitigation either in the form of signals updates and/or physical modifications keeping in line with Healthy Streets principles would be required to ensure that impacts are kept to a minimum.

Following discussion with TfL and the applicants it is recommended that a review of the signalised junctions (J1, J3 and J8) will be undertaken together with TfL's signals team to determine if any appropriate and proportionate mitigation can be delivered at these locations. The review costs and any mitigation identified will be secured as part of a S106 obligation. There should be no prejudice towards any measures that may be required as a result of the assessment. **This could potentially** include wider area initiatives such as the introduction of Low Traffic Neighbourhoods **for example** to minimise rat-running caused by congestion at the junctions.

#### Cycle Parking

A total of 901 cycle parking spaces for the proposal will be provided, which is welcomed. This meets and exceeds the adopted London plan cycle parking requirement within the site (846) and is in line with London Plan policy T5 Cycling. The applicant is reminded that adequate changing and shower facilities should be provided for the non-residential elements to facilitate staff/ employees commute by bike. The applicants should seek to provide large spaces for 5% of the cycle parking provision.

#### General Layout

The site layout plan should be fully dimensioned to help with the review process (e.g. carriageway / aisle / access / footway widths, car parking bays etc.).

The car parking layout plans should be fully dimensioned to help with the review process. This should be supported with swept path analysis where appropriate (e.g. aisle widths, manoeuvrability into / out from parking bays with geometric constraints, two-way vehicle turning within entry / exit of parking areas).

The vehicle / pedestrian and vehicle / vehicle visibility splays should be shown on plan to demonstrate that there would be no obstructions to visibility requirements. Clarification is required as to whether any sections of the public highway will be subject to a Stopping Up application or if any sections are to be given up for adoption.

All the above items should be secured by condition to be provided prior to construction

#### Healthy Streets Assessment

A detailed Active Travel Zone assessment of the key walking and cycling corridors surrounding the Development has been undertaken by the applicants. Proposed improvements within reasonable distance from the site (approximately 1 mile) will be included within the s.106 agreement for funding contributions towards their implementation. This is in line with LBB and TfL sustainable travel policies and future mode share targets. Given the Future Scenario junction impacts predicted by the developers it will be important to ensure that the local streetscape is of a standard that encourages walking, cycling and use of public transport wherever possible.

The developers propose to deliver a pedestrian/cycle access as part of the proposals, which will link the north of the site to Ashbourne Avenue and connect to Russell Lane. Previously local residents have raised objections to the provision of a link in this location, with noise and disturbance being one of the main concerns. However, on balance it is felt that there are important benefits of providing the link with increased potential natural surveillance and reduced crime risk of residential properties from increased footfall.

The above measures are all in keeping with *Draft DLP Policy TRC01 – Sustainable and Active Travel*

#### Travel Plan

A Framework Travel Plan with ambitious targets for public transport and decrease in car use will need to be prepared. Ultimately this should aim to incorporate targets, measures and actions aimed to achieve the Mayor's Strategic Target of 80% trips to be made by sustainable transport modes. The applicant should therefore secure the final Travel Plan by s106 agreement accordingly. The financial contribution towards Travel Plan Monitoring should be to the maximum amount provisioned under LBB's DM17.

#### Car Parking Design and Management Plan

A Car Parking Design and Management Plan needs to be conditioned as part of the planning consent. This would detail how car parking will be designed and how they are to be controlled / managed.

#### Delivery and Servicing Management Plan / Refuse Collection Strategy

Details of servicing, delivery and refuse arrangements for all land uses proposed have not been provided. This may need to be supported by swept path analysis with plans demonstrating trolleying distance compliance in relation to refuse collection. The swept path analysis should show vehicles being able to successfully pass standing refuse / delivery vehicles at locations that appear to be geometrically constrained. The swept paths of the large delivery vehicles entering / leaving each of the access points should be provided. All servicing / delivery requirements should be accommodated within the confines of the site as opposed to relying on the public highway.

A Delivery and Servicing Management Plan should be conditioned as part of the planning consent. The maximum size of vehicles anticipated to use the site should be confirmed and controlled via a Delivery and Servicing Management Plan.

#### Construction

A Construction Logistics Plan (CLP) along with a Construction Worker Travel Plan (CWTP) should be conditioned as part of the planning consent. This should take into account the cumulative impacts of works in the surrounding area and comments received in TfL's formal response.

#### TfL Public Transport Impacts

Consideration was previously given towards either a new or re-routed TfL Bus service through the site however operationally this was considered unviable and has not been pursued any further. Comer Homes will provide an on-site shuttle bus service (15 seat) which will provide an `on-demand` service to key destinations such as local commercial and health centres and also to key public transport interchange hubs.

TfL requested an assessment of Station Capacity at Arnos Grove Station, to identify the impact of the London Underground trip generation associated with the proposed development by 2031. The assessment utilised the Transport forecast demand data shows that:

- The current provisions of staircase and passageway widths are sufficient to cater for the future passenger demands related to the proposed development in 2031.
- The current gateline provision does not meet the LU Station Planning guidance requirements in 2031 with or without the additional development trips during the AM peak hour. The 2031 forecast demand (without the development) would require one additional ATG
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It is noted that Transport for London have raised no in principle objections to the scheme subject to appropriate contributions towards improvements of bus services. This is secured in the S106. No contributions have been sought for improvements to Arnos Grove although this site was subject to an adjoining station development which presumably could fund improvements to the gateline provision in the station.

### **3.7 Waste and Recycling**

Although the NPPF does not contain specific waste policies, it does state that part of the environmental dimension to 'sustainable development' is waste minimisation (para 7). As part of London Plan 2021 Policy SI7 'Reducing waste and supporting the circular economy which also seeks adequate recycling storage provision in new developments as does the Barnet Core Strategy DPD 2012 policy CS14 which also promotes waste prevention, reuse, recycling, composting and resource efficiency over landfill.

A suitable condition is attached to ensure the provision of adequate waste and recycling facilities in accordance with the above requirements.

### **3.8 Energy, Sustainability, and Resources**

London Plan Policy SI 2 Minimising greenhouse gas emissions requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

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

London Plan Policy SI2 'Minimising Greenhouse Gas' requires all residential developments to achieve zero carbon on new residential developments of which a minimum on-site reduction of at least 35 per cent beyond Building Regulations<sup>152</sup> is required for major development. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough through a cash in lieu contribution to the borough's carbon offset fund.

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes.

An Energy Statement has been submitted with this application, prepared by MKPG which details the measures that have been incorporated into the scheme, having been carefully considered early on in the design process. In particular:

- Be Lean – passive design measures have been included and lead to a reduction in regulated CO<sub>2</sub> emissions over the AD L 2013 TER and Target Fabric Energy Efficiency (TFEE) standard. A combination of Be Lean measures have been incorporated including energy-efficient building fabric, insulation to all heat loss floors, walls and roofs, double glazed windows, low-energy lighting, and efficient ventilation systems. All of these measures contribute to an enhancement in energy performance equal to a 52% reduction in regulated CO<sub>2</sub> emissions;
- Be Clean – the feasibility of supplying decentralised energy to the scheme has been assessed in accordance with the heating hierarchy. A site-wide heat network, led by Air Source Heat Pumps and supplemented by high-efficiency gas boilers will serve all domestic units providing a source of decentralised energy to future occupants and users of the development.
- Be Green – opportunities to maximise low and zero carbon (LZC) technologies have been assessed and all options reviewed for their practical, financial and technical viability in relation to the scheme. ASHPs form a central component of the heat network and are described within the accompanying Energy Strategy under the Be Clean stage of energy hierarchy. The ASHPs will deliver an estimated 40% reduction in regulated CO<sub>2</sub> emissions over AD L 2013. Having regard to the results of the Be Lean, Be Clean and Be Green measures, and based on the SAP calculations, the development achieves the zero carbon homes standard in full through a carbon-offset payment which offsets the shortfall in regulated CO<sub>2</sub>

emissions reduction for the new dwellings. The total CO2 emissions to offset for the scheme have been calculated as: 44,178 t CO2/30 years, which based on a carbon price set by the GLA of £95 t CO2/yr over a 30-year period, this is equivalent to a cash in lieu contribution of £4,196,877.

A dynamic simulation model and CIBSE TM59 overheating assessment has also been submitted in support of the application which concludes that all of the proposed flats can comply with the relevant standards through passive measures providing the proposed strategy identified in the report are adopted.

The GLA have advised in their Stage 1 reply that they are broadly satisfied with the submitted energy strategy.

#### Circular Economy.

The applicant has submitted a circular economy statement with the application, the GLA have requested in their stage 1 that this matter is secured by condition.

### **3.9 Landscaping, Trees and biodiversity**

The 'sustainable development' imperative of NPPF 2019 includes enhancing the natural environment and improving biodiversity. London Plan G5 (Urban Greening) advises that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

#### Landscape and Open Space

The application masterplan includes the provision of three main public parks which together with other incidental spaces provide a total open space provision of 20,250 sqm. The main parks consist of the lakeside park contained within the detailed Phase 1 part of the development and the Northern and Southern Central Parks contained within the Outline Elements of the proposal. This is considered an appropriate level of provision providing valuable amenity space for future residents of the development as well as helping to frame and shape buildings through the site.

#### Trees

An arboricultural survey was undertaken in April 2021 to survey trees, hedges and vegetation. In total, 69 individual trees and 47 tree groups / hedges were identified, of a variety of types and quality. As a result of both identified constraints within the proposed development and of poor arboricultural quality, 19 Category B trees and tree groups, 51 Category C trees and tree groups, and 4 Category U trees are proposed for removal.

It is recognised that the extent of tree removals allow the development to progress,



and an extensive and detailed landscaping and planting plan will deliver a high-quality and robust tree stock in keeping with both the site design and the wider existing landscape character to offer climate change and bio-security resilience. Overall the landscape proposals include the planting of 189 new trees in phase 1 and circa 470 trees new trees across the site in order to reduce the impact of the proposed tree loss.

Overall it is considered that the proposed tree removal is considered acceptable in this instance in order to allow for the development of the site. Parks and areas of landscaping have been arranged in order to take maximise tree retention, and in numerical terms the quantity of replacement planting is greater than the number of trees proposed and is considered acceptable. It is also noted that the level of tree removal is similar in level to the extant permission as varied by the S73 permission in relation to the school.

Some of the trees identified in the survey have recently been felled in order to implement the school proposals under the S73 permission. The site has been visited by the Council's Arboricultural Officer who has confirmed that the trees which have been removed are trees for which planning permission was in place for their removal or in other cases not covered by any tree protection order. Tree protective fencing around retained trees was installed following comments from the Council's arboricultural officer and are now in place.

### Biodiversity

The applicant has submitted an Ecological Appraisal together with updated Bat, Badger, Reptile and Great Crested Newt surveys in support of their Planning Application.

The ecological appraisal and surveys conclude that habitats within the site are of limited conservation value due to the dominance of buildings, hardstanding and well managed amenity grassland. Tree groups and the limited hedgerows provided some potential for commuting and foraging, however these lacked structural and botanical diversity. The reports evaluated that the current habitats on site are of negligible conservation value. The proposed development will have biodiversity enhancements, which will include native planting of hedgerows and trees, but also areas of wildflower grassland which will be included within the public parks and reptile receptor site. These will create a nectar source for invertebrates and increased foraging potential for other wildlife species. It is thought that such enhancements would have a minor beneficial effect at site level in the long term.

Fauna within the site was limited due to poor habitat availability. Evidence of badgers using the site was located within the semi-improved grassland compartment at the north of site where a number of snuffle holes and a squeeze were identified. It is recommended that sufficient precautions are taken during the construction phase.

Relatively low levels of bat activity were recorded during both activity and static surveys, with common pipistrelles being the most frequently recorded species. A total of five species recorded, however the majority consisted of no more than five contacts; it was therefore assessed that the site was of negligible value to local bat

populations. The buildings and trees to be lost to the development have no roosting opportunities and/or no evidence was recorded, therefore there are no constraints concerning roosting bats.

The inclusion of appropriately designed GI within the proposed development will create additional navigational and foraging opportunities, especially as invertebrates will be encouraged to the development through more native planting and increased nectar sources. The habitat enhancements and creation will have a long term minor beneficial effect for foraging bats at a site level.

In relation to the pond, this is a large manmade water body, constructed in the 1980's, that lacked aquatic vegetation but had fish and a large number of waterfowl present. The HSI assessed this waterbody as poor suitability for Great Crested Newts (GCNs) . The location of the pond within an urbanised area, isolated from any records of GCNs, meant that colonisation is unlikely to have occurred. These combined factors have concluded that GCNs are absent, and no further surveys are required, hence there is no constraint to the development concerning GCNs.

It is noted that the works to the pond have received been carried out pursuant to the S73 approval of the school. These drainage works were supervised by an ecologist during a period when the water fowl were seasonally absent from the site. Care was taken to remove fish and other species during the duration of the works.

The ecology survey found a 'good' population of slow worms were found within the north western parts of the site, the ecology report recommended that works to this area to be restricted to a time when slow worms were not in hibernation and that they should be translocated to a nearby receptor site during the construction works to avoid any offence under the Wildlife & Countryside Act 1981 (as amended). New habitat for reptiles such as log piles were proposed along the margins of the site, to which some of the slow worms would likely be relocated although some would likely to have to be relocated to a suitable receptor site outside the application boundary.

While the school site is located on a different portion of the NLBP site to the area at the top with the reptiles. Contractors connected with the school build accessed this site to store materials and caused some damage to the slow worm habitat. The site was visited by the Council's ecology officer, as a result of which all work in this area ceased and log piles were erected along the site periphery as recommended in the ecology surveys. The applicant also reported themselves to the Police and have provided copies of this to the Local Authority.

While this breach is clearly regrettable it is not in itself a reason to withhold permission and the applicant has taken appropriate steps upon request by Council Officers. Suitable additional conditions are also suggested along with S106 obligations to ensure that suitable replacement habitat is provided either on or off site to the satisfaction of the LPA. Conditions are also attached requiring the provision of Bat and Bird Boxes and a scheme of ecological enhancements.

The mitigation measures proposed elsewhere in the site in relation to ecological enhancements will ensure that the conservation status of species are maintained and enhanced through habitat creation, incorporation of hibernacula and the provision of bat and bird boxes. The possible habitats to be created within the site

will provide more opportunities for biodiversity, however due to the context of the development, isolated within a highly urban area, it is thought that there would only be a minor beneficial effect in the long term at a site level.

### Flood risk, Water Resources, Drainage and SUDs

In support these considerations Flood Risk is considered within the submitted Environmental Statement

In respect of flood risk, the site is within Flood Zone 1 which is classified as being of low risk of flooding. The proposed development is acceptable in this zone and there is no requirement for exception and sequential testing of the acceptability of the scheme.

In line with policy requirements the proposed development proposes to restrict runoff from the site to the equivalent greenfield runoff rates. This will enable a significant reduction in surface water runoff being discharged off-site, freeing up capacity within Thames Waters surface water sewers and thus reducing flood risk within the downstream catchment. The proposed drainage strategy promotes the use of rainwater harvesting. This will reduce the demand for potable water supply and will help to capture the first 5mm of runoff, reducing the level of pollutants being discharged off-site. The inclusion of a SuDS attenuation pond will offer water quality enhancement as well as other ecological and biodiversity benefits.

Exceedance flows beyond the 100 year plus 30% critical storm event will be routed towards convenient holding points within the confines of the development area, away from properties and primary access routes.

Foul flows from the development will discharge to the existing foul sewerage network beneath Brunswick Park Road.

The Lead Local Flood Authority and Thames Water have been consulted on the application. No in principle objection has been raised, however Thames Water have requested the imposition of a Grampian Style Condition which is included in the list of suggested conditions.

### **3.10 Other matters**

#### Utilities

In support of the application a Utilities report has been submitted in support of the application. The utility report ascertains that the site has live connections to all primary services. A review of the asset record plans for each utility provider has confirmed that existing on-site services could be diverted to accommodate any future development phase, without disruption to any off-site networks.

It is concluded that each phase of the proposed redevelopment scheme can be delivered without any abnormal utility constraints. Furthermore, given the inclusion of renewable energies and rainwater harvesting within the proposed redevelopment scheme, there are not expected to be any future capacity restrictions or abnormal reinforcement requirements.

In regards to sewer infrastructure, Thames Water have requested a Grampian style condition is imposed requiring the drainage strategy to be agreed which is included in the list of suggested conditions.

### Ground conditions and Contamination

In regards to potential contamination, the submitted Environmental Statement acknowledges that remediation will be required due to the previous historic industrial use of the site. The council's Environmental Health Team have also recommended appropriate contamination remediation conditions.

## **3.11 Viability, Planning Obligations & CIL**

### S106 obligations & viability

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

The full list of planning obligations is set out in the heads of terms to this report.

In summary the scheme includes **21%** affordable housing by unit and habitable room (**35%** of the uplift units) with an early, mid and late stage affordable housing review mechanism and other contributions such as the provision of a serviced site for the new school and requirements to address the transport impacts of the proposal in the form of securing the proposed minibus shuttle bus provision, bus contributions and off site highway works. Obligations are also attached concerning any off site reptile habitat creation and any greenspaces contributions to mitigate for any shortage of play provision on site. A carbon off set payment is also secured.

### LB Barnet CIL

As noted in SPD para 2.2.11, the purpose of Barnet's CIL is to secure capital funding to help address the gap in funding for local infrastructure. The money raised by Barnet's CIL will be used to pay for infrastructure required to mitigate the impact of development across the Borough.

Barnet recently revised its Cil Charging schedule increasing, the CIL charging rate from £135 per sqm to £300 per sqm for residential floorspace. Cil is also payable at a lower amount on some of the commercial but not the community or educational floorspace.

### Mayoral CIL

From 1 April 2012, the Mayor of London started charging CIL on development to help provide £300m towards the cost of delivering the Crossrail project, a strategic priority to support the growth and development in London.

From 1 April 2012 to 1 April 2019 all chargeable development in Barnet paid a flat rate of **£35 per square metre - \*Nil rate for Health and Education uses.**

The Mayor increased the rate to £60 a square metre for planning permissions granted from 1st April 2019.

#### **4. EQUALITY AND DIVERSITY ISSUES**

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

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

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

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

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

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

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

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.

Dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

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

## **7. CONCLUSION**

In conclusion, the scheme is considered acceptable on balance having regard to relevant national, regional and local planning policies and guidance. The principle of the redevelopment of the site is considered acceptable and accords with the adopted Policy Framework.

An ES has been submitted which robustly assesses the proposed development against a full range of topics and identifies appropriate mitigation such that there are no significant adverse impacts posed by the scheme. The proposed detailed design for Phase 1 is considered to be high quality with appropriate levels of amenity space, public open space and residential standards achieved for future occupiers reflecting a development of this intensity and balanced with the need to optimize the use of the site.

The impact of the increased density and height of the development on the character of the surround area and amenities of neighbouring residents and is considered to not result in a significant increase in the level of harm over and above the extant permissions on the site. This harm has to be weighed against the scheme benefits which include the provision of an increased housing provision and in particular the provision of 35% affordable housing on this uplift. The proposed increase in community floorspace is also welcomed. Currently the CWC proposal to site a health care centre in the non residential space would count as a significant benefit of the scheme however as this is dependent on various factors including the NHS agreeing the final fit out, the weight of this provision is reduced in assessing the planning balance of the scheme.

The proposal would also provide a purpose built Secondary School which would replace the existing substandard accommodation which St Andrew's the Apostle is utilising at the moment as well as helping to meet Barnet's Education Needs. While this school already has consent independent of this permission it still forms part of this application and as such still carries weight albeit limited due to permission already being in place.

The amenities of neighbouring residential occupiers are not considered to be unduly impacted by the proposals.

The potential transport impacts of the scheme have been considered and appropriate mitigation proposed including the provision of the proposed shuttle bus service, bus services contributions provision of a detailed travel plan as well as improvements to access and connectivity as part of the proposal.

The scheme deals with its waste and recycling requirements and in terms of energy and sustainability, a range of measures are proposed achieving an improved reduction in CO2 emissions over the extant permission along with carbon off set payments to achieve net zero.

A suitable approach is taken to landscaping and biodiversity with retention of trees where possible as well as enhancement of the biodiversity values within the site with appropriate treatments and species and mitigation secured by means of conditions and in relation to off site works S106 obligations.

The scheme has also considered utilities provision and contamination and appropriately worded conditions are recommended. The scheme is considered to be appropriate and acceptable having regard to the full range of considerations in this report including the stated policies and guidance.

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 referral to the Mayor of London and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.





**SITE LOCATION PLAN: North London Business Park, Oakleigh Road South, London N11 1GN**

**REFERENCE: 21/4433/OUT**



**General Notes**

- 1. Development Zones (within which development can occur) and public open spaces are identified on Drawing number 211\_W03\_02\_01
- 2. Access and circulation routes are identified on Drawing number 211\_W03\_02\_02
- 3. Landscaping treatments are identified on drawing number 211\_W03\_02\_03
- 4. Allowable uses at ground floor footprints are identified on Drawing number 211\_W03\_02\_04

- 5. Proposed site ground levels, heights, setbacks horizontal and vertical deviations are identified on Drawing number 211\_W03\_02\_05

**Additional Notes**

- 1. Refer to Section 5 of the Design Principles Document for further guidance on the Development Zone.
- 2. Refer to section 4 of the Design Principles Document for further guidance on the Public Open Space Zones, Access Route Typologies, and landscaping treatments of streets and spaces.
- 3. Refer to section 3 of the Design Principles Document for further guidance on the streets and circulation routes.



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