

MEETING

STRATEGIC PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 15TH NOVEMBER, 2023

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF STRATEGIC PLANNING COMMITTEE (Quorum 6)

Chairman: Councillor Nigel Young
Vice Chairman: Councillor Richard Barnes

Councillors

Claire Farrier	Paul Lemon	Val Duschinsky
Philip Cohen	Richard Cornelius	Shuey Gordon
Rishikesh Chakraborty	Eva Greenspan	

Substitute Members

Danny Rich	Arjun Mittra	Mark Shooter
Tony Vourou	Elliot Simberg	Michael Mire

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Andrew Charlwood – Head of Governance

ASSURANCE GROUP

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ORDER OF BUSINESS

Item No	Title of Report	Pages
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2.	Absence of Members	
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4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
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10.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Strategic Planning Committee

4 October 2023

Members Present:-

AGENDA ITEM 1

Councillor Nigel Young (Chair)
Councillor Richard Barnes (Vice-Chair)

Councillor Philip Cohen
Councillor Rishikesh Chakraborty
Councillor Paul Lemon

Councillor Richard Cornelius
Councillor Eva Greenspan
Councillor Val Duschinsky

Apologies for Absence

Councillor Claire Farrier

Councillor Shuey Gordon

1. MINUTES OF THE LAST MEETING

Councillor Nigel Young, Chair of the Strategic Planning Committee opened the meeting.

RESOLVED that the minutes of the previous meeting held on 12 September 2023 be agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies were received from Councillor Shuey Gordon and Councillor Claire Farrier, for which Councillor Arjun Mittra substituted for.

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

Councillor Arjun Mittra stated that he would be stepping down from Item 6 as he had personal prejudicial interest on the item through working at City Hall with Councillor Anne Clarke, who was speaking on the item.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

The Committee noted the updated information contained within the published addendum in relation to agenda item 6.

6. CLITTERHOUSE PLAYING FIELDS, CLAREMONT ROAD 22/5617/FUL (CRICKLEWOOD)

CLr Arjun Mittra stepped down from this item and left the Committee room.

The Planning Officer presented the report and addendum.

Luisa Vallejo addressed the Committee against the officers recommendation for approval.

Dan Hawkins addressed the Committee in support of the officers recommendation for approval.

The Committee received representations on the officers recommendations from:

- Councillor Alan Schneiderman
- Councillor Anne Clarke
- Councillor Guilia Innocenti

Morwenna Hall, the agent for the applicant, addressed the Committee in support of the application.

Following discussion, the Committee discussed the inclusion of the following amendments to the draft conditions set out in Appendix A of the Officer report, new condition and new informative. New text is shown underlined and deleted text shown struck through:

Condition 15 (Travel Plan)

15. Prior to first use or occupation of Part 1 of the development hereby approved a Clitterhouse Playing Fields Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Clitterhouse Playing Fields Travel Plan shall include:

- Appropriate objectives and targets to promote active/sustainable modes of travel strongly promoted as part of a package of measures which aim to drive down car mode share;
- The provision of maps online showing routes (and indicating distances and times) to the most common destinations within Clitterhouse Playing Fields from relevant public transport facilities and shared public town centre car parks to be delivered in Brent Cross Town;
- Communications strategy to ensure that active and sustainable travel means are promoted to those making bookings, including affirming that no car parking is permitted on site or adjacent local roads; and
- Arrangements for managing coach and mini bus drop-off activities and how these will be communicated to visiting users of the site to prevent inappropriate coach parking within the surrounding streets; and
- Monitoring programme and surveys to identify how users are travelling to/from the site in the future and enable targeting of future measures and initiatives to respond to feedback received.

The approved Clitterhouse Playing Fields Travel Plan shall be updated pursuant to this Condition after the first year of opening of the first all-weather artificial sports pitch within the development hereby approved and shall be thereafter reviewed at year 3 and year 5 after opening of the first all-weather artificial sports pitch.

The Clitterhouse Playing Fields Travel Plan (and any update to it) shall be implemented as approved for each Part or Phase of any Part of the development hereby approved and thereafter for the duration of the development hereby permitted.

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

Condition 27 (Materials for 3G pitches)

No formal changes to the condition were proposed but the Chair asked that it be minuted that the details of the materials to be used in the surface of the artificial 3G pitches be approved in consultation with the Chair of Strategic Planning Committee when the relevant application is made to discharge the condition.

Condition 29 (Estate Management)

29. Prior to first occupation of any Part or Phase of any Part of the development hereby permitted, an Estate Management Plan shall be submitted to and approved in writing by the Local Planning Authority setting out details of:

- (i) Establishment of an Estate Management Body for responsible for managing, cleansing, maintaining, repairing and/or renewing any area of public realm hereby permitted;
- (ii) Management and maintenance of all hardstanding, play and sports equipment, boundary treatments and furniture;
- (iii) Refuse collection;
- (iv) Security regime; and
- (v) Control of lighting across the site.; and
- (vi) Management measures in respect of the 3G artificial sports pitches to minimise the transference of surface dressing material beyond the enclosure of the pitches.

Reason: To ensure the successful management and ongoing maintenance and repair and upkeep of development is delivered to an appropriately high standard of safety and quality across the whole of the Development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and saved Policies CGrick and C1 of Chapter 12 of The Council's UDP (2006), and Policy CS2 of The Council's Local Plan: Core Strategy DPD (2012).

Condition 47 (Drainage)

47. Prior to the commencement of each Part or Phase of any Part of the development hereby permitted details of the surface water drainage infrastructure to be implemented in that Part or Phase of any Part shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. Such detail shall include appropriate analysis to demonstrate how the relevant surface water drainage infrastructure achieves or reduces the agreed discharge rates set out in the document titled: Drainage Strategy Report Buro Happold, April 2023). For the relevant Part of the development comprising the 3G artificial pitches the drainage infrastructure shall include means of filtering run-off from the 3G pitches to capture any rubber crumb surface dressing material (if any) to prevent it from being carried into the Clitterhouse Stream. The surface water drainage infrastructure for the relevant Part or Phase of any Part shall thereafter be implemented as approved pursuant to this Condition.

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, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April (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).

Condition 52 (Community Access Plan)

52. Prior to the first use or occupation of Part 1 of the development hereby permitted, a Sports Facilities: Public Accessibility and Affordability Plan shall be submitted to and approved in writing by the Local Planning Authority and shall be based on the Draft Sports Facilities: Public Accessibility and Affordability Framework submitted with the application. The Sports Facilities: Public Accessibility and Affordability Plan shall set out the approach to providing discounted access, community access, school use and periods of free access to the sports facilities within the development hereby approved, including 1,000 hours of free community use per annum, as

well as facilities programming and sport and physical activity development to meet the needs of the local and wider population.

The approved Sports Facilities: Public Accessibility and Affordability Plan shall be updated pursuant to this Condition prior to the first use or occupation of Part 2 or any phase thereof.

The Sports Facilities: Public Accessibility and Affordability Plan (and any update to it) shall be implemented as approved for each Part or Phase of any Part of the development hereby approved and thereafter for the duration of the development hereby permitted.

Reason: To ensure appropriate public accessibility and affordability of access to sports facilities.

New condition to be added as Condition 53

53. Prior to the installation of any 3G all-weather artificial sports pitch within the development hereby permitted, details of the boot cleaning facilities, filter systems and any other relevant features within the boundary of the sports pitches for the capture of rubber crumb surface dressing material (if any) from the pitches to prevent transference of the material beyond the enclosure of the pitches, shall be submitted to and approved in writing by the Local Planning Authority. The details approved pursuant to this Condition shall be implemented accordingly.

Reason: To prevent the spread of rubber crumb or other surface dressing material from the 3G artificial sports pitches into the wider environment.

New informative to be added under the Highways and Transport section of informatives as number 8

8. In respect of Condition 17 of this of this permission the Car Parking Plan shall take account of the obligations set out in Schedule 3 of the S106 Agreement dated 23rd July 2014 associated with the S73 Permission in respect of the requirement to fund the Council's preparation and implementation of Controlled Parking Zones (CPZs) to mitigate the BXC development. The Car Parking Plan submitted pursuant to Condition 17 shall take account of any further on-street car parking controls that may be required in the Golders Green Estate area and other streets around Clitterhouse Playing Fields as necessary to control visitor parking impact.

The Chair then moved to vote on the officers recommendation to approve the application with the amendments to the conditions and informatives included.

Votes were declared as follows:

For – 9

Against – 0

Abstention – 0

RESOLVED that this item be approved in accordance with the recommendations of the report and subject to the conditions and informatives listed in the minutes.

RECOMMENDATION 1: The application is for development of playing fields where Sport England has objected and therefore shall be referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009. Any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Secretary of State.

RECOMMENDATION 2: The applicant and any other person having a requisite interest in the site shall enter into a satisfactory Deed of Variation to make the necessary amendments to the existing Section 106 Agreement dated 22nd July 2014 attached to planning permission

F/04687/13 to amend the definitions of Clitterhouse Playing Fields Improvements (Part 1) and Clitterhouse Playing Fields Improvements (Part 2) as well as varying Schedule 23 (the Schedule of Mitigation Measures) and Schedule 28 (Phase 1B (South) Park improvements – Specification of Outline Design Principles) to reflect the revised Clitterhouse Playing Fields scheme set out in this application. Strategic Planning Committee grants delegated authority to the Service Director for Planning and Building Control or the Head of Development Management to agree the final form of the Deed of Variation.

RECOMMENDATION 3: Subject to Recommendation 1 and the LPA receiving no direction to call in or refuse the application from the Secretary of State, and upon completion of the deed of variation specified in Recommendation 2, the Service Director for Planning and Building Control or Head of Development Management shall APPROVE planning application 22/5617/FUL under delegated powers, subject to the recommended conditions listed in Appendix A of this report. The Strategic Planning Committee also grants delegated authority to the Service Director for Planning and Building Control or the Head of Development Management to make any minor alterations, additions or deletions to the recommended conditions and their attached reasons set out in Appendix A to this report and any associated Addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Strategic Planning Committee (who may request that such alterations, additions or deletions be first approved by the Strategic Planning Committee).

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

None.

The meeting finished at 9.30 pm

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Location 228 - 232 Hendon Way London NW4 3NE

Reference: 23/0773/FUL

Received: 23rd February 2023

Accepted: 27th February 2023

Ward: Hendon

Expiry 29th May 2023

AGENDA ITEM 6

Case Officer: Zakera Matin

Applicant: Mr Bobby Malhotra

Proposal: Extensions and alterations to buildings, including ground floor rear extensions, two storey infill extension, and roof extension involving the addition of 1no. rear dormer window to provide a 40-room hotel, plus a basement level with front and rear lightwells. Associated refuse store, cycle storage, hard and soft landscaping, 7 No. parking spaces and new vehicular access

OFFICER'S RECOMMENDATION

Approve subject to s106

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

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3.
 1. The Council's legal and professional costs of preparing the agreement and any other enabling agreements
 2. All obligations listed below to become enforceable in accordance with a

timetable to be agreed in writing with the Local Planning Authority.

3. A financial contribution towards carbon off-setting of £18,211.50 in order to achieve net zero carbon dioxide emissions
4. Financial contribution related to skills/apprenticeship contribution of £33,000 and creation of job for 2 local people
5. S106 agreement to deny the hotel/staff of the right to purchase CPZ permits,
6. Travel Plan monitoring fee of £5,000

RECOMMENDATION II:

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

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

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

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

Existing:

HENDW-P000
HENDW-P001
HENDW-P002
HENDW-P003
HENDW-P004
HENDW-E001
HENDW-E002
HENDW-S001
HENDW-S002
HENDW-L001

Proposed:

HENDW-P400 RevB
HENDW-P401 RevB
HENDW-P402 RevB
HENDW-P403 RevB

HENDW-P404 RevB
HENDW-D401 RevB
HENDW-D402 RevB
HENDW-D403 RevB
HENDW-E401 RevB
HENDW-E402 RevB
HENDW-L401 RevB
HENDW-S401 RevB

Documents:

Outline Construction Logistics Plan (January 2023)
Outline Delivery and Servicing Plan (January 2023)
Sustainable Drainage Strategy (January 2023)
Transport Assessment (January 2023)
Framework Travel Plan (January 2023)
Energy Strategy Report (June 2023)
Planning, Design and Access Statement (Feb 2022)
Ecological Assessment (June 2023)
Soft Land space Plan (Amended 01September 2023)
E-mail dated 18 April 2023, 12 and 13 July 2023, 30 August 2023.

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).

- 3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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

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

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

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

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

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

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

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

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

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

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

7 a) Before the installation of any kitchen extraction unit(s) related to use hereby permitted, a detailed assessment for the kitchen extraction unit, which assesses the likely impacts of odour and smoke on the neighbouring properties shall be carried out by an approved consultant. This fully detailed assessment shall indicate the measures to be used to control and minimise odour and smoke to address its findings and should include some or all of the following: grease filters, carbon filters, odour neutralization and electrostatic precipitators (ESP). The equipment shall be installed using anti-vibration mounts. It should clearly show the scheme in a scale diagram and shall be submitted to and approved in writing by the Local Planning Authority.

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

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

8 Development shall not begin until the following information has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed:

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.

o SuDS design input data and results to support the design.

- o Infiltration site investigation results showing that infiltration systems are feasible method of discharge for this site, if SuDS infiltration method is proposed;
 - o Appropriate design rainfall i.e. Flood Estimation Handbook (FEH) design rainfall 2013.
 - o Assessment of the proposed drainage system during the 30-year design rainfall according to Design and Construction Guidance, March 2020;
 - o 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.
- o 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;
 - o SuDS operation and maintenance plan;
 - o SuDS detailed design drawings;
 - o 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, 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 (such as the SuDS Manual, C753).

- 9 Prior to the first occupation or commencement of the use of the development hereby permitted, a full Delivery and Servicing Plan (DSP) and Travel Plan (TP) shall be submitted to and approved in writing by the Local Planning Authority. The DSP and TP shall be approved in consultation with Transport for London.

The development thereafter shall only be operated in accordance with the delivery and servicing plan and travel plan approved under this condition.

Reason: In the interest of highway safety and to encourage the use of sustainable forms of transport to the site in accordance with London Plan 2021; London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 10 a) Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be implemented as per drawing HENDW-D401 RevB to provide minimum of 2 (long stay) and 4 (short stay) cycle

parking spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Plan 2021, London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

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

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

12 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on proposed HENDW-L401 Rev B; shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and the London Plan 2021.

13 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be implemented as per Revised Soft Landscape Plan Rev B dated 01 September 2023

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

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and the London Plan 2021.

14 a) The development hereby permitted is required to meet the BREEAM 'Very Good' rating/level.

b) The development shall be implemented as per Energy Strategy Report (June 2023) to achieve BREEAM score requirement of Very Good.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and the London Plan (2021).

15 Prior to the first occupation or use of the development hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would adhere to the principles of Secure by Design. The development shall be carried out and retained in accordance with the agreed details in perpetuity.

Reason: To ensure that the development meets Secure By Design principles as required by the Metropolitan Police, in accordance with Policy CS12 of Barnet's Core Strategy DPD (2012) and Policy DM01 and DM02 of Barnet's Development Management Policies Document DPD (2012).

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

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

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

Reasons: In the interest of good air quality in accordance with London Plan 2021.

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

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

- 18 The premises hereby permitted shall be used as a Hotel (Class C1) and for no other purpose (including any other purpose in Part C of Schedule 1 to the Town and Country Planning (Use Classes) Order, 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 19 The level of noise emitted from any plant(s) hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

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

- 20 All amplified speakers should be acoustically isolated from the structure of the basement and hotel with antivibration mounts and shall be 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 the of the London Plan 2021.

- 21 The development shall be implemented in accordance with the recommendations and mitigation measures, contained within the Ecological Assessment Assessment (GS Ecology, June 2023a).

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 22 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the Building Regulation Part L 2013. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), the London Plan (2021) and the 2016 Mayors Housing SPG.

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

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

- 24 The dining room associated with the hotel use (shown in Ground floor plan HENDW-P401) - shall not be open after 10pm.

Reason: To ensure appropriate use of the site and to safeguard the amenities of occupiers of adjoining residential properties and the surrounding area.

- 25 a) Before the development hereby permitted is first occupied, storage of recycling containers and wheeled refuse bins shall be provided as per HENDW -D401 Rev B

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

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

Reason: In the interest of highway safety in accordance with London Borough of Barnets Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 26 Before the permitted development is occupied, all off-site highways works must be fully implemented and completed to the satisfaction of the Local Highway Authority.

Reason: In the interest of highway safety in accordance with London Borough of Barnets Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) (2012).

- 27 Prior to commencement of the development full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of a minimum of 2 active and 3 passive electric vehicle charging points. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with the London Plan 2021.

- 28 Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%), and shall be installed in full accordance with the details approved.

Reason: To reduce and limit NOx emissions to improve air quality and reduce greenhouse gases in accordance with Policies GG3, SI1 and SI2 of the Mayor's London Plan 2021.

- 29 Prior to occupation of the development the details the specification, location, including height, orientation, of the recommended ecological enhancement features including 6 x integrated bat roost boxes (within the newly constructed dwelling), 2 x Swift nest boxes, 3 x Woodstone bird nest boxes (or similar alternative), and 3 x insect hotels, and 3 x hedgehog homes shall be submitted and approved by the local planning authority.

All approved biodiversity enhancement features shall be installed on site prior in accordance with the thereafter approved enhancement plan and in line with guidance outlined within 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)' .

Reason: To enhance the biodiversity value of the site beyond its current baseline. Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan 2021.

- 30 Prior to occupation details of the location of at least 3 x hedgehog highways (13cm x 13cm gaps) at the base of the boundary fencing are to be submitted and approved by the local planning authority.

The approved hedgehog links must be installed in the base of the boundary fencing to ensure continued access for commuting hedgehogs through the garden.

Reason: To ensure the continued habitat connectivity for hedgehogs, common toads and wildlife in general through residential gardens. 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.

- 31 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.

- 32 a) No occupation of the development or commencement of any use shall take place until 10 per cent of new bedrooms to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

b) The development shall be implemented in full accordance with the details as per approved drawing HENDW-D402, prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policy E10 of the London Plan 2021.

- 33 Prior to commencing with the soft and hard landscape scheme, details of the final design for the tree pits as outlined in 11.5 "Preparation, establishment and maintenance timetable of the approved SOFT LANDSCAPING PLAN: THE HIDE HOTEL 228, 230 & 232 HENDON WAY LONDON NW4 3NE reference: ECO2586d Report date: 26 June 2023. Amended 01 September 2023 shall be submitted and approved by the local planning authority.

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 the London Plan 2021.

- 34 The proposed internal rooms and corridors with the hotel shall be installed with water sprinklers and be permanently retained and maintained as such thereafter.

Reason: To reduce of damage caused by fire and the consequential cost to businesses and housing providers whilst promoting health and ensure that the health and safety of future occupiers is not unduly compromised in accordance with DM02 of the Management Development Document (2012); Barnet Supplementary Planning Document on Residential Design Standards (2016)

RECOMMENDATION III:

- 1 That if the above agreement has not been completed or Section 106 agreement has not been submitted within three months of the date of the Committee resolution, unless otherwise agreed in writing, the Service Director for Planning and Building Control, REFUSE the application under delegated powers for the following reason(s):
 1. The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy S12 of the London Plan (2021), Policy CS13 of the Local Plan Core Strategy (adopted September 2012) and Policy DM04 of the Adopted Development Management Policies DPD.
 2. The proposed development does not include a formal undertaking to provide an agreement regarding local employment/training. The proposal would therefore fail to comply with Policy CS8 of Barnet's Core Strategy DPD (2012); Policy DM14 of Barnet's Development Management Policies Document DPD (2012), Policy E11 of the London Plan (2021), Barnet Local Plan SPD: Delivering Skills, Employment, Enterprise and Training from Development through S106 (2014) and Barnet Local Plan SPD: Planning Obligations (2013).
 3. The proposed development does not include a formal undertaking to provide an agreement to deny the hotel/staff of the right to purchase CPZ permits, or for the effective monitoring of the travel plan. The proposal would therefore fail to comply with Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (2012) and Policy T6.4 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. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

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

- 3 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Councils refuse collection department is consulted to agree a refuse collection arrangement.

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

- 4 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 5 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the councils Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk.
- 6 No removal of trees, shrubs or vegetation shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Pursuant to Section 9 of the Wildlife and Countryside Act 1981 (as amended), and section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan

- 7 Any artificial lighting scheme designed for development include off street lighting, should be designed and implemented in accordance with Bats Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series.
- 8 The removal of the invasive non-native species (e.g. cherry laurel and buddleia) should be undertaken by a trustworthy third-party invasive plant removal specialist who belong to a trade body such as the Property Care Association (PCA) Property Care Association or the Invasive Non-Native Specialist Association View Our Members - INNSA. An invasive species removal specialist would be responsible for the secure removal/treatment, transposition and disposing of
- 9 Soft landscaping should consist of 70/30 native grass to flowering plants to provide high quality habitat for pollinating insects including bees, butterflies. An example of a potential species rich meadow seeding mix includes Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30 and for the amenity lawn Emorsate Seed Strong Lawn Grass Mixture EG22.

Any proposed tree and shrub planting should incorporate native species rich plantings and consist of native berry producing shrub species such as hawthorn, blackthorn, spindle, field maple, hazel, and hornbeam. These species will provide ideal foraging and sheltering habitats for a variety of species including nesting birds, invertebrates, and foraging mammals.

Night scented plants should also be incorporated into a detailed planting schedule where feasible. An extensive list of suitable plant species can be found on the RHS advice page <https://www.rhs.org.uk/advice/pdfs/plants-for-bats.pdf>. The provision of bat friendly planting is in Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan 2021.

- 10 The facades that will face the A41 will need acoustic glazing and ventilation away from the main A41 road.

OFFICER'S ASSESSMENT

This application represents a departure from development plan policy and is therefore to be presented at Strategic Planning Committee. It should be noted that the proposal represents a variation on the scheme considered by the Strategic Planning Committee at the meeting of the 1st December 2020 (ref: 18/6261/FUL). Whilst it was resolved to approve that application at Committee, the application was ultimately withdrawn when the subsequent legal agreement was not completed.

1. Site Description

The application site comprises three properties situated adjacent to one another along the east side of Hendon Way, in the ward of West Hendon.

The application site is not located within a designated conservation area and does not contain any locally or statutory listed buildings.

With regard to Map 6 of the Development Management Policies Document (2012), No. 232 falls within the boundary of Hendon Central Town Centre (but is not designated primary or secondary frontage). The other two properties of No. 228 and 230 do not fall within the designated Town Centre.

No. 230 and 232 Hendon Way are linked and form an existing hotel (named 'The Hide London') [Use Class C1].

No. 228 Hendon Way is a single family dwelling house [Use Class C3]. The residential use is confirmed from a review of the Valuation Officer Records website and site visit.

There are no Tree Preservation Orders on site. However, there are mature trees at the rear of No. 228 single family dwelling house.

The site is not within a Site of Importance for Nature Conservation.

It is within Flood Zone 1 in accordance with the Government's flood map for planning. It is not in a critical drainage area.

2. Site History

Relevant history for No. 230-232 Hendon Way (the hotel):

Reference: 18/6261/FUL

Address: 228 - 232 Hendon Way

Decision: Withdrawn

Decision date: 31.08.2022

Description: Demolition of the existing buildings at No. 228-232 Hendon Way and construction of a new two storey building with rooms in the roofspace to provide a 51-room hotel (with conference facilities) across all three sites, plus a basement level with front and rear lightwells. Associated refuse store, cycle storage, hard and soft landscaping, 10 no. parking spaces and new vehicular access [DEPARTURE FROM POLICY]

Reference: W06712N/05

Address: 230-232 Hendon Way London NW4 3NE

Decision: Approved subject to conditions

Decision date: 14 December 2005

Description: Erection of two-storey rear extension, with dormers to rear slope and elevational changes to provide a 24-bedroom hotel. Use of rear garden as car parking area to provide an additional 7 car parking spaces. New roof to front entrance.

Reference: H/01663/09
Address: 230-232 Hendon Way, London, NW4 3NE
Decision: Refused
Decision date: 08 July 2009

Description: Alterations and extensions to roof including rear dormer and infilling of gap between pitched roof sections to facilitate further rooms in the roofspace, Increasing total number of hotel rooms from 24 to 25. Addition of a gable feature over the main front entrance. Installation of heat pumps in new basement compound at the hotel. (AMENDED DESCRIPTION)

Reference: W06712P/06
Address: 230-232 Hendon Way London NW4 3NE
Decision: Refused
Decision date: 06 December 2006
Appeal decision: Allowed
Appeal decision date: 23 October 2007
Appeal reference: APP/N5090/A/07/2043297

Description: Removal of Condition 5 of planning permission W06712N/05 dated 14.12.05 to allow clear glazed and opening windows to proposed dormer windows in east elevation.

Reference: W06712N/05
Address: 230-232 Hendon Way London NW4 3NE
Decision: Approved subject to conditions
Decision date: 14 December 2005

Description: Erection of two-storey rear extension, with dormers to rear slope and elevational changes to provide a 24-bedroom hotel. Use of rear garden as car parking area to provide an additional 7 car parking spaces. New roof to front entrance.

Reference: W06712M/04
Address: 230-232 Hendon Way London NW4 3NE
Decision: Refused
Decision date: 13 September 2004
Appeal decision: Dismissed
Appeal decision date: 25 May 2005
Appeal reference: APP/N5090/A/04/1164507

Description: Erection of two-storey rear extension, alterations to the roof including a new mansard with dormers to rear slope and elevational changes to provide a 27 bedroom hotel. Use of rear garden as car parking area to provide an additional 7 car parking spaces, accessible after demolition of existing garage on the south facing flank elevation.

Reference: W06712H
Address: 230-232 Hendon Way London NW4
Decision: Approved subject to conditions
Decision date: 07 December 1999

Description: Retention of 2 storey extension to link the 2 properties. Change of use from self contained flats to Hotel/Bed & Breakfast accommodation, provision of 5 parking spaces on the forecourt and 6 parking spaces to the rear

Relevant history for No. 228 Hendon Way (the dwelling):

Reference: 17/5073/HSE
Address: 228 Hendon Way, NW4 2NE
Decision: Approved subject to conditions

Decision date: 28 September 2017

Description: Excavation of the site to facilitate a basement level with side lightwells. Single storey rear extension

Reference: 17/2469/192

Address: 228 Hendon Way, NW4 3NE

Decision: Lawful

Decision date: 16 May 2017

Description: Roof extension involving hip to gable, rear dormer window with juliette balcony, 2no. rooflights to front and new gable window to side elevation to facilitate a loft conversion

Reference: 17/1747/192

Address: 228 Hendon Way, NW4 3NE

Decision: Unlawful

Decision date: 12 April 2017

Description: Roof extension involving hip to gable, rear dormer window with juliette balcony, 2no. rooflights to front elevation to facilitate a loft conversion

Reference: 17/1745/HSE

Address: 228 Hendon Way, NW4 3NE

Decision: Refused

Decision date: 12 May 2017

Description: Excavation of the site to facilitate a basement level with side lightwells. Single storey rear extension

Reference: 17/0253/PNH

Address: 228 Hendon Way, NW4 3NE

Decision: Prior approval required and approved

Decision date: 21 February 2017

Description: Single storey rear extension with a proposed maximum depth of 8 metres from original rear wall, eaves height of 2.8 metres and maximum height of 3 metres

Reference: 16/7290/PNH

Address: 228 Hendon Way, NW4 3NE

Decision: Prior approval required and refused

Decision date: 23 December 2016

Description: Single storey rear extension with a proposed maximum depth of 8 metres from original rear wall, eaves height of 2.8 metres and maximum height of 3 metres

Reference: 16/4884/PNH

Address: 228 Hendon Way, NW4 3NE

Decision: Prior approval required and refused

Decision date: 01 September 2016

Description: Single storey rear extension with a proposed maximum depth of 8 metres from original rear wall, eaves height of 2.8 metres and maximum height of 3 metres

Reference: 15/07182/FUL

Address: 228 Hendon Way, NW4 3NE

Decision: Approved subject to conditions

Decision date: 27 January 2016

Description: Change of use from D1 (Non Residential Institutions) to single dwelling house

3. Proposal

The application proposes extensions and alterations to buildings, including ground floor rear extensions, two storey infill extension, and roof extension involving the addition of 1no. rear dormer window to provide a 40-room hotel, plus a basement level with front and rear lightwells. Associated refuse store, cycle storage, hard and soft landscaping, 7 No. parking spaces and new vehicular access

The altered and extended buildings would visually represent three buildings 'linked' at ground, first and (partly) roof level, in a manner similar to that of the existing hotel at No. 230-232 Hendon Way.

At the front, the proposed building would reflect the character and appearance of the existing hotel building at site; with pitched roofs; front gable projections with two storey bay windows; and central bay windows at first floor. A bay window is also proposed at ground floor in the location of the former property at No. 228 Hendon Way.

Entrance to the hotel would remain as existing. An access ramp will lead from the driveway to the entrance of the hotel to provide step-free access for users. Steps up to the entrance are also proposed.

Under-croft vehicular access to the rear parking area would be relocated adjacent to the boundary of No. 228 Hendon Way, with entrance gates.

At the rear, the elevations would be similar in appearance as the existing hotel at No. 230-232 Hendon Way. Pitched roofs are proposed with rear dormers for No. 228 similar to No. 230-232 Hendon Way. There will be roof links across the three buildings. Similar sized rear dormer is proposed at the rear of extension at no.228. There would be a two storey infill extension to join the extension at no. 228 with the existing hotel.

Front and rear lightwells serving the rooms at lower ground level are proposed. The lightwells are buffered by soft landscaping to the front and rear.

Regarding measurements the building would be 38.2 metres in total width at ground floor. The building would be 14.4 metres in total depth at ground floor.

At first floor, the building would be 37.7 metres in total width. The building would be 12.5 metres in total depth at first floor (including bay windows).

The extended and altered development would be sited 0.5 metres from the boundary of No. 226 Hendon Way. The flank wall of that property is sited 3.8m from the boundary. There is a single storey garage abutting the common boundary. At ground floor, the proposed development would project 3.4 metres beyond the rear wall of No. 226 Hendon Way.

There would be single storey rear extensions with depth of 2m at the rear of existing hotel and 1m deep extension at the rear of no.228. These would feature flat roof of a height of 3 metres.

The extended building would be 8.5 metres to the ridge height from ground level and 5.8m to the eaves similar to the existing buildings on site.

The additional floor space for the hotel from incorporating the house would be 470 sqm.

An existing shed would remain in the rear.

The refuse/recycling storage is provided at the front. The cycle storage is also provided at the front on the west side.

No change is proposed along the neighbouring boundary with no.234 except for a single storey shed near the rear car parking area.

4. Public Consultation

A site notice was erected 09/03/2023.

Consultation letters were sent to 355 neighbouring properties.
3 letters of objection received.

The objections received can be summarised as follows:

- Probable impact on sunlight and privacy issue for No 4 Cheyne Walk.
- Probable impact on trees at the rear of the site.
- Loss of rear garden at no.228

Internal and external consultees:

Sustainability Officer: No Objection subject to condition and S106 contribution.

Welfare Employment and Skills Programme : No objection subject to employment and skills contribution.

Environmental Health: No objection subject to conditions.

Local Highways Authority: No objection subject to conditions and S106 agreement.

SUDS/Local Lead Flood Authority: No objection subject to conditions.

Metropolitan Police: No objection subject to conditions.

Trees: No objection subject to conditions.

Ecology: No objection

Thames Water: No objection subject to conditions.

Transport for London: Broadly satisfied with the proposals.

Waste and recycling: No objection subject to conditions.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published in July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2021

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

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

Relevant Policies: GG 2, GG5, D1, D4, D5, D11, D14, E10, E11, G6, SI 2, SI 3, SI13, T5, T6.4.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS6, CS9.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM07, DM08, DM11, DM16, DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to

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

Barnet's Local Plan (Reg 22) 2021

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

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Supplementary Planning Document- Delivering Skills, Employment, Enterprise and Training from Development through S106

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- Impact on character and appearance;
- Impact on amenity of neighbouring occupiers;
- Impact on highways and parking;
- Any other material planning considerations.

5.3 Assessment of proposals

Principle of development

No. 230 and 232 Hendon Way are currently in use as a hotel (Use Class C1), currently named 'The Hide London'.

The property at No. 228 Hendon Way is currently used as a residential dwelling (Use Class C3).

The applicant proposes extensions and alterations to buildings, including ground floor rear extensions, two storey infill extension, and roof extension involving the addition of 1no. rear dormer window to provide a 40-room hotel, plus a basement level with front and rear lightwells. Associated refuse store, cycle storage, hard and soft landscaping, 7 No. parking spaces and new vehicular access.

The proposed development therefore seeks to expand the existing hotel into an additional site, which is currently in use as residential at site no. 228 Hendon Way.

The proposal would therefore result in the loss of one single family dwellinghouse at No. 228 Hendon Way.

From the submitted plans, the existing hotel has 23 bedrooms. The proposed hotel would have 40 rooms.

Policy CS4 of Barnet's Core Strategy DPD (2012) states that the Council's aim is to maximise housing choice alongside adequate supply.

Policy DM07 of Barnet's Development Management Policies Document DPD (2012) states that:

"Loss of residential accommodation will not be permitted unless:

- a. the proposed use is for a local facility (children's nursery, educational or health use) provided that it is not detrimental to residential amenity and;
- b. where need can be demonstrated and;
- c. the demand for the proposed use cannot adequately be met elsewhere and is in line with other policies

or;

- d. the location is no longer environmentally suitable and viable for residential use

or;

- e. it involves identified regeneration areas with large scale demolition of housing and estates which provides for the net replacement of the total residential units."

The proposal does not involve a local facility (as defined by Policy DM07 and Paragraph 8.1.3 of the supporting text). The applicant has not provided evidence that the location is no longer environmentally suitable and viable for residential use. It is not within an identified regeneration area.

London Plan Policy H8 "Loss of existing housing" states:

"Loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace."

As such, the proposals fail to comply with Policy CS4 of Barnet's Core Strategy DPD (2012), Policy DM07 of Barnet's Development Management Policies Document DPD (2012) and London Plan Policy H8.

Policy DM08 of Barnet's Development Management Policies Document DPD (2012) sets out the Council's dwelling size priorities. For market housing, homes with 4 bedrooms are the highest priority, homes with 3 bedrooms are a medium priority.

The existing first floor plan submitted shows the property at No. 228 Hendon Way is a 4 bedroom house with a study.

When measuring the size of the study, it meets the bedroom size requirements for a single bedroom (London Plan 2021), therefore meaning it is capable of being a 5 bedroom house, which falls outside the Council's housing priorities in Policy DM08.

Furthermore, a lawful development certificate has also been approved for roof extensions at the property at No. 228 Hendon Way (application reference 17/2469/192, decision dated 16 May 2017); providing an additional two bedrooms in the loft.

It is also noted that the property at No. 228 Hendon Way was previously in non-residential use (D1 use), before being converted back to a single family dwelling house (approved under reference: 15/07182/FUL, decision dated 27 January 2016).

Although the applicant has not provided evidence that the location is no longer environmentally suitable and viable for residential use, Planning Officers acknowledge that it is less than ideal residential location due to the poor air quality and acoustic environment from the busy Hendon Way (A41).

In support of the proposal, with particular regard to the loss of the single family dwelling house, the applicant's Planning, Design and Access Statement states:

"Whilst the loss of a dwelling under use class C3 is relevant to this proposal, this has to be weighed against the benefits which include the genuine need for expansion and the fact that the existing hotel was originally approved under the similar terms."

"The pre-amble to policy DM11 recognises, much in the same way that policy CS5 does, that tourism related development will be expected to be located in a town centre with good public transport links with Central London."

The previous Committee Report also noted that "the proposal warrants flexibility to be applied when assessing against policy DM07. The general condition of the property and its former use would suggest that the use of No.228 when coupled with its sustainable

location, were determining factors to relaxing its original residential use."

The Council encourage town centres/edge of town centre locations with good PTAL for hotels as opposed to any less accessible residential areas.

Barnet's Development Management Policies Document DPD (2012) states that "The council will consider hotels and hostels as tourism related development and expect them to locate in a town centre with good public transport links with central London. There are fourteen district and one major town centre in Barnet, of which twelve have tube or rail links with central London. Due to the potential impact on residential amenity the development of hotels or hostels just outside the town centre boundary will not be acceptable."

The main part (No. 232) of the existing hotel building is within the Hendon Central town centre boundary and the extension/expansion to the building will be physically contiguous, such as to constitute a de facto single development forming a salient in the boundary which, in the view of Officers, is not contrary to the policy.

Under normal circumstances the Local Planning Authority would have applied a sequential test to planning applications for main town centre uses but in this instance this application site is already a hotel and seeking to extend. As such, a sequential test is not required.

In the absence of specific policy advice on expansion of hotels in Barnet's Local Plan, London Plan Policy E10 'Visitor infrastructure', Part states that, "London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management and supporting infrastructure, particularly to parts of outer London well-connected by public transport, taking into account the needs of business as well as leisure visitors."

Part A states "London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management and supporting infrastructure, particularly to parts of outer London well-connected by public transport, taking into account the needs of business as well as leisure visitors."

Part G states "In outer London...serviced accommodation should be promoted in town centres and within Opportunity Areas (in accordance with the sequential test as set out in Policy SD7 Town centres: development principles and Development Plan Documents) where they are well-connected by public transport, particularly to central London".

Part H states, "To ensure sufficient choice for people who require an accessible bedroom, development proposals for serviced accommodation should provide either: 10 per cent of new bedrooms to be wheelchair-accessible or 15 per cent of new bedrooms to be accessible rooms.

The proposed development therefore supports the strategic objectives of the London Plan 2021.

In addition, the London Borough of Barnet's Town Centres Floorspace Needs Assessment (2017) acknowledges that there is scope for town centres to capitalise on the growth of the leisure sector (which includes hotels), redefining their function as leisure 'destinations' in their own right (Paragraph 4.34).

Paragraph 4.32 identifies a strengthened demand from overseas for hotel accommodation. It notes recent growth in hotel accommodation has concentrated on national and international operators such as Travelodge, Premier Inn etc. in many cases as part of wider mixed use developments.

The TCFNA states that the development of a strong commercial leisure offer can help to increase footfall, particularly outside of retail hours, and visitors undertaking 'linked trips' between retail, leisure and other uses also spend increased dwell-time in centres (Paragraph 4.34).

The TCFNA identifies Hendon Central Town Centre as having potential to improve their performance (Paragraph 10.23). Paragraph 10.12 states that with the increase of Brent Cross's attraction, there are risks to nearby centres including Hendon Central, which will need to be closely monitored.

The proposed development subject to this planning application is a good opportunity for a local independent hotel to support an approximate mix of uses and services in order to retain and improve the vibrancy and vitality of Hendon Central Town Centre (by attracting passing-trade for its nearby shops).

This is in accordance with the development principle for Town Centres in the Draft Local Plan (Policy TOW01) which supports a greater diversity of uses, recognising the changing role of Town Centre locations as places that people visit for a variety of reasons, including retail, community and other main town centre (including offices and leisure). This is also a broad aim of Policy CS6 of Barnet's Core Strategy DPD (2012).

In conclusion, the proposed development will represent the loss of one single family dwelling house of which the proposed use would not satisfy the criteria of policy.

However, the proposed development would deliver a number of benefits, including:

- Contributing to the London Plan's strategic objectives of supporting London's visitor economy; improving the range and quality of hotel provision especially in outer London; and helping to achieve an increase in net additional hotel bedrooms in London;
- Improving the performance of Hendon Central Town Centre in light of Brent Cross's increased attraction;
- Encouraging more mixed uses in order to retain and improve the vibrancy and vitality of Hendon Central Town Centre arising from 'linked trips' and passed-by-trade from hotel visitors
- It's Town Centre/Edge of town centre location with good public transport links, which is a preferred location for a hotel use;

On balance, the loss of one residential dwelling would be outweighed by the wider benefits of the proposed expansion of the existing hotel use.

Therefore, the principle of the development is considered acceptable, subject to the scheme proposed being compliant with the relevant development plan policies and planning obligations.

It is noted that the principle of the development was also considered acceptable in the previous withdrawn scheme.

Impact on character and appearance

Policy CS5 of Barnet's Core Strategy DPD (2012) states that "We will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design."

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states : "Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets."

The proposed extensions and alterations would be of a similar appearance, scale, mass and height to the buildings currently on site.

The proposed development would broadly maintain the appearance of 'dwelling houses', albeit now linked at ground and first floor level across the site of 228 Hendon Way. The proposed roof form, 2 storey front gable projection and fenestration of the extended building would be similar to existing hotel of No. 230 and 232 Hendon Way. The proposed dormer would be built on the rear roof slope of no. 228 and would not be dissimilar in size and appearance to those that exists at the existing hotel of No. 230 and 232 Hendon Way. The proposed rear extensions at the rear of existing and extended part of the proposal with flat would be modest in depth and height and considered to be proportionate addition to existing buildings at site.

For the above reasons, it is considered that the proposed development would not harm the character and appearance of the street scene and surrounding area, and thus comply with Policy CS5 of Barnet's Core Strategy DPD (2012) and Policy DM01 of Barnet's Development Management Policies Document DPD (2012).

Impact on amenity of neighbouring occupiers:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that: "Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users."

To the north of the application site is No. 234 Hendon Way.

It appears, from information available on the Valuation Office Agency website (business rates and council tax records), that the property at No. 234 Hendon Way is mixed use - as a surgery and residential.

The existing hotel at No. 230 and 232 Hendon Way immediately abuts the boundary adjacent to No. 234 Hendon Way at ground and first floor. No change is proposed in depth or height of the exiting building adjacent to the boundary of No. 234 Hendon Way. As such, no harm would arise to the residential and visual amenities of these neighbouring occupiers.

A single storey storage shed is proposed near the rear car park sited 2.9m away from the shared boundary with No. 234 Hendon Way and not considered to cause any overbearing

impact for the neighbouring property.

To the south of the application site is No. 226 Hendon Way.

The property has been converted into two self-contained flats (as confirmed by VOA records and planning reference H/04410/11, decision dated 15 December 2011).

The existing building at No. 228 Hendon Way is sited 1.3 metres from the boundary adjacent to this neighbouring property. The rear wall of the existing building at No. 228 is relatively in line with the rear building line of No. 226 Hendon Way. The property at No. 226 Hendon Way is sited 3.8 metres from the boundary. There is a single storey garage abutting the common boundary.

The extended and altered development would be sited 0.5 metres from the boundary of No. 226 Hendon Way at ground floor. At ground floor, the proposed development would project 3.4 metres beyond the rear wall of No. 226 Hendon Way. At first floor the adjacent flank wall would project 2.5m from the rear building line of No. 226 Hendon Way and would be sited 1m from the boundary and 5m from the two storey flank wall of no. 226 Hendon Way.

Although this proposal is for a new development, the measurements would meet the guidance for ground and first floor rear extensions contained within Barnet's Residential Design Guidance SPD (2016). Furthermore, the property at No. 226 Hendon Way is sited 3.8 metres from the boundary adjacent to the application site, buffered by a single storey garage. As such, no harm is considered would arise to the residential and visual amenities of these neighbouring occupiers.

No flank wall windows proposed facing No. No. 226 Hendon Way and therefore there would not be any overlooking or privacy impact for that neighbouring occupier.

There are properties to the east of the site, along Cheyne Walk. As discussed earlier in this report, the extended development would have a similar form, scale, size and height as the existing buildings. It would result in one additional rear dormer and single storey rear extensions, from the plans provided the rearrest part extended development would be sited 12.3 metres from the rear boundary, and thus meet the guidance of Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) which states that in new residential development there should be a minimum distance of 10.5 m to a neighbouring garden. Although this proposal is not residential it provides a benchmark.

Planning Officers acknowledge that the proposed development would result in an intensification of the use. However, it is not considered to give rise to unacceptable increase in noise and disturbance arising from increased activity and comings/goings. The applicant informed that the facades that will face the A41 will have acoustic glazing and ventilation away from the main A41 road, as recommended by the environmental health officer, meaning windows will not be open a significant period of time. Furthermore there is already a high ambient noise level from the busy A41 road; it is commensurate with the existing character; and there is already vehicular access and parking to the rear, which will not increase in parking spaces. In addition, the environmental health officer has not raised objection to the scheme, subject to conditions.

In summary, it is not considered the proposed development would harm the amenities of neighbouring occupiers - as per the conclusion in the previous resolution to approve.

Impact on highways and parking:

The existing hotel provides 11 parking spaces (5 to the front and 6 to the rear). The existing house at No. 228 provides off street parking.

The Local Highways Authority has assessed the application and commented as below:

The site fronts onto the A41 (Hendon Way). The A41 (Hendon Way) forms part of the red route network managed by Transport for London (TfL). There are parking restrictions in the form of double red lines that operate at any time and short term parking bays which operate from Monday to Saturday, 7am -7pm, providing 1 hour free parking with no return within 30 minutes. The site is in a CPZ that operates Mon-Sat, 8am - 6.30pm but adjoining residential roads have CPZ restrictions that only operate Mon - Fri, 11 am - 12noon.

The site lies in an area with a PTAL rating of 5 (very good), which represents a high level of public transport accessibility. There are six bus routes (113, 324, 326, 143, 186 & 142) can be accessed from stops within a minutes walking distance from the site. Hendon Central tube station is located to the north, within 4 minutes walking distance from the site.

The proposal consists of the extensions and alterations to the existing building to provide a 40 room hotel. The London Plan (Policy T6.4) states that in locations with a PTAL 4-6, parking should be limited to operational needs, disabled parking, and taxis, coaches and deliveries. The proposed ground floor plan (original submission) shows 9 spaces including 2 disabled bays and a loading/taxi drop off and collection point. Highways would accept the proposed parking provision subject to the applicant agreeing to enter into a s106 agreement with the Council to deny the hotel/staff of the right to purchase CPZ permits.

Electric vehicle charging points shall be provided in accordance with London Plan standards. This 1 active and 1 passive spaces. The ground floor plan shows 2 active and 3 passive spaces which is acceptable. Details of electric vehicle charging points are requested by way of a planning condition.

Regarding cycle parking, the London Plan requires 1 space per 20 bedrooms (long stay) and 1space per 50 bedrooms (short stay). This equates to 2 long stay and 1 short stay space. The applicant proposed 6 cycle stands (2 long and 4 short stay) which is acceptable. Highways would recommend that cycle parking is provided on the forecourt. Also, the type of stands used must allow both wheels and the frame of the bicycle to be locked. The applicant provided details of cycle storage which is considered acceptable.

Refuse collection will continue to take place on-street and the location of the bin store is acceptable. Highway requested condition for updated delivery and servicing plan and swept path drawings.

The Streetscene Officer informed that the development will require to provide 1 x 1100lit general waste and 1 x 1100lit recycle waste collected 5 times per week. The applicant has amended the proposed waste bins as recommended by officers.

An analysis of trip generation indicates that the proposed development is likely to generate an increase in public transport and active travel (walking and cycling) trips, with 12 additional AM peak and 43 additional PM peak two-way public transport trips, alongside 3 additional AM peak and 11 additional PM peak two-way active travel trips. The proposal is expected to result in a reduction in private vehicle trips of approximately 9 two-way trips in

the AM peak and 31 two way trips in the PM peak. The development is therefore unlikely to have any significant impact on the local highway network.

The parking management plan is requested. This must set out the criteria for allocation of spaces, how inconsiderate and illegal parking will be enforced and if the parking will be charged for. A condition is attached to address this.

The proposed development will not involve any alterations/reinstatement to the existing vehicular accesses to the site. However, the proposal will involve some building works and the applicant has prepared an outline construction logistics plan. Officers have reviewed the CLP and an updated plan.

A travel plan monitoring fee of £5,000 is requested and this can be secured by way of a s106 agreement.

Highways would raise no objection subject a s106 contribution of £5,000 towards travel plan monitoring, CPZ permit restrictions and subject to attached conditions.

Hendon Way which forms part of the Transport for London Road Network (TLRN). TfL was consulted on the proposal. Their comments are as below:

The proposed number of cycle parking spaces provided is in line with London Plan policy requirements however it should be located in a more prominent clearly visible location in line with Chapter 8 of the London Cycling Design Standards (LCDS).

The proposed 9 parking spaces therefore seems excessive due to the proposed trip generation of taxis and people driving in a car/van being 0% of the multi-modal share.

The applicant will need to enter into a Section 278 agreement with TfL for any works to the footway or highway. It should be noted that TfL will have to approve and agree any amendments to the highway and all costs must be covered by the applicant.

Upon receiving the comments, the applicant provided revised drawings reducing the proposed parking number to maximum 7 parking spaces- 1 to the front and 6 to the rear. Cycle parking and refuse storage has been relocated to the front of the property. It is considered that the updated plan addressed the concerns raised by Highway and TfL officers.

Impact on trees:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states in point k that: "Trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate." It also sets out landscaping policy in point k of Policy DM01.

There are no Tree Preservation Orders on site.

Tree Officer has assessed the application and requested soft landscaping to be provided that gives relief from the build environment for residents looking out onto the A41 and towards the rear of the site. This will also have the benefit of improving and enhancing the buildings setting on Hendon Way.

New landscape at the rear of the hotel must be provided to offset the loss of trees. Ideally

a landscape plan is provided in advance of any approval so that the level of compensation planting can be considered.

The applicant provided the soft landscaping accordingly.

The officer assessed the submitted landscape plan considered it broadly acceptable with one minor amendment. The officer informed that, at the front of the property x 1 field maple and x 1 rowan have been specified. In terms of visual impression and adaptability to the location the species selected should be x 2 field maple. Due to the confined nature of the site an upright growing cultivar like Acer campestre 'Elsrijk' would be more suitable.

The Ecologist informed that, the proposed Soft Landscaping Plan (GS Ecology, June 2023b) has provided sufficient consideration to the provision of wildflower meadow planting and native hedgerow planting.

The Leylandii hedge is recommended to be removed and replaced with native deciduous tree species of higher biodiversity value such as hawthorn, blackthorn, spindle, field maple, hazel, and hornbeam.

The applicant subsequently provided updated soft landscape plan to address the points raised by the officers which is considered acceptable.

The officer is satisfied with the amended detail subject to precommencement condition on Tree Pit details.

Impact on ecology/biodiversity:

London Plan Policy states that development proposal should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity. Point c states that proposals should not adversely affect the integrity of European sites and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species or a priority species or habitat identified. Policy DM16 of Barnet's Development Management Policies Document DPD (2012) provides similar protection for biodiversity and identified/designated sites.

The application site is not in a Site of Special Scientific Interest nor is it in a Site of Importance for Nature Conservation. It is not a European site.

The officer assessed the submitted Preliminary Ecological Appraisal and Preliminary Roost Appraisal (PRA) (GS Ecology, June 2020) and Ecological Assessment [Bat surveys] (GS Ecology, July 2020) and considered it out of date and requested updated report.

The applicant subsequently provided updated Ecology report as requested by the council's ecologist.

The officer raised no concern to the findings and recommendations of the Ecological Assessment (GS Ecology, June 2023a) as no roosting bats were recorded during the bat emergence surveys. The officer informed that, no further surveys will be required in

support of the application.

The officer further commented that, if removal of the remnant bramble on the site boundary cannot be reasonably avoided outside of the nesting bird season (commence outside of breeding bird season (March to August inclusive) then a pre-construction survey for nesting birds will be required to be undertaken by a suitably qualified ecologist.

The non-native plant species Buddleia and cherry laurel present onsite should be removed as part of any future soft landscaping plan. A trustworthy third-party invasive plant removal specialist who belongs to a trade body such as the Property Care Association (PCA) <https://www.property-care.org/> or the Invasive Non-Native Specialist Association.

The officer recommended enhancement measures for biodiversity including purpose-built bird nest boxes, bat roost boxes, hedgehog box and hedgehog gaps.

The agent agreed in an e-mail dated 30/08/2023 to provide ecological enhancement.

The proposal is considered not to have any detrimental impact on Ecology and Biodiversity subject to conditions.

Safety/Security:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should create safe and secure environments and reduce opportunities for crime and minimise the fear of crime. Policy DM02 of Barnet's Development Management Policies Document DPD (2012) states that where appropriate, development will be expected to demonstrate compliance with the national and Londonwide standards, which includes Secure by Design.

Design out Crime Officer from the Metropolitan Police Service has assessed the application. The officer commented that due to borough-wide burglary and wider crime statistics, it is recommended to incorporate crime prevention measures and police-preferred, tested and certified physical security products into a new-build or refurbishment project. This can be achieved through the adoption and compliance with the Secured by Design (SBD) accreditation process.

There is some mention of planned security and crime prevention measures for the site including secure steel enclosures for cycle parking (p. 16 - design and access statement) and self-closing, fob controlled security gates leading through the undercroft and into the park area. This also reduces the permeability of the site and helps to ensure that the rear of the site is not easily accessible and can remain private for staff and guests only.

The officer mentioned that, it is positive that there is one main point of access into the hotel, where hotel guests can be welcomed into the lobby by reception staff. However, it is recommended that the site achieves 'security compartmentation' and incorporates a secure lobby, especially when staff are otherwise engaged with another task or incident and unable to control access sufficiently.

It is positive that there is some foliage located at the front of the premises to help to protect the windows against potential attack and to provide some defensible space for guests in

those rooms. Foliage at the front of the premises should be kept to a maximum height of 1m. This is required to increase natural surveillance both into and out of the premises.

It is recommended that 'easily accessible' doors and windows are certificated to security rating PAS24:2022 to help to protect against burglary.

Formal surveillance (CCTV) is recommended for the main entrance into the hotel, lobby area, entrance to the undercroft leading to the car park and within the car park.

The agent amended the proposal to incorporate the security measures recommended. It is considered that the amended proposal addresses the issues raised.

Flooding and drainage:

Policy DM04 of Barnet's Development Management Policies Document DPD (2012) sets out policies in regards to flooding and run off. London Plan Policy SI 13 sets out policy in regards to sustainable drainage.

The Sustainable Drainage Team have no objections in principle to the proposed development subject to pre-commencement conditions.

Thames Water was consulted who has no objection to the proposal, subject to conditions for piling method statement.

As such, the proposal is found acceptable in this regard.

Environmental Health:

An Environmental Health officer has assessed the application and considered it acceptable subject to conditions on air quality neutral, noise from plant, construction method statement, individual and communal gas boilers.

The officer recommended that, the facades that will face the A41 will need acoustic glazing and ventilation away from the main A41 road. The agent conformed in an e-mail dated 13 July 2023 that acoustic glazing and ventilation would be provided.

Sustainability and Accessibility:

Barnet's Sustainable Design and Construction SPD states that Development proposals should achieve a minimum "Very Good" rating. A condition has been attached accordingly.

Part H states, "To ensure sufficient choice for people who require an accessible bedroom, development proposals for serviced accommodation should provide either: 10 per cent of new bedrooms to be wheelchair-accessible or 15 per cent of new bedrooms to be accessible rooms.

Plans have been submitted demonstrating that 10 per cent of the proposed rooms would be wheelchair accessible. A condition has also been attached accordingly.

London Plan 2021 Policy SI 2 requires that major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.

It states that a minimum on-site reduction of at least 35 percent beyond Building Regulations is required for major development.

London Plan Policy SI 2 states that where it is demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either through a cash in lieu contribution to the borough's carbon offset fund or off-site.

The applicant has submitted a Sustainability and Energy Statement.

Councils Sustainability officer has assessed the document and commented that, energy efficiency design measures included in the design of the development, e.g. better u-values and air permeability than the minimum values set in the Part L2 2021 have been recommended (this incorporates insulation and energy efficient building fabric), double-glazed windows, air tightness, thermal bridging reduced, efficient heating and cooling systems and low-energy lighting and waste-water heat recovery.

The officer confirmed that all appropriate measures to maximise energy efficiency have been applied.

London Plan SI3 requires to exploit local energy resources (such as secondary heat) and supply energy efficiently by connecting to district heating networks. Appropriate options assessed to potentially connect to a heat network and none found to be feasible.

London Plan 2021 requires to maximise opportunities for renewable energy by producing, storing and using renewable energy on-site.

The officer informed that, the recommended use of communal Air Source Heat Pumps (ASHP) and PV show significant reductions in carbon emissions.

London Plan 2021 requires to monitor, verify and report on energy performance through the Mayor's post construction monitoring platform.

The officer informed that, The 'Be Seen' stage requires monitoring and reporting of the actual operational energy performance of major developments for at least five years via the Mayor's 'Be Seen' monitoring portal.

At this stage of the design process, the proposed development appears to have adequate measures in place to reduce risk of overheating.

The officer informed that, The proposed building has annual carbon emissions of 6.39 tonnes of carbon. This represents a reduction of carbon emissions of 37.8% beyond BR Part L.

This meets The London Plan requirement of a minimum on-site improvement over Part L 2021 at 35%, with a benchmark improvement over Part L 2021 at 50%.

The proposed energy efficiency (Be Lean) measures result in a carbon emissions reduction 5.52%. This does not meet the requirement of London Plan policy SI2, that non-

residential developments should achieve 15% reduction through energy efficiency measures.

However, as per the Mayor's Energy Assessment Guidance (2022) and in the Delivering Net Zero evidence study (2023), it is acknowledged that this target is currently difficult for non-residential buildings to meet.

Therefore, given that the development has taken a fabric-first approach, and has prioritised energy efficiency in its design. The officer informed that, that all appropriate energy efficiency measures are in place.

Their proposed BREEAM score meets the requirement of Very Good.

The applicant is proposing to compensate the Council for the 6.39 tonnes of carbon emissions reduction shortfall/year for 30 years @ £95/tonne totalling £18211.50 carbon off set payment.

Section 106 Carbon Offsetting

The application has clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, as per the London Plan: Policy SI 2, 9.2.2. Therefore, a Section 106 agreement is recommended for the development to meet the policy requirements.

1. The Developer will pay the Carbon Offset Contribution to Barnet Council prior to or on Commencement and on the understanding that such contribution will be used to effect the reduction of carbon dioxide emissions within the London Borough of Barnet, and shall not be used for any other purpose.

Barnet Council uses the previously agreed price of £60 per tonne. The overall contribution should be calculated over 30 years (the assumed lifetime of the development's services).

The carbon offset payment is calculated as below:

tonnes of carbon emissions per year x 30 years (predicted lifespan of a building) x £95 (the Mayor's current price per tonne of carbon emissions).

The Energy Strategy Report from Syntegra (June 2023) calculates annual tonnes of carbon emissions to be 6.39 tonnes per year.

Therefore 6.39 tonnes/Co2 x 30 years x £95 = £18,211.50 to be paid to Barnet's Carbon Offset Fund.

The number of tonnes of carbon emissions in the calculation should be based on the estimated Carbon Reduction Shortfall included within the Energy Strategy submitted with the Application.

2. The monitoring requirement for at least five years will require Officer time to review. There is

scope to recover this cost from the developer via a Section 106 agreement.

The applicant has agreed to a cash in lieu contribution. This has been attached as an obligation.

The officer raised no object to the proposal subject to Section 106 Carbon Offsetting.

Planning Obligations:

Supplementary Planning Document- Delivering Skills, Employment, Enterprise and Training from Development through S106 states that, the Council is committed to supporting the economy to grow, and to improving living standards by boosting incomes, opportunities, and wellbeing for people in Barnet.

In order to manage development related job opportunities the Council will use a Local Employment Agreement (LEA). A LEA sets out the skills, employment and training opportunities to be delivered from development and must include all employment opportunities generated by construction as well as the end use where the development creates more than 20 FTE (full time employee) jobs.

Developers are expected to provide a skills forecast for their development and highlight current skills shortages. A developer should set out an approach for linking with Jobs Brokerage Programmes as initiated and developed by the Council.

In regard to employment, the agent in an email dated 10 May 2023 informed that, the existing Hotel, currently supports 13 Staff members. Proposed Hotel Staff members following the completion of the proposal, expected to be 16 members of staff. This is due to the requirement to increase the number of Housekeeping staff on site.

Councils Welfare Employment and Skills Programme officers were consulted on the proposal. Officers recommended creation of job for 2 local people and apprenticeship differed to financial contribution of 33,000 of financial contribution would be required for the proposal.

The agent agreed to enter into S 106 agreement for the planning obligation.

Subject to S106 contribution the proposal is considered acceptable.

5.4 Response to Public Consultation

Addressed in the report.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

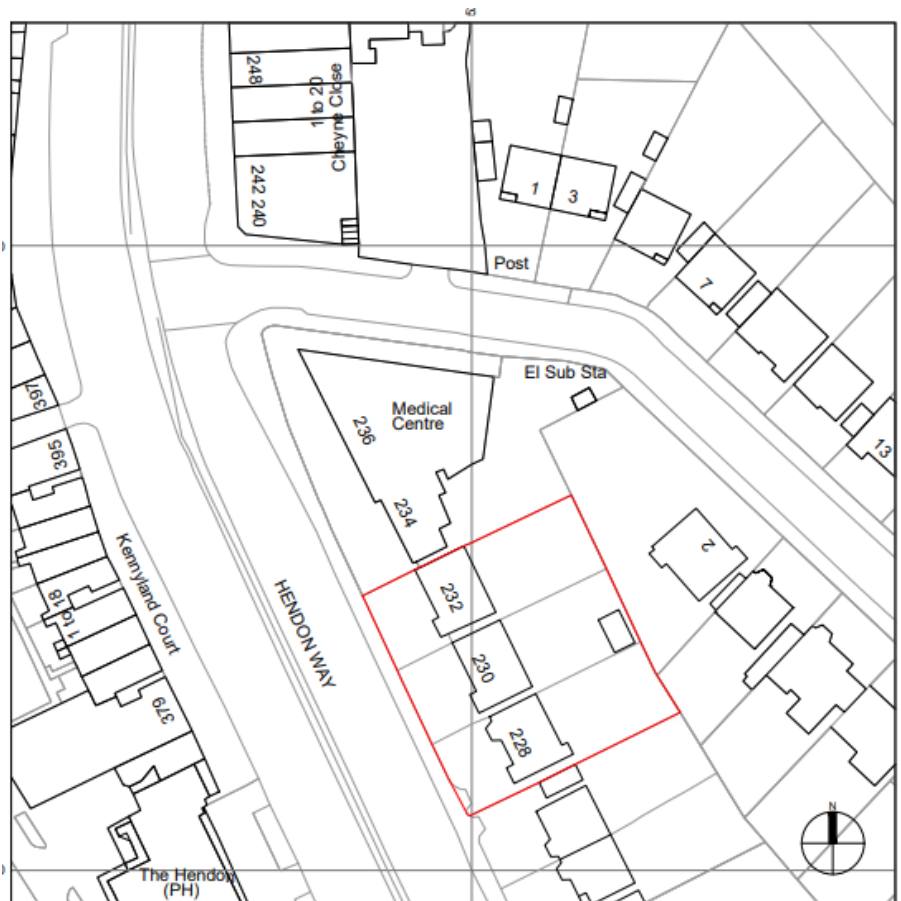
7. Conclusion

The proposed development is for the expansion and reconstruction of an established hotel to incorporate one additional plot (No. 228 Hendon Way). The proposed development would represent the loss of one single family dwellinghouse, contrary to development plan policy.

However, as assessed within the main report and determined in the previous resolution of the Committee, it is considered that the benefits of this particular proposal in supporting strategic objectives at both borough level and regional level outweigh the harm identified to the loss of one residential dwelling house.

The proposal has been amended to take into account the points raised by the statutory consultees.

The application is considered acceptable in all other planning matters, subject to conditions and obligations as attached. This application is therefore recommended for APPROVAL.



Location Woodhouse College Woodhouse Road London N12 9EY

Reference: 23/2992/FUL Received: 10th July 2023
Accepted: 12th July 2023

Ward: Woodhouse Expiry 11th October 2023

Case Officer: Tania Sa Cordeiro

Applicant: Mr Andrew Parker

Proposal: Construction of a part two, part three storey building with associated access, parking, external amenity spaces and hard and soft landscaping to provide mathematics school (Use Class F1(a))

AGENDA ITEM 7

OFFICER'S RECOMMENDATION

Approve subject to s106

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

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Amendment to the Traffic Management Order:
A contribution of £30000 towards CPZ review and implementation and CPZ permit restriction.

Travel Plan:

A contribution of £10000 towards the monitoring of the Travel Plan.

Carbon Off-set:

A carbon offset contribution of £9980. The contribution will be used to effect the reduction of carbon dioxide emissions within the London Borough of Barnet.

Be Seen Energy Monitoring Guidance:

Requires monitoring and reporting of the actual operational energy performance of major developments for at least five years via the Mayor's 'be seen' monitoring portal.

RECOMMENDATION II:

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

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

Cover Letter (ref. HP0460), dated 30th June 2023, prepared by Hatton Planning
Planning Statement

Construction and Environment Method Statement

Drainage Strategy

Drg.no. FS0975-ACL-ZZ-ZZ-RP-YA-0001 (Acoustic Report)

Air Quality Assessment (Report No.: 444787-01 (01)

Arboricultural Method Statement to BS5837:20, prepared by arbtech

Arboricultural Survey to BS5837:2012, prepared by arbtech

Drg.no. FS0975-ARB-V2-XX-T-0-0001, rev. 1.1 (Ecological Assessment, prepared by arbtech)

PHASE I GEO-ENVIRONMENTAL DESK STUDY REPORT, prepared by hsp consulting

PHASE II GEO-ENVIRONMENTAL DESK STUDY REPORT, prepared by hsp consulting

Drg.no. FS0975-VTP-XX-XX-T-H-0003 rev. P02 (Constriction Traffic management Plan)

Drg.no. . FS0975-VTP-XX-XX-T-H-0001, rev. P02 (Transport Assessment)

Drg.no. FS0975-CPW-XX-XX-T-Z-0003 (Net Zero Carbon Strategy Report)

Drg.no. FS0975-WWA-V2-ZZ-D-L-0110, rev. P06 (Access and Security Plan)

Drg.no. FS0975-ARB-V2-XX-D-O-0002 (Tree Protection Plan)

Drg.no. FS0975-NOV-V1-00-D-A-2001, rev. P01 (Site Location Plan)

Drg.no. FS0975-NOV-V1-00-D-A-2002, rev. P01 (Existing Site Location Plan)

Drg.no. FS0975-CPW-XX-XX-D-E-0941, rev. P01 (External Lighting Philosophy Layout)

Drg.no. FS0975-WWA-V2-ZZ-D-L-0104, rev. P12 General Arrangement Green

Infrastructure Strategy Drawing)

Drg.no. FS0975-NOV-V1-00-D-A-2003, rev. P01 (Proposed Site Location Plan)
Drg.no. FS0975-WWA-V2-ZZ-D-L-0103 , rev.P10 (Site Boundary Planning)
Drg.no. FS0975-WWA-V2-ZZ-D-L-0102 (Site Boundary Legal)
Drg.no. FS0975-WWA-V2-ZZ-D-L-0301, re. P07 (Outline Planting Plan)
Drg.no. FS0975-NOV-V1-00-D-A-2001, rev. P01 (Site Location Plan)
Drg.no.FS0975-WWA-V2-ZZ-D-L-0101, rev. P13 (Site Landscape Plan)
Drg.no. FS0975-WWA-V2-ZZ-D-L-0109, rev. P02 (Site Landscape Plan Existing)
Drg.no. FS0975-WWA-V2-ZZ-D-L-0106, rev.P11 (Site Levels Plan)
Drg.no. FS0975-WWA-V2-ZZ-D-L-0401, rev. P08 (Site Sections)
Drg.no. FS0975-ARB-V2-XX-D-O-0002, rev. P07 (Tree Protection Plan)
Drg.no. FS0975-WWA-V2-ZZ-D-L-0108, rev. P07 (Whole Site Master Plan)
Drg.no. FS0975-CPW-XX-XX-T-Z-0011, rev. P02 (BREEAM v6 Construction)
Drg.no. FS0975-ISG-XX-00-D-H-0015, rev.P05 (Site Access, Proposed Layout - Construction management Plan)
Drg.no. F S0975-ISG-XX-00-D-H-0022, rev. P02 (Swept Analysis - Construction management Plan)
Drg.no. F S0975-ISG-XX-00-D-H-0023, rev. P02 (Swept Analysis - Construction management Plan)
Drg.no. F S0975-ISG-XX-00-D-H-0016, rev. P03 (Swept Analysis - Construction management Plan)
Drg.no. F S0975-ISG-XX-00-D-H-0017, rev. P03 (Swept Analysis - Construction management Plan)
Drg.no. F S0975-ISG-XX-00-D-H-0018, rev. P03 (Swept Analysis - Construction management Plan)
Drg.no. F S0975-ISG-XX-00-D-H-0019, rev. P03 (Swept Analysis - Construction management Plan)
Drg.no. F S0975-ISG-XX-00-D-H-0020, rev. P02 (Swept Analysis - Construction management Plan)
Drg.no. F S0975-ISG-XX-00-D-H-0021, rev. P02 (Swept Analysis - Construction management Plan)
Drg.no. FS0975-VTP-XX-XX-T-H-0002, rev. P02 (Draft Travel Plan)
The above plans were received on the 11th July 2023

Letter from Woodhouse College, dated 21 January 2021

Letter of Justification, prepared by Hatton Planning

The above were received on the 28th September 2023.

Drg.no. 27835-HYD-XX-XX-RP-GE-1000 (Ground Investigation Report & Desk Study Report Phase 1 & Phase 2), received on the 24 October 2023.

Biodiversity Metric 4.0 Calculation Tool

Habitat conditions assessment for Woodhouse College

Habitats Condition Assessment for N12 9EY

Drg.no. FS0975 NOV V1 00 D A 2004, rev. P02 (Proposed Ground Floor Plan)
Drg.no. FS0975 NOV V1 01 D A 2005, rev. P03 (Proposed First Floor Plan)
Drg.no. FS0975 NOV V1 02 D A 2006, rev. P03 (Proposed Second Floor Plan)
Drg.no. FS0975 NOV V1 03 D A 2007, rev. P03 (Proposed Roof Plan)
Drg.no. FS0975 NOV V1 ZZ D A 2008, rev. P02 (Proposed Elevations)
Drg.no. FS0975-NOV-V1-XX-T-A-2000 rev. P03 (Design and Access Statement)
Drg.no. FS0975-NOV-V1-XX-T-A-2000-Part 1, rev. P03 (Design and Access Statement)
Drg.no. FS0975-NOV-V1-XX-T-A-2000- Part 2, rev. P03 (Design and Access

Statement)

The above were received on the 26th October 2023.

ICLMS Part L 306m2 PV BRUKL Output Document, received on the 06th of November 2023.

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

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

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

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

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

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

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation

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

- 6 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this application (Arboricultural Method Statement to BS5837:2012, Secretary of State for Education, Woodhouse College, Woodhouse Road, North Finchley, London N12 9EY, 02 May 2023 and tree protection plan dwg no. FS-0975-ARB-V2-xx-D-0-0002) has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

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

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

- 8 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
 - ii. site preparation and construction stages of the development;
 - iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
 - iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the

adjoining highway;

- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

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

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

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

Reasons: In the interest of good air quality in accordance with London Plan 2021 Policy SI1.

- 10 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information,

a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

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

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

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

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

Part 2

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

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

- 11 The level of noise emitted from any ventilation / extraction plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property in accordance with BS 4142 (2014) Methods for rating and assessing industrial and commercial sound.

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

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

of the Development Management Policies DPD (adopted September 2012).

- 12 Notwithstanding the provisions of Part 32, Class A to schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that order) no extensions to the school hereby permitted shall be erected without express planning permission first being obtained.

Reason: To enable the local planning authority to retain control over these matters in the interests of controlling the intensity of use.

- 13 Prior to the first occupation of the development hereby approved, the Secure by Design accreditation measures, shall be implemented / installed within the development and maintained throughout the lifetime of the school use.

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

- 14 Prior to internal fit out of the new school buildings a Security Measures Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Security Measures Scheme shall include (but is not limited to) the following details:

a) Formal surveillance (CCTV) is recommended for the main entrance and any dedicated access/egress point into the site, cycle store, reception area and any other part deemed appropriate by the site;

b) Dual pole self-resetting emergency buttons are recommended as a substitute for any required green break glass boxes. Any provision of external fire drop key access points must be sufficiently protected by a 'fire drop key protection box';

c) An intruder alarm with motion detectors is incorporated for the school premises;

d) The inclusion of steel narrow weldmesh boundary treatment is good and should contain an 'exposed' or 'unfinished' (not flat/smooth) topping to help to prevent its use as a climbing aid;

The Security Measures Scheme shall thereafter be implemented as approved and maintained throughout the lifetime of the development.

Reason: to protect pupils, staff and visitors using the school in the event of an unlawful incursion including a Marauding Terrorist Threat (MTA) at the premises or nearby in accordance with Policies CS5 and CS12 of the Barnet Local Plan Core Strategy DPD (2012) and Policy D11 of the London Plan (2021).

- 15 a) Notwithstanding the plans submitted, prior to the first commencement of the development hereby approved details of the means of enclosure, including vehicle

gates and boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM16, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 16 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 34% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and Policy SI 2 of the London Plan 2021.

- 17 The proposed school shall achieve a minimum of BREEAM Very Good. Within twelve months of first occupation of the building, a copy of the summary score sheet and BREEAM Post Construction Certificate shall be submitted to the Local Planning Authority to demonstrate that this has been achieved.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan.

- 18 Prior to the commencement of the development (not including demolition or site preparation works), a detailed energy strategy of the new building shall be submitted to and approved in writing by the local Planning Authority. The detailed energy strategy shall demonstrate that London Plan targets shall be met within the framework of the energy hierarchy of Be Lean, Be Clean, Be Green, Be Seen.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and Policy S1 of the London Plan (2021).

- 19 Prior to the first occupation of the development hereby approved, details and specifications of all external lighting around the building to be installed as part of the

development shall be submitted to the Local Planning Authority and approved in writing. The strategy shall be designed to minimise potential disturbance on sensitive receptors, such as neighbouring residential properties.

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

Reason: To ensure that appropriate lighting is provided as part of the development and to ensure that any protected species present are not adversely affected in accordance with Policies DM01 and DM16 of the Development Management Policies DPD (adopted September 2012).

- 20 Prior to the commencement of the development (not including demolition or site preparation works), a detailed overheating assessment of the new building shall be submitted to and approved in writing by the local Planning Authority.

The assessment should include dynamic overheating modelling in line with the guidance and data sets in CIBSE TM52 and TM49 respectively.

The proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating in accordance with the Mayor's cooling hierarchy.

Reason: To ensure that the amenities of occupiers are not negatively impacted by overheating in accordance with London Plan Policy SI 4.

- 21 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.

- 22 Prior to the first occupation of the development hereby approved, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority.

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

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

- 23 At no time shall the total number of pupils in the school building hereby approved exceed 220 numbers within the new ICLMS building.

Reason: To ensure that the proposed development does not exceed the parameters assessed under this application or prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies in the Barnet Local Plan and London Plan.

- 24 The development hereby permitted shall not be occupied by pupils outside the hours of 0700 to 2200 weekdays and 0900 to 1800 weekends, with the exception of special events, details of the number and extent of which shall be submitted and agreed by the Local Planning Authority prior to any such events taking place.

No events should be held in the building unless specifically connected to the use of the Imperial College London Mathematics School (ICLMS). The building should not be hired out for the purposes of any private functions.

Reason: To protect the amenities of occupiers of neighbouring residential properties in accordance with policies DM01 and DM04 of the Barnet's Local Plan 2012.

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

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

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

- 26 Prior to the commencement of the hereafter above works (including vegetation clearance, and construction) a precautionary ecological mitigation measures as recommended within Table 8 of the Ecological Impact Assessment (Arbtech, June 2023) will need to be submitted to and approved by the LPA.

The ecological mitigation measures outlined within the thereafter approved method statement must be implemented throughout all relevant works. Any evidence of the presence of protected species such as wild mammals and reptiles must be reported to the project ecologist to ensure the most appropriate course of action (as required).

Reason: To ensure that protected and notable species such as hedgehogs and reptiles are safeguarded throughout the approved works.

Pursuant to the Protection of Wild Mammal Act 1996, Section 9 of the Wildlife and Countryside Act 1981 (as amended), 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.

- 27 No removal of trees, shrubs or vegetation shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that the approved development will achieve the required level of Biodiversity Net Gain over the statutory 30-year period in accordance with Schedule 14 of the Environment Act 2021, pursuant to Section 9 of the Wildlife and Countryside Act 1981 (as amended), and section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

- 28 Prior to occupation, a detailed bat sensitive lighting strategy for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along routes used to access key areas of their territory; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All artificial lighting shall be designed in accordance with the lighting specification, avoidance and mitigation measures outlined with the Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series (Institution of Lighting Professionals, 2018)

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: To ensure that the approved development will achieve the required level of Biodiversity Net Gain over the statutory 30-year period in accordance with Schedule 14 of the Environment Act 2021, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

- 29 Prior to occupation of the development the details the specification, location, including height, orientation, of all ecological enhancement features including integrated bat roost boxes, bird nest boxes, insect hotels, hedgehog homes and log piles shall be submitted and approved by the local planning authority.

All approved biodiversity enhancement features shall be installed on site prior in accordance with the thereafter approved enhancement plan and in line with guidance outlined within 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)'.

Reason: To enhance the biodiversity value of the site beyond its current baseline. Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan

- 30 Prior to the commencement of any works including site preparation, and ground clearance works a precommencement badger survey of the site will need to be undertaken by a suitably qualified ecologist and the report submitted to and approved by the LPA.

The survey will need to be undertaken following the methodology outlined within the approved Ecological Impact Assessment (Arbtech, June 2023) to determine the presence or likely absence of badgers or their occupied setts within 30m of the hereafter approved works. If in the event evidence of badgers or their setts are confirmed to be onsite, then a detailed badger mitigation strategy will need to be submitted as part of the Badger Survey Report to inform the LPA as whether the proposed works will need to be undertaken via a Natural England Badger Mitigation Licence or through a Non-Licensed Method Statement.

No works may be permitted to commencement until the LPA has been satisfied that no offence is likely to occur under the Protection of Badgers Act 1992.

Reason: To ensure that the approved development will not result in any likely offence under the Protection of Badgers Act 1992.

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

- 31 Prior to commencement of the development hereby permitted, a detailed plan for both onsite and offsite landscaping and habitat creation and enhancements shall be submitted to and approved in writing by the Local Planning Authority. This will take the form of a Biodiversity Net Gain Plan (BNGP) in accordance with Biodiversity Net Gain assessment (Richard Graves Associates, V0.2 issued, November 2023) in general accordance with BS42020:2013, to achieve the approved level of Biodiversity Net Gain on site.

The BNG Plan must provide:

- a) The sizes of each habitat area to be created, how they will be created and full details and responsibilities on at least 30 years of aftercare and ongoing

management and monitoring from creation based on the approved Biodiversity Net Gain assessment (Richard Graves Associates, V0.2 issued, November 2023) to achieve an uplift of 10.49% Habitat Units and 100% uplift in Hedgerow Units.

b) The approved post-development habitat will be provided to maximise local biodiversity and contribute to increased urban permeability. Full details on substrate (including physico-chemical information), species, planting density and abundance will be provided, including cross-sectional views. Green infrastructure will need to select species appropriate for the type of roof / planting proposed, in accordance with Clause c (below).

c) A detailed soft landscaping will provide biodiversity enhancement through planting schemes that provide nectar, pollen and fruit resources throughout the seasons, a variety of structural diversity and larval food plants, through no less than 60% native and local species by number and diversity. Substrate, provenance and numbers of all bulbs, seeds and plugs / whips / trees will be detailed. Ornamental plants will be on the "RHS Plants for Pollinators" lists (or of documented wildlife value), to provide increased resource availability;

d) A timetable of delivery for each habitat to be created;

e) Details of establishment aftercare and ongoing management of all habitats shall be provided for the duration of development.

f) Details on the monitoring of habitats and the provision of a report, which shall be provided to the LPA at the end of each year of monitoring (years 2 and 3 after creation of habitat on and offsite, years 5, 7 & 10 and every 5 years thereafter until the 30th year), which will assess the condition of all habitats created and any and all necessary management or replacement / remediation measures required to deliver the Net Gain values set out in the BNGP for each habitat;

g) Details of the contingency methods for management and funding, should the monitoring identify changes are required to ensure the habitat(s) are in the appropriate condition to deliver the Net Gain values set out in the BLEMP for each habitat for the 30-year period.

h) The BNG monitoring reports outlined within clauses (f) and (g) must be reported to the LPA by the end of the respective years to provide sufficient evidence that net gain is being obtained for the respective habitats.

Work shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

Reason: To ensure that the approved development will achieve the required level of Biodiversity Net Gain over the statutory 30-year period in accordance with Schedule 14 of the Environment Act 2021. Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

32 Notwithstanding the plans submitted, a detailed drawing showing 10 standard parking bays including, 1 disabled parking bays shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development and shall be implemented to the Authority's satisfaction before the building is first occupied and shall thereafter be kept available/ maintained for such use at all times.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of

Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 33 Details of cycle parking including the type of stands, gaps between stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 20 cycle parking spaces (28 long-stay and 2 short-stay) in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with 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.

- 34 Prior to occupation of the development, full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 20% of the approved parking spaces to be provided with active electric vehicle charging facilities (2 active and 8 passive). The development shall be implemented in full accordance with the approved plans prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles.

- 35 Prior to the commencement of the development, details of off-site highways improvements shall be submitted to and approved in writing by the Local Planning Authority. Highways Engineering Drawings and detailed Construction Specifications shall be submitted, with a minimum scale of 1:200 and the applicant shall enter into a s278 agreement with the council to deliver any off-site highways works. The works approved shall be fully constructed in accordance with the approved details to the satisfaction of the local Highway Authority prior to first occupation of the development.

Reason: To ensure the safe form of access to the development and to protect the amenity of the area and to conform to 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.

- 36 Within 3 months of occupation, a full Framework School Travel Plan that meets the criteria of the current Transport for London Travel Plan guidance , currently 'Travel Planning for new development in London incorporating deliveries and servicing' and Itrace or TRICS compliant surveys shall be submitted to and approved in writing by the Local Planning Authority. The document shall set out the transport policy to incorporate measures to reduce trips by the private car especially single occupancy and single passenger journeys and encourage non-car modes of transport such as

walking, cycling and public transport and to reduce, consolidate or eliminate delivery trips. The Travel Plan Statement should include the appointment of a Travel Plan Champion, SMART targets and a clear action plan for implementing the measures. The Travel Plan should be reviewed, updated and resubmitted in writing for approval in years 1, 3 and 5 in accordance with the targets set out in the Plan. Monitoring of the travel plan is to be funded by the applicant in accordance with the Barnet's Travel Plan SPD.

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

- 37 Prior to occupation of the development, details of refuse collection must be submitted to and approved in writing by the Local Planning Authority. Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to be designed in accordance with the Council's adoptable standards. The applicant will be expected to sign a Waiver of Liability and Indemnity Agreement to indemnify the Council against any claims for damage caused to private roads arising from and/ or in connection with the collection of waste by the Council vehicle from the premises.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 38 Before the permitted development is occupied, a full Parking Management Plan (PMP) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved delivery service plan.

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

- 39 No development shall commence (excluding demolition) until a mechanism for the payment of the School Travel Plan Monitoring Contribution has been entered into with the Local Planning Authority. The terms of the obligation shall be as set out by the Local Planning Authority which is based on the requirements of the Barnet Travel Plan SPD.

Reason: The condition will ensure the continued monitoring of the school's Travel Plan and encourage a model shift in travel patterns pursuant to Core Strategy (adopted) 2012 CS9 and Development Management Policies (adopted) 2012 DM17.

RECOMMENDATION III:

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

- 2 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 01.04.2024, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):
 1. The proposed development does not provide a legal agreement to mitigate the highways impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and highway safety, contrary to Policy T6.1 of the London Plan (2021), Policy CS9 of the Adopted Core Strategy and Policy DM17 of the Adopted Development Management Policies DPD

 2. The proposed development does not provide a legal agreement towards the payment of the School Travel Plan Monitoring Contribution. The terms of the obligation shall be as set out by the Local Planning Authority which is based on the requirements of the Barnet Travel Plan SPD.

 3. The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy SI 2 of the London Plan (2021), Policy CS9 of the Local Plan Core Strategy (adopted September 2012), and policy DM04 of the Adopted Development Management Policies DPD.

Informative(s):

- 1 Tree and shrub species selected for landscaping/replacement planting provide long

term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine.

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

- 3 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
 - 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

- 4 Secured by Design accreditation can be awarded to this development with the incorporation of recommendations and in line with the specific SBD guide for schools - currently 'New Schools 2014' and DOCO recommendations as outlined above. A copy of the current guide can be viewed online at:
https://www.securedbydesign.com/images/downloads/New_Schools_2014.pdf

A full breakdown of the required recommendations for the development to meet SBD accreditation can be provided to the applicant/LPA etc via an online meeting and ongoing consultation, whereby this consultation would remain free of charge throughout.

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

Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

- 6 Soft landscaping should consist of 70/30 native grass to flowering plants to provide high quality habitat for pollinating insects including bees, butterflies. An example of a potential species rich meadow seeding mix includes Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30 and for the amenity lawn Emorsate Seed Strong Lawn Grass Mixture EG22.

Any proposed tree, hedgerows, and shrub planting should incorporate native species rich plantings and consist of native berry producing shrub species such as hawthorn, blackthorn, spindle, field maple, hazel, and hornbeam. A best practice approach would be to apply a '10-20-30' formula to develop a diverse tree/hedge population - no more than 10% of any species, 20% of any genus or 30% of any family. These species will provide ideal foraging and sheltering habitats for a variety of species including nesting birds, invertebrates, and foraging mammals.

Night scented plants should also be incorporated into a detailed planting schedule where feasible. An extensive list of suitable plant species can be found on the RHS advice page <https://www.rhs.org.uk/advice/pdfs/plants-for-bats.pdf>. The provision of bat friendly planting is in Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan

- 7 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase

to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

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

- 8 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk
- 9 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover

the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

- 10 Refuse collection point should be located at a ground floor level and within 10m of the collection point. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an un-adopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 11 The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW, 4-6 weeks before the start of works on the public highways.
- 12 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

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

OFFICER'S ASSESSMENT

This application is being referred to the Strategic Planning Committee under the following function of the Council's constitution:

"does not accord with the provisions of the Development Plan and, in the opinion of the Chief Planning Officer, constitutes a significant departure."

1. Site Description

The application site forms part of the wider Woodhouse College, situated between North

Finchley and Friern Barnet on the eastern side of the London Borough of Barnet in North London. Woodhouse College is one of the most successful sixth form colleges in England and is a member of the Maple Group. It is currently rated 'outstanding' by Ofsted and is managed and run by the Frontier Learning Trust.

The application site (red line boundary) currently comprises private open land formed of managed grassland located to the rear (north) of the existing Woodhouse College buildings and an existing all weather pitch.

The proposed development area comprises a private open space situated directly to the north of the floodlit all-weather pitch and east of Fenstanton Avenue from which a vehicular means of access (for maintenance requirements) is also afforded. The proposed new school building will be located on this open space with proposed pedestrian access from the West of the site.

The precise extent of the site is defined by the red line on the issued site location plan and extends to approximately 0.5 hectares. The site is bounded by a residential apartment block to the north fronting Cottonham Close (which was developed on former school land), a mix of detached and terraced housing on Fenstanton Avenue to the west and the wider school complex to the south and east (beyond which are the rear gardens of housing situated on Hilton Avenue.

The main vehicular access to the existing college is from Woodhouse Road (A1003) to the south.

The public transport accessibility profile of the site is 'moderate' (PTAL3) and it is not situated within a conservation area or in the vicinity of any statutory or locally listed buildings.

2. Site History

Reference: 23/1212/FUL

Address: Woodhouse College, Woodhouse Road, London, N12 9EY

Decision: Approved subject to conditions

Decision Date: 6 July 2023

Description: Installation of a single storey temporary Portakabin building

Reference: 19/5993/FUL

Address: Woodhouse College, Woodhouse Road, London, N12 9EY

Decision: Approved subject to conditions

Decision Date: 8 January 2020

Description: Erection of a bike shelter to front of the college

Reference: 15/04398/S73

Address: Woodhouse College, Woodhouse Road, London, N12 9EY

Decision: Approved subject to conditions

Decision Date: 18 September 2015

Description: Variation of Condition 1 (hours of use) to planning permission C03312L dated 10/01/1996. Variation to include changing the usage time from 21.00 to 22.00 hours

Reference: 15/06157/S73

Address: Woodhouse College, Woodhouse Road, London, N12 9EY

Decision: Approved subject to conditions

Decision Date: 26 November 2015

Description: Variation of condition pursuant to planning permission C03312L dated 17/1/1996 for "Details of the construction of the all-weather pitch, its floodlighting and means of enclosure together with proposals for a dense barrier of planting between the pitch and western site boundary". Variation include use the AWP and the floodlights between the hours of 09.00 - 20.00 on a Sunday.

Reference: 14/07265/FUL

Address: Woodhouse College, Woodhouse Road, London, N12 9EY

Decision: Approved subject to conditions

Decision Date: 5 January 2015

Description: Upgrade and increase to size of a football pitch with new perimeter fence. Insertion of a new gate with alteration to position of part of fence to north and west.

3. Proposal

The proposal seeks the construction of a part two, part three storey independent building with associated access, parking, external amenity spaces and hard and soft landscaping to provide a mathematics school (Use Class F1(a)).

Access to the site is taken from the southwestern corner via Fenstanton Avenue. A separate pedestrian access is proposed slightly to the south of the vehicular entrance. The main entrance to the building is from the west facing elevation fronting Fenstanton Avenue.

On the western boundary and accessed directly from Fenstanton Avenue is a new substation to service the proposed school.

The proposed ICLMS building is to be located on land owned by Woodhouse College, to the North of the existing all-weather sports pitch. The red line boundary of the proposed site is approximately 0.53 hectares and the GIA of the proposed block is 2366m² and the proposed building footprint (excluding canopy) is 1039 m².

The building is proposed to have a L shaped design with a maximum width of approximately 29m and a maximum depth of width of approximately 47.2m. The two storey element will have a maximum height of approximately 9.5m and the three storey element will have a height of approx. 12.4m (14.3m including the staircase overrun to the roof)

The building has been designed to meet the area standards set out in Building Bulletin 103 (BB103). The new Imperial College London Mathematics School (ICLMS) provides support and guidance for the taught curriculum at ICLMS for sixth forms pupils aged 16 to 19.

It is intended that the school will offer places for up to 200 to 220 sixth-form pupils (100 to 110 per year group), supported by 13 full-time members of teaching staff. The school will specialise in teaching mathematics and related subjects to students who wish to study maths and further maths at A-level, as well as other STEM subjects.

The proposed building is read as three volumes; Main Block (3 storeys), Main Entrance (2 storeys) and Main Hall (double- height space). The proposal comprises of the following main components:

- New building structure to provide the main academic building, including multi-purpose hall;
- The main hall, dining and social spaces are located close to the main entrance;
- The SEN rooms are located in the South East corner of the school on the ground floor. Away from the main dining, social and teaching spaces;
- On the first floor, the general teaching spaces have been arranged to create a maths cluster, supported by two seminar rooms;
- On the second floor, all science labs and the ICT-rich classroom are located;
- Provision of biodiversity through use of boundary planting, planting around the building, new trees, hedges and a bio-solar roof;
- Provision of car parking and cycle parking spaces;

4. Public Consultation

Consultation letters were sent to 348 neighbouring properties.

The application has been advertised as a departure in the local press and a site notice posted.

78 responses have been received, comprising 27 letters of objection and 51 letters of support.

The objections received can be summarised as follows:

- These are playing fields that are still in use and students need access to playing area other than the artificial G5 pitches that are currently in place;
- Students use the pavements in Fenstanton Avenue to gather (eat lunch, smoke etc). The expansion of the college, with an entrance on Fenstanton Avenue is only going to make this matter worse;
- There are already too many schools in this area, which has resulted in more traffic (parents dropping off and collecting students) regardless of the CPZ parking restrictions;
- There will be disruptions to the thriving wildlife and surrounding nature between the football pitch and Fenstanton avenue;
- Creation of excess pollution;
- The Limes retirement home for senile dementia and Alzheimer's is opposite the proposed site and will be heavily disrupted;
- Ambulances also make frequent visits to this care home, at present Fenstanton avenue is a quiet road free from obstructions, construction work would compromise this easy access;
- Increase in noise;
- Damage the character of the area;
- Additional stress on parking;
- Positioned too close to the boundary fence of Cottonham Close;
- Parking spaces seem to be positioned right next to the fence;
- During the building stage there will be a lot of dust and noise;
- Building is too high because there are only 2 levels in our overdeveloped area (Cottonham Close);
- Limited access to pavement for residents to use (on Fenstanton Avenue);
- Loss of privacy;
- Loss of light;
- Increase the pollution and overcrowding in the area;

- The environmental damage will be significant if this open space is lost;
- Removing this green space will also heighten the risk of flooding in the area;
- This is a clear case of over development;
- Increased footfall, and congestion around eating establishments;
- Tremendous strain on the existing infrastructure - water, sewage, electricity, gas and broadband;

The letters of support received can be summarised as follows:

- Represents a fantastic opportunity for the local area in not only providing a specialist school for students studying STEM subjects but also engaging in outreach with local schools;
- The school's aims in relation to diversity in STEM and the links with Imperial College London represent a significant opportunity for our area and north London;
- Majority of students travelling to the school will arrive by public transport therefore traffic will not be significantly increased in the area;
- Building in terms of size, position and sustainability have been carefully considered;
- It will provide more young people with the opportunity to receive a high quality education for their A levels;
- Imperial College London Mathematics School is helping steer Britain in the direction of becoming a mathematically literate and fluent nation;
- Given the location and number of students attending this school, it will not place a strain on the road network of the surrounding area;
- There will be virtually no loss of habitat for the flora and fauna in the area, as the Outline Planting Plan shows a large area set aside for growing trees;
- These trees and existing open areas provide a natural buffer zone between the houses and school, thus blocking line-of-sight;
- I am a student at ICLMS and I can say that this new building would be incredibly beneficial to not only the students but the community as a whole;
- ICLMS is a selective school and as a result they have attracted many well-mannered and dedicated students;
- An opportunity which should be utilised to its utmost potential;
- The school is a selective academic school helping underprivileged students in A-level studies in conjunction with Imperial College London;
- ICLMS, at its peak, will only increase the number of students in the area by 6.4% (so insignificant);
- There is very little impact on local biodiversity as identified by the Ecological Impact Assessment;
- Insult to the students who have worked immensely hard to get in and those who are travelling from as far as outside of London to be able to attend;

Neighbouring / Residents Associations and Local Amenity Groups

Finchley Society

The Finchley Society objects to this proposal, mainly due to the following reasons;

- Consideration of and proposed measures to improve biodiversity is welcomed. The required management of these measures that will be needed over several years should be conditioned to ensure compliance.
- Limited information is provided on the visual and light impact on the pre-existing, low level, adjacent properties in Fenstanton Avenue, Cottonham Close and Hemmingford Close as well as other properties in the area.

- Having a green roof to the proposed cycle parking is welcomed however the number of short term and long term storage does not seem to meet the London Plan requirement.
- No mention is made of suitable storage for a range of bikes - cargo bike, trike etc, storage for scooters, provision for electric bike charging, bike maintenance equipment, CCTV etc.
- How will the Woodhouse College planning requirement for community access be maintained following the loss of their sports field and what community use will be provided by the new school in light of the loss of this facility?

External / Internal Consultees

Children's Services

The Council is supportive of this scheme and there is a clear and evidenced need.

Environmental Health

No objections subject to conditions.

Metropolitan Police - Secure by Design

No objections subject to a condition requiring the development hereby approved to include measures set out by the Secure by Design accreditation is in place. This is required to protect pupils, staff and visitors using the school in the event of an unlawful incursion at the premises or nearby.

Policy

Confirmed that the proposed school is acceptable.

Urban Design

The proposed layout, the overall height, massing, stepped design approach and fenestration strategy are all supported.

Thames Water

With regard to waste comments, 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.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Thames Water would advise that with regard to waste water network and sewerage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Sports England

Objections have been raised to the loss of playing fields. They conclude, that the proposal would reduce the sites playing field area by approximately half thereby reducing the area where the community and students can engage in a range of sport and physical activity

activities. The proposal is not considered to accord with any of the Exceptions to Sport England.

Commercial Services - Street Scene

The waste plan for this application is acceptable to the Street Scene collections team.

Transport for London (TfL)

Following the submission of further information, TfL have no further objections.

Travel Advisor

The travel plan is acceptable and the School Travel Advisor will establish contact with the schools Travel Plan Coordinator this academic year to discuss how the plan will reimplemented/continue to be implement their action plan.

It is recommended that the travel plan is secured via a s106 agreement and the contribution of £10,000 is sought towards travel plan monitoring.

Traffic and Development

Highways would raise no objection to the proposal subject to a S106, conditions and informative.

Ecology

No objections subject to conditions.

Sustainable Drainage

The application is acceptable subject to conditions.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on September 2023. 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.

Paragraph 95 states:

"It is important that a sufficient choice of school places is available to meet the needs of

existing and new communities. Local Planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted."

The Mayor's London Plan 2021

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital for the next 25-50 years. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS8, CS9, CS10
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM13, DM14, DM17

Supplementary Planning Documents

Green Infrastructure (2017)

Sustainable Design and Construction SPD (adopted October 2016)

Barnet's Local Plan (Reg 22) 2021

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

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

5.2 Assessment of proposals

Education Need

The delivery of a school on the site should be given significant weight in the decision

making process due to the following factors relating to its need:

London Plan Policy S3 (C), Education and Childcare Facilities states that, "Development proposals should ensure that there is no net loss of education or childcare facilities, unless it can be demonstrated that there is no ongoing or future need." Paragraph 6.8.4 of the London Plan, states that "The Mayor will support higher and further education providers and boroughs to identify opportunities to work in partnership to benefit from the development of higher and further education facilities".

Paragraph 15.7.6 of Barnet's Core Strategy DPD (2012) states that the Council continue to identify opportunities to improve the condition of secondary schools in Barnet and to provide sufficient school places.

Children's Services, were consulted and they are supportive of this scheme as there is a clear and evidenced need of schools in the Borough.

Loss of the Open Green Space

The site consists of a two-storey existing Woodhouse College on its southern boundary fronting Woodhouse Road. The application site is located on the Northern boundary of the existing Woodhouse College site, which is currently an open green space.

Policy CS7 of the Core Strategy states that the Council will create a greener Barnet by protecting open spaces, including Green Belt and Metropolitan Open Land. Policy DM15 of the Local Plan states that open space will be protected from development. In exceptional circumstances loss of open space will be permitted where the following can be satisfied:

- a. The development proposal is a small scale ancillary use which supports the use of the open space or
- b. Equivalent or better quality open space provision can be made.

Supporting text at paragraph 16.3.2 clarifies that the open spaces other than Green Belt and Metropolitan Open Land protected by this policy includes outdoors sports (including playing fields, sports pitches and golf courses). The policy goes on to state that any exception will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity.

Policy G1 of the London Plan states that London's network of green and open spaces, and green features in the built environment, should be protected and enhanced.

Policy S5 (C) of the London Plan states that Existing sports and recreational land (including playing fields) and facilities for sports and recreation should be retained unless:

- 1) an assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements (for the existing or alternative sports and recreational provision) at the local and sub-regional level. Where published, a borough's assessment of need for sports and recreation facilities should inform this assessment; or
- 2) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- 3) the development is for alternative sports and recreational provision, the benefits of

which clearly outweigh the loss of the current or former use.

The area proposed to be developed is viewed as playing field, by Sports England. As noted, policies do not look favourably on the redevelopment of playing fields or open green space, particularly within a protected designated area. Therefore, the proposed development would represent a departure from policy.

However as noted above it is clear that national, regional and local policy is strongly in favour of improving school facilities and providing sufficient school places, this is a material consideration in the determination of this proposal. Therefore, there needs to be a balance between the need for an additional school and the preservation of this open space.

The applicant has put forward a case for departure which is as follows:

Suitability of the Site and Compliance with Policies

Policy S5 (C) of the London Plan states that Existing sports and recreational land (including playing fields) and facilities for sports and recreation should be retained unless:

- 1) an assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements (for the existing or alternative sports and recreational provision) at the local and sub-regional level. Where published, a borough's assessment of need for sports and recreation facilities should inform this assessment; or
- 2) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- 3) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

In this case compliance with Part 2 and Part 3 are not relevant if it has been adequately demonstrated that the proposal complies with part C1 of Policy S5 (C) of the London Plan.

As part of the justification the Planning Statement / Justification letter states that the application site is privately owned with no public access and the application site has not been used for any kind of formal sports for a period in excess of 25 years. A signed letter from the Principal of the existing Woodhouse College confirms that the rear field has never been used for playing sport in her time at the College from 1994, apart from an 18 month period in 2006-8. It goes on to confirm that the existing all-weather pitch meets the needs of the sports curriculum requirements as this, alongside the indoor facilities meet the needs of the extra-curricular activities it offers for the existing college.

The site historically formed part of the of Woodhouse College and was used for curriculum purposes up until 1994 and prior to the construction of the adjoining flood lit all-weather pitch. The application site to the rear of the site has been used by students for informal recreation during break times in the summer months and for no other purpose. Therefore, this area is surplus to the requirements of the existing Woodhouse College.

Furthermore, the application site is not designated public or protected open space or playing field land in the current adopted Barnet Local Plan and neither is it Metropolitan Open Land (MOL) or Green Belt. The application site is not identified within the London Borough of Barnet's Playing Pitch Strategy (2017) as forming part of the Borough's current or future needs for playing pitches.

It is due to these considerations that the site was found to be suitable for redevelopment

and an ideal location for the new ICLMS.

Impact on the character and appearance of the existing site, street scene and wider locality

Policy DM01 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.

Amendments have been secured during the life of the application, which involve reducing the building footprint and the overall height / massing, whilst keeping in line with the requirements of the DfE's School Output Specification Technical Annex 1A: Definitions of Spaces and the DfE General Design Brief.

The application site comprises a broadly rectangular area of predominantly open space which forms part of the historic playing field of Woodhouse College. The site is bounded by two storey residential properties. The proposed L-shape building would be almost centrally situated within the site, which allow for sufficient buffer to the neighbouring properties.

The building is staggered in height and can be read as three volumes. The Main Block is 3 storeys, the main entrance is 2 storeys and the main hall is 2 storeys, which is set down from the main entrance.

In terms of scale, massing and height, the new-build would extend above the existing surrounding buildings, however, due to its sitting, staggered heights and choice of materials, it would not appear overbearing when viewed in context with the adjacent college and residential properties.

Furthermore, existing natural vegetation along its eastern and western boundary helps to screen the development. Along its northern boundary, natural vegetation is sparse, therefore further planting and landscaping has been proposed.

In terms of proposed materials and appearance, the proposal seeks to utilise a Feature Brick (mid grey), Primary brick (sandy tone), and PPC aluminium windows, a pallet of materials that are robust, easily maintained and in-keeping with the development in the local area. Furthermore, a signage for the building is proposed to follow the ICLMS branding guidelines with a grey / silver / metallic finish.

Overall, the proposed building will be acceptable in terms of its impact on the site and wider character.

Amenity Impact on Neighbouring Properties

In terms of recommended separate distances, the Barnet Residential Design Guidance SPD principally concerns residential overlooking from habitable room to garden and between habitable rooms, which is a recommended distance of 10.5 metres between a new development and a neighbouring garden and a distance of 21 metres between habitable windows. There is no stated guidance for commercial / community uses to residential properties etc.

The proposal comprises of a 'L' shaped footprint with staggered heights, breaking down the massing and creating a sense of openness within the site. The design of the building within the site has been carefully considered with respect to neighbouring properties. The nature of the building has been designed to help counteract concerns around amenity and outlook.

In terms of neighbouring properties, the closest residential properties are located to the north (Cottonham Close.), to the east (Properties on Hilton Avenue) and to the west (properties on Fenstanton Avenue).

At the northern boundary facing Cottonham Close, there is a separation of 29.5m to the neighbouring building, 14.3m to the boundary with this property and a further 15.2m to the edge of the nearest property.

At the eastern boundary, there is a distance of distance is 49.8m from the face of the building to the fence-line boundary between the no-build zone and the back gardens of the properties on Hilton Avenue.

At the western end facing Fenstanton Avenue, there would be a 33.8m separation distances (23.3m to the development boundary and a further 10.5m).

Therefore, the nature of the proposed use is not considered to result in any adverse impacts in terms of overlooking to this building. There are also intervening mature trees along the eastern and western boundaries of the site, which act as a strong visual screen between the site and the adjacent neighbours. It is acknowledged that along its northern boundary, natural vegetation is sparse, therefore further planting and landscaping has been proposed, to mitigate any overlooking or loss of privacy.

Due to the proposed orientation and sitting of the new building and the separation distance, there are no concerns with regards to loss of light to the occupiers of neighbouring building.

Noise

An Acoustic Report has been submitted, which considers noise at sensitive areas of the proposed site, externally and internally within the building such as the class rooms.

The Council's Environmental Health service have reviewed the submitted Acoustic Report and is satisfied that the plant noise at nearest sensitive receptor will be in line with the Council's internal noise condition of 5dB below background.

Given the urban area of the proposed development any marginal exceedance is considered typical for the general area. Noise levels at other different parts of the building were found to be compliant.

Air Quality

The application is supported by an Air Quality Assessment which has reviewed the construction and operational impacts. In conclusion, the report states that the proposed development would not have significant impacts on the immediate area. Within other elements of the proposal, there will be measures to improve air quality, such as improved

landscaping and biodiversity, green transport measures and electric energy strategy. The Council's Environmental Health Officer provided comments on the submitted Air Quality Report and they have no objections on this element of the proposal.

Highways and Parking

Transport, Highways and Parking

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

The site is situated on land at the rear of Woodhouse College which fronts onto Woodhouse Road within the London Borough of Barnet. The college is bounded by Fenstanton Avenue to the west, Hilton Avenue to the east, Woodhouse Road to the south and Wren Academy to the north. The new block (development) will accommodate 200 pupils and 18 staff.

The site has reasonable public transport accessibility with a PTAL of 3. It is located approximately 1.2km southeast of Woodside Park underground station. 7 bus routes can be accessed from stops within 3-5 minutes walking distance of the site. The site is in a CPZ which operates Mon-Sat from 9am-5pm. The main vehicular access to the college is provided to the south of the site via a one-way route from Woodhouse to Hilton Avenue and access to the multi-user games area (MUGA) via Fenstanton Avenue. Access to the site is to be taken from Fenstanton Avenue, where there is an existing access serving the existing MUGA at the northern end of the site. This will be improved and will also serve as access to the site.

Parking

There are no specific standards for D1 use but based on the mode share data for similar sites in the borough around 50% of staff are expected to travel by car which means that out of the 18 staff, 9 will travel to school by car. Hence, the provision of 10 spaces including a disabled bay is acceptable. The surrounding roads are in a CPZ that operates from Mon-Sat, 9am-5pm. Highways would therefore accept the proposed parking provision for the site subject to provided that the applicant is willing to enter into a s106 agreement with the Council to deny occupants of the development the right to purchase CPZ permits. A detailed parking layout plan showing the dimensions of the 10 parking spaces is requested and this can be secured by way of a planning condition.

Cycle parking and electric vehicle charging points are to be provided in accordance with London Plan standards. The proposed development will include 30 cycle parking spaces, 3 for staff and 25 for pupils and 2 for visitors. The location of the cycle stores is considered acceptable. However, it is recommended that cycle parking for staff, pupils, and visitors is provided in separate compartments. This should be easily accessible and ideally close to

the building entrance. Long-stay cycle parking should be provided in a secure, sheltered, and fully enclosed compound. While short stay cycle parking should be provided in a secured, lockable and sheltered environment. Highways would request that a cycle parking condition is imposed.

Electric vehicle charging points should be provided in accordance with London Plan standards and it is recommended that 1 active and 9 passive charging points are provided. This can be secured by way of a planning condition.

Internal Layout

The proposed access to the site is to be taken from Fenstanton Avenue. From a design point of view, the proposed access would meet the required standards but highways are concerned about the potential loss of on-street parking spaces is not supported (Fig 4.3 of Velocity TA).

Servicing

It is requested that all servicing take place off-street as there is sufficient space within the site to accommodate this. It is recommended that deliveries take place during the off-peak period. Further details of the servicing strategy are to be set out in a delivery and servicing plan and this can be secured by way of a planning condition. The location of refuse storage is acceptable but elevations are required and thus a condition is recommended

Trip Generation

The morning peak hour (8am-9am) when school traffic coincides with the morning rush hour is considered the worst case. It is predicted that between 70-80% of students will travel to school by public transport which means that the number of car journeys is unlikely to be significant

Road Safety

The accident data presented by the applicant shows 11 slight accidents occurred across the study area which covers Fenstanton Ave, Hilton Avenue and the Section of Woodhouse Road bordering the site over the last three years. 3 of the 11 accidents were serious and 8 were slight. The data shows that 2 of the 3 serious accidents involved pedestrians and 1 involved a pedal cyclist.

Travel Plan

A draft travel plan has been submitted by the applicant. Officers have reviewed the plan. It is recommended that the travel plan is secured via a s106 agreement and the contribution of £10,000 is sought towards travel plan monitoring.

Construction Management and Logistics Plan

The proposed development will involve significant building works. Given the sensitive nature of the site, it is requested that a construction management and logistics plan is requested. It will be acceptable to secure this by way of a planning condition. In addition, a before and after highway condition survey must be carried out to ensure that any damage to the highway directly resulting from the construction works is fully captured and rectified.

Parking Management Plan

A parking management plan is requested as some of the parking areas for the development can be accessed by the public. The plan must set out amongst other things, the criteria for allocation of parking spaces, how illegal parking will be enforced, and steps to prevent unauthorized use. This can be secured by way of a planning condition.

Required off-site works

The relevant planning obligations and off-site highway works are listed below:

Planning obligations:

- 1) A contribution of £10,000 towards travel plan monitoring
- 2) A contribution of £30000 towards CPZ review and implementation
- 3) CPZ permit restrictions

Off-site highway works:

- 1) Provision of an upgraded vehicle access with tactile paving on both sides on Fenstanton Avenue
- 2) Reinstatement of redundant accesses to footway
- 3) Introduction of a school street on Fenstanton Avenue
- 4) School warning signs and school keep clear markings on Fenstanton Avenue
- 5) Changes to the CPZ parking layout in the vicinity of the access
- 6) Provision of a tactile paving at the junction of Fenstanton Avenue and Woodhouse Road
- 7) Review of existing waiting restrictions and implementation of new waiting restrictions
- 8) Widening and upgrading the pedestrian refuge on Woodhouse Road at its junction with Fenstanton Avenue to a zebra crossing
- 9) The applicant is requested to cut back the vegetation along the footpath on the eastern side of Fenstanton Avenue
- 10) Widening of the existing footpath on the east side of Fenstanton Avenue
- 11) Provision of dropped kerb with tactile paving in the vicinity of the new access on Fenstanton Avenue

10.2 The applicant is therefore required to enter into a s278 agreement with the council to implement these works (All off site highways works must be completed to the satisfaction of the local highway authority prior to first occupation of the development).

Summary of Highways issues

The application has been reviewed by the Council's Traffic and Development service who raise no objections subject to the securing of travel plan, other relevant conditions and the above-stated off-site works.

Landscaping, trees and biodiversity

The submitted Design and Access Statement proposes a number of ecological enhancements, including a bio solar roof promoting biodiversity, native hedge planting and additional trees will be planted within the site.

At present, there is minimal landscaping within the site, with only a row of planted shrubs / trees along the eastern and western boundary. It is proposed to remove two trees and some scrub vegetation, however this will be compensated with the planting of 25 new trees within the boundary of the new maths college. To further enhance habitat on site and achieve a net gain, 12 additional trees will be planted within this area of the site, increasing the number of new trees to a total of 37.

Furthermore, the grass areas will be seeded with a grass and wildflower mix to promote pollinators. In addition, with the introduction of a bio solar roof to the two and three storey elements of the building, the proposal will achieve the Urban Greening Factor an urban greening factor of 0.60.

The LPA is satisfied that the combined on and offsite levels of habitat creation and enhancements can be delivered, managed, and monitored by means a planning condition for detailed Biodiversity Net Gain which would include post-development habitat condition monitoring by means of an updated Biodiversity Net Gain assessment calculated using the Defra Metric 4.0 at years 2, 3, 5, and every 5 years thereafter until year 30.

Overall, the proposed landscaping and biodiversity measures are considered to be acceptable. The installation of these measures will be secured via condition.

Energy and Sustainability

London Plan Policy SI 2 requires major development proposals to be zero-carbon which means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy

- Be lean: use less energy and manage demand during operation
- Be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- Be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- Be seen: monitor, verify and report on energy performance.

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.

A Net Zero Carbon Strategy Report has been submitted in support of the application. The energy statement presents the strategy for the construction of the new building. The Councils Energy & Sustainability Officer has reviewed the documents and has stated that the application has clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, as per the London Plan: Policy SI 2, 9.2.2. Therefore, a Section 106 agreement is recommended for the development to meet the policy requirements.

The developer is requested to pay the Carbon Offset Contribution to Barnet Council prior to or on Commencement and on the understanding that such contribution will be used to effect the reduction of carbon dioxide emissions within the London Borough of Barnet, and shall not be used for any other purpose. The overall contribution is calculated over 30 years (the assumed lifetime of the development's services). The number of tonnes of

carbon emissions in the calculation is based on the estimated Carbon Reduction Shortfall included within the Energy Strategy submitted with the Application.

The applicant has confirmed that the building CO2 per year is 3.502 tonnes. This equates to £95 x 30 x 3.502 = £9980 per tonne of carbon to be offset. This amount will be secured as part of the S106 agreement.

The application has also provided a BREEAM pre-assessment in support of the application which advises that the development can achieve BREEAM 'Very Good' which is welcomed.

Flood Risk / SuDS

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

In respect of flood risk, the site is within Flood Zone 1 which is classified as being of low risk of flooding.

In terms of drainage strategy, the sustainable drainage team have commented that the strategy provided is broadly acceptable in principle, however they have noted inconsistency regarding greenfield runoff calculations. It is considered that these updated calculations can be provided via a condition requiring a new Drainage Strategy.

6. Equality and Diversity Issues

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

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

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

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

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation and provide a number of equality benefits through the provision of a new Education Need for which there is a strong evidence need in the Borough.

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

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

Planning Balance

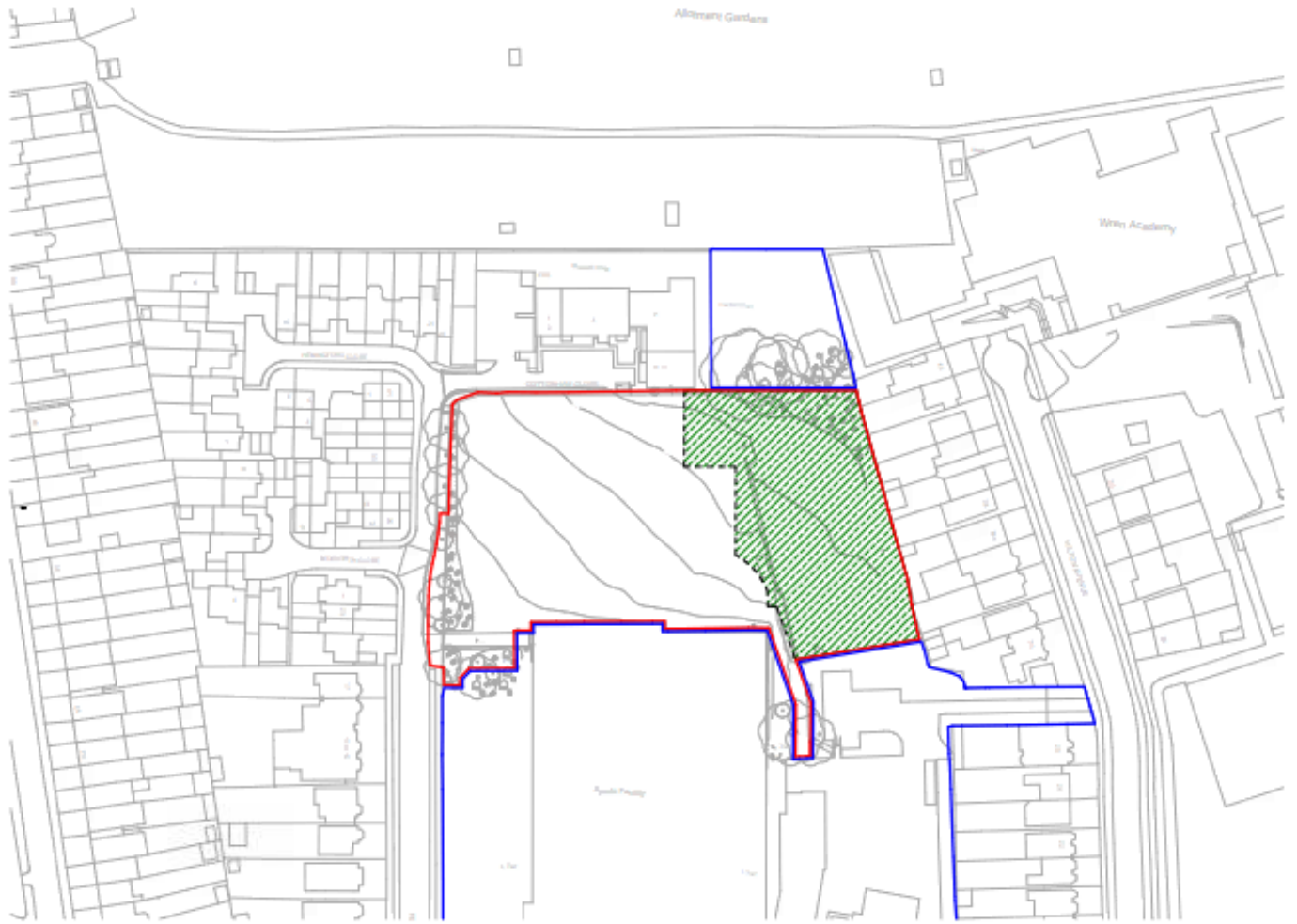
It has been identified that the scheme represents a departure from Barnet Policy DM15 of the Local Plan which states that open space will be protected from development. However, the proposed development is considered to provide a number of significant benefits through the provision of a STEM secondary school which would outweigh the loss of the open green space.

The amenities of neighbouring residential occupiers are not considered to be unduly impacted by the proposed development.

The potential transport impacts of the scheme have been considered and are comparable or significantly improved as part of the proposal. A number of appropriate mitigation measures have been proposed and are secured via condition.

8. Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development 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, APPROVAL is recommended subject to conditions as set out above.



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LOCATION: West Hendon Estate, West Hendon, London NW9

REFERENCE: 23/1803/RMA

Received: 25 Apr 2023

Accepted: 25 Apr 2023

WARD: West Hendon

Expiry: 25 Jul 2023

APPLICANT: Barrett Metropolitan LLP

PROPOSAL: Reserved matters application seeking approval for access, appearance, landscaping, layout and scale pursuant to outline planning permission H/01054/FUL dated 20/11/13 for 'Hybrid planning application for the demolition and redevelopment of the West Hendon Estate to accommodate up to 2000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure comprising: Outline submission for the demolition of existing buildings and the construction of up to 1642 new residential units (Class C3); up to 3,870m² (GEA) of D1 Class floorspace comprising nursery and primary school and community centre uses; and up to 1,635m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 stories, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp. Full planning submission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) for the construction of 358 new residential units (Class C3), and 131m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 stories, cycle and car parking provision including basement level parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works. Submission of Environmental Statement.'

Application for approval of reserved matters relating to appearance, landscaping, layout, scale, access, pertaining to Buildings B, D1, D2, D3, D4, D5, D6, D7 and D8 of the West Hendon Estate, including the construction of residential units (Use Class C3), basement, parking and new landscaped public space pursuant to planning permission H/01054/13 dated 20/11/2013.

APPLICATION SUMMARY

Planning permission was originally granted in hybrid in 2013 for the comprehensive

redevelopment of the West Hendon Estate for 2,000 homes, a new 2 form entry primary school, community building and commercial floorspace. The hybrid planning permission has been implemented and reserved matters have been submitted and approved for all phases (4-6), save for the school land, the most recent (Phases 5 and 6) being granted five years ago in 2018.

The development, known as Hendon Waterside, is well underway. Phases 1-2 have been completed under earlier planning permissions (2007 and 2008). Phase 3 (with both outline and detailed elements in the hybrid) has been completed, and Phase 4 (the first fully outline phase of the hybrid) is underway which will see major highway works delivered including the removal of the Perryfield Way gyratory, a key public benefit of the scheme. The 2018 Phase 5 and 6 reserved matters approvals have not been carried out.

The original red line of the hybrid planning permission was defined by land availability along West Hendon Broadway (A5), factoring in lease periods and CPO costs. An opportunity has now arisen whereby 213 The Broadway (an MOT garage) and 215 The Broadway (an NHS Doctors Surgery known as Hendon Way Surgery) has now become available for redevelopment. This is important as the 2013 permission includes land directly to the west of 215 The Broadway. Cumulatively, these individual land parcels comprise a city block, however, with only half the block falling within the 2013 hybrid planning permission this left a part developed frontage onto The Broadway which the development can now address under the current proposals.

The applicant (Barratt Metropolitan LLP) has also used the ability to acquire this land to re-look at the opportunities available for the remaining, undeveloped, parts of Hendon Waterside whilst also capitalising on an opportunity to provide more homes on largely the same land area that was subject to the 2017 Phase 5 and 6 reserved matters applications.

The applicant's strategy to achieve this is two-fold, namely:

- A reserved matters application for 732 homes as part of Phase 5 (Block B) and Phase 6 (Block D) pursuant to the 2013 hybrid permission. These applications complete the 2000 home maximum capped by the hybrid planning permission, and deals with the D Blocks and Block B; and
- A standalone detailed planning application for 350 homes, flexible town centre floorspace and a new health centre on land adjacent to the reserved matters application. The detailed application is on land identified as Phase 5 under the 2013 hybrid permission, and also includes the two new land parcels which are now available, dealing with Blocks A, C and G.

Both of the above applications form separate items on this agenda as the applications due to the linkage between the applications.

RECOMMENDATION

Recommendation 1: Approve Subject to conditions.

Recommendation 2: It is RESOLVED that the Committee grants delegated authority to the Service Director of Planning & Building Control to make any minor alterations, additions or deletions to the recommended conditions and obligations 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 AND INFORMATIVES

APPROVED DRAWINGS

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

Site Location

WSTHN MAK ZZ ZZ DR A 01101 Site Location Plan

Existing

WSTHN MAK ZZ ZZ DR A 01200 Existing Plan

WSTHN MAK ZZ ZZ DR A 01300 Site Survey

RMA

General Drawings

WSTHN MAK MPA XX DR AR 80-000	Masterplan - RMA Red Line Phases 5/6
WSTHN MAK MPA XX DR AR 80-001	Masterplan - RMA Red Line Phase 5
WSTHN MAK MPA XX DR AR 80-002	Masterplan - RMA Red Line Phase 6
WSTHN MAK MPA LG2 DR AR 80-100	Masterplan - Basement Plan 1:500
WSTHN MAK MPA LG DR AR 80-101	Masterplan - Lower Ground Floor Plan
WSTHN MAK MPA 00 DR AR 80-102	Masterplan - Ground Floor Plan
WSTHN MAK MPA 01 DR AR 80-103	Masterplan - 01 Floor Plan
WSTHN MAK MPA XX DR AR 80-104	Masterplan - 02-04 Floor Plan
WSTHN MAK MPA 05 DR AR 80-105	Masterplan - 05 Floor Plan
WSTHN MAK MPA 06 DR AR 80-106	Masterplan - 06 Floor Plan
WSTHN MAK MPA 07 DR AR 80-107	Masterplan - 07 Floor Plan
WSTHN MAK MPA 08 DR AR 80-108	Masterplan - 08 Floor Plan
WSTHN MAK MPA 09 DR AR 80-109	Masterplan - 09 Floor Plan
WSTHN MAK MPA 09 DR AR 80-110	Masterplan - 10 Floor Plan
WSTHN MAK MPA XX DR AR 80-111	Masterplan - 11-12 Floor Plan
WSTHN MAK MPA XX DR AR 80-112	Masterplan - 13-20 Floor Plan
WSTHN MAK MPA 21 DR AR 80-113	Masterplan - 21 Floor Plan
WSTHN MAK MPA XX DR AR 80-114	Masterplan - 22 Floor Plan
WSTHN MAK MPA XX DR AR 80-115	Masterplan - 23 Floor Plan
WSTHN MAK MPA XX DR AR 80-116	Masterplan - 24 Floor Plan
WSTHN MAK MPA XX DR AR 80-117	Masterplan - 25-29 Floor Plan
WSTHN MAK MPA XX DR AR 80-118	Masterplan - Roof Plan
WSTHN MAK MPA XX DR AR 80-200	Masterplan Elevations 1 of 2
WSTHN MAK MPA XX DR AR 80-201	Masterplan Elevations 2 of 2
WSTHN MAK MPA XX DR AR 80-300	Masterplan - Section 1 of 1

Block B

WSTHN MAK BZ 00 DR AR 08-100	Block B - 00 Floor Plan
WSTHN MAK BZ 01 DR AR 08-101	Block B - 01 Floor Plan
WSTHN MAK BZ 02 DR AR 08-102	Block B - 02 Floor Plan
WSTHN MAK BZ 03 DR AR 08-103	Block B - 03 Floor Plan
WSTHN MAK BZ 04 DR AR 08-104	Block B - 04 Floor Plan

WSTHN	MAK	BZ	05	DR	AR	08-105	Block B - 05 Floor Plan
WSTHN	MAK	BZ	06	DR	AR	08-106	Block B - 06 Floor Plan
WSTHN	MAK	BZ	07	DR	AR	08-107	Block B - 07 Floor Plan
WSTHN	MAK	BZ	08	DR	AR	08-108	Block B - 08 Floor Plan
WSTHN	MAK	BZ	09	DR	AR	08-109	Block B - 09 Floor Plan
WSTHN	MAK	BZ	10	DR	AR	08-110	Block B - Roof Plan
WSTHN	MAK	BZ	XX	DR	AR	08-200	Block B - Sections
WSTHN	MAK	BZ	XX	DR	AR	08-300	Block B - Elevations 1 of 2 1:200
WSTHN	MAK	BZ	XX	DR	AR	08-301	Block B - Elevations 2 of 2 1:200
WSTHN	MAK	BZ	XX	DR	AR	08-302	Block B Birds and Bat Boxes – Elevations

Block D1-D4

WSTHN	HUT	DA	00	DR	AR	20100	Block D1-D4 - 00 Floor Plan
WSTHN	HUT	DA	01	DR	AR	20101	Block D1-D4 - 01 Floor Plan
WSTHN	HUT	DA	02	DR	AR	20102	Block D1-D4 - 02 Floor Plan
WSTHN	HUT	DA	03	DR	AR	20103	Block D1-D4 - 03 Floor Plan
WSTHN	HUT	DA	04	DR	AR	20104	Block D1-D4 - 04 Floor Plan
WSTHN	HUT	DA	05	DR	AR	20105	Block D1-D4 - 05 Floor Plan
WSTHN	HUT	DA	06	DR	AR	20106	Block D1-D4 - 06 Floor Plan
WSTHN	HUT	DA	07	DR	AR	20107	Block D1-D4 - 07 Floor Plan
WSTHN	HUT	DA	08	DR	AR	20108	Block D1-D4 - 08 Floor Plan
WSTHN	HUT	DA	09	DR	AR	20109	Block D1-D4 - 09 Floor Plan
WSTHN	HUT	DA	ML	DR	AR	20110	Block D1-D4 - 10-22 Floor Plan
WSTHN	HUT	DA	ML	DR	AR	20111	Block D1-D4 - 23-28 Floor Plan
WSTHN	HUT	DA	29	DR	AR	20112	Block D1-D4 -Roof Plan
WSTHN	HUT	DA	ZZ	DR	AR	20200	Block D1-D4 - Sections 1 of 2
WSTHN	HUT	DA	ZZ	DR	AR	20201	Block D1-D4 - Sections 2 of 2
WSTHN	HUT	DA	ZZ	DR	AR	20300	Block D1-D4 - Elevations 1 of 4
WSTHN	HUT	DA	ZZ	DR	AR	20301	Block D1-D4 - Elevations 2 of 4
WSTHN	HUT	DA	ZZ	DR	AR	20302	Block D1-D4 - Elevations 3 of 4
WSTHN	HUT	DA	ZZ	DR	AR	20303	Block D1-D4 - Elevations 4 of 4

Block D5-D8

WSTHN	MAK	DB	LG	DR	AR	08-110	Block D5-D8 - LGF Floor Plan
WSTHN	MAK	DB	00	DR	AR	08-111	Block D5-D8 - 00 Floor Plan
WSTHN	MAK	DB	01	DR	AR	08-112	Block D5-D8 - 01 Floor Plan
WSTHN	MAK	DB	02	DR	AR	08-113	Block D5-D8 - 02 to 06 Floor Plan
WSTHN	MAK	DB	07	DR	AR	08-114	Block D5-D8 - 07 to 08 Floor Plan
WSTHN	MAK	DB	09	DR	AR	08-115	Block D5-D8 - 09 Floor Plan
WSTHN	MAK	DB	10	DR	AR	08-116	Block D5-D8 - 10 to 12 Floor Plan
WSTHN	MAK	DB	13	DR	AR	08-117	Block D5-D8 - 13 to 20 Floor Plan
WSTHN	MAK	DB	21	DR	AR	08-118	Block D5-D8 - 21 to 22 Floor Plan
WSTHN	MAK	DB	21	DR	AR	08-119	Block D5-D8 - 23 Floor Plan
WSTHN	MAK	DB	21	DR	AR	08-120	Block D5-D8 - 24 Floor Plan
WSTHN	MAK	DB	26	DR	AR	08-121	Block D5-D8 - Roof Plan
WSTHN	MAK	DB	XX	DR	AR	08-210	Block D5-D8 - Sections 1 of 2
WSTHN	MAK	DB	XX	DR	AR	08-211	Block D5-D8 - Sections 2 of 2
WSTHN	MAK	DB	XX	DR	AR	08-310	Block D5-D8 - North Street Elevation
WSTHN	MAK	DB	XX	DR	AR	08-311	Block D5-D8 - York Park Elevation
WSTHN	MAK	DB	XX	DR	AR	08-312	Block D5-D8 - West Street Elevation

WSTHN	MAK	DB	XX	DR	AR	08-313	Block D5-D8 - Internal Elevations 1 of 3
WSTHN	MAK	DB	XX	DR	AR	08-314	Block D5-D8 - Internal Elevations 2 of 3
WSTHN	MAK	DB	XX	DR	AR	08-315	Block D5-D8 - Internal Elevations 3 of 3
WSTHN	MAK	DB	XX	DR	AR	08-316	Block D5-D8 - North Street Elevation Birds and Bat Boxes
WSTHN	MAK	DB	XX	DR	AR	08-317	Block D5-D8 - York Park Elevation Birds and Bat boxes
WSTHN	MAK	DB	XX	DR	AR	08-318	Block D5-D8 - West Street Elevation Birds and Bat Boxes

Planning and Development Specification Conformity Statement
 Design & Access Statement (to include Landscaping) inc. Statement of Compliance with Design Code and Parameter Plans; approach to Energy Strategy; approach to Whole Life Cycle Assessment
 Site Wide Accommodation Schedule
 Landscape Drawings
 Transport Statement
 Statement of Community Involvement
 Daylight, Sunlight & Overshadowing Analysis
 Air Quality Assessment
 (*Provided within EIA Statement of Conformity)
 Noise and Vibration Assessment
 Wind Assessment
 (*Provided within EIA Statement of Conformity)
 Flood Risk Assessment (inc. Drainage)
 EIA Statement of Conformity
 Fire Strategy
 Preliminary Ecological Assessment

Reason: For the avoidance of doubt and in the interests of proper planning.

SECURED BY DESIGN

2. Prior to the first occupation of any residential unit, details shall be submitted demonstrating that the relevant 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).

CAR PARKING

3. Before each block is first occupied parking spaces, cycle parking and turning spaces shown on the plans hereby approved for that block shall be provided and marked out within the site in accordance with the approved details. Thereafter, the parking spaces shall not be used for any purpose other than the parking and turning of vehicles, in connection with the approved development.

Reason: To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free

flow of traffic in line with policies CS9 of Barnet Council's Core Strategy (adopted) 2012; and DM17 of Barnet Council's Development Management Policies (adopted) 2012.

BLUE BADGE PARKING

4. The Blue Badge spaces for the residential units will be allocated to registered Blue Badge holders in the first instance. Any surplus disabled spaces can be allocated to remaining residents on a first-come first-served basis subject to a strategy to be submitted and agreed by the Local Planning Authority prior to first occupation of each block. The strategy to be submitted will ensure that residents who become Blue Badge holders or new residents who are Blue Badge holders can be allocated one of the surplus disabled spaces where appropriate.

Reason: To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic in line with policies CS9 of Barnet Council's Core Strategy (adopted) 2012; and DM17 of Barnet Council's Development Management Policies (adopted) 2012.

RESTRICTIONS OF PERMITTED DEVELOPMENT - TELECOMMUNICATION

5. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part of the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 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 townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with policy DM01 and DM18 of the Adopted Barnet Development Management Policies DPD (2012).

INFORMATIVES

1. In accordance with paragraphs 186 and 187 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. The LPA has negotiated with the applicant/agent where necessary however further work is required.

2. No chemical herbicides should be used to control weed growth around the base of newly planted trees or shrubs. Weeds in these areas should be hand weeded and then controlled with the specified woodchip or bark mulch.

ASSESSMENT

1. SITE AND SURROUNDINGS

The wider application site is situated southwest of the Borough within the West Hendon Ward which borders the neighbouring Borough of Brent. No part of the current application site falls within or is close to a conservation area. There are also no listed buildings on site. However, the nearby Cool Oak Lane Bridge is Grade II Listed. The application site also incorporates some parts of the Broadway High Road Town Centre area. The site benefits from a Public Transport Accessibility Level (PTAL) rating of between 2(Poor) - 3 (Moderate). Although the surrounding area contains a mix of land uses and built forms, it can be characterised as predominantly residential in nature with the Hendon Railway Station located approximately 300 metres to the east of the site.

In 2004 the London Plan identified the West Hendon area as an Opportunity Area with the potential to provide a minimum of 10,000 new homes. A planning framework for this was subsequently prepared by the London Borough of Barnet in partnership with the Mayor. This was later adopted by the Council as Supplementary Planning Guidance (SPG) in April of that year and also formally adopted by the Mayor as part of the Opportunity Area Planning Framework in December 2005.

The redevelopment of the Estate (along with other similar housing estates within the Borough) has been a longstanding priority for the Council for many years and has been designated as one of the Council's Priority Housing Estates for Regeneration within its Local Plan (2012). In particular, it states at Policy CS3 that the area is projected to provide 1540 new homes. It also forms part of Barnet Council's Place Shaping Strategy which seeks to guide regeneration in the Borough. Therefore there is a recognised need for physical improvements to the Estate in order to tackle the poor quality built environment and current areas of isolation. The regeneration would also deliver new housing to address the housing demand within the Borough. However funding constraints required the Council to seek external partners and in 2011 Barratt Metropolitan LLP (BMLLP) entered into discussions with London Borough of Barnet to help deliver the regeneration of the estate and community facilities.

In November 2013 Hybrid Planning Permission (part outline, part detailed) was granted for the development of the West Hendon Estate under planning application reference H/01054/13 for the following development.

Hybrid planning application for the demolition and redevelopment of the West Hendon Estate to accommodate up to 2000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure comprising: Outline submission for the demolition of

existing buildings and the construction of up to 1642 new residential units (Class C3); up to 3,870m² (GEA) of D1 Class floorspace comprising nursery and primary school and community centre uses and up to 1,635m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 stories, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp. Full planning submission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) for the construction of 358 new residential units (Class C3), and 131m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 stories, cycle and car parking provision including basement level parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works. Submission of Environmental Statement.

The Hybrid Planning Permission dealt with Phases 3-6 inclusive, recognising that Phases 1 and 2 has been established under earlier permissions.

The Hybrid Planning Permission masterplan established the overall West Hendon Estate boundary. This is red line bounded by the Welsh Harp to the South, incorporating lands for the two new bridges over this reservoir (for the delivered Cool Oak Bridge and the future Silk Stream Bridge) and extends to include the Broadway and lands around the station to accommodate urban integration and upgrading works. The 2013 Hybrid Planning Permission (outline part) established a series of development phases, with boundaries identified on parameter plans.

Reserved Matters Approvals, including approval for the phases the subject of the current application, have been granted. Approval has also been granted for the erection of both bridges, one of which (Cool Oak Lane) has been constructed.

The current reserved matters application will supersede the previous reserved matters approvals for Phase 5 and 6. The current application incorporates a new Phase 5 and 6 boundary, which has been updated from that of the Hybrid Planning Permission parameter plan, to remove lands that will now be delivered as part of the Full Detailed Application (23/1802/FUL, which forms a separate item on this agenda). The new red line includes Plot B and Plot D. Also included are relevant parts of North Street, West Street, Silk Stream Plaza, the Link Space and the remaining portions of York Park that will be delivered as part of this application.

Some land that was formerly part of the Hybrid Planning Permission Phase 5 area has been removed as detailed proposals for this area is now included in the Detailed Application (Plots A, C and G).

2. PROPOSAL

The application seeks **Approval** of reserved matters relating to appearance, landscaping, layout, scale, access, pertaining to Buildings B1, D1, D2, D3, D4, D5, D6, D7 and D8 of the West Hendon Estate, including the construction of residential units (Use Class C3), basement, parking and new landscaped public space pursuant to planning permission H/01054/13 dated 20/11/2013.

The RMA Development consists of the following:

- A total of 732 residential units across a mix of tenures;
- 61 studio units (8.5%), 237 x 1 bed units (32.5%); 388 x 2 bed units (53%); 46 x 3 bed units (6%);
- 10,796 sqm GEA basement and undercroft parking;
- 273.28m² GEA gym / workspace (ancillary C3 use) for residents only; and 3,701.48m² GEA other floorspace, including back of house facilities, such as cycle storage, plant, effuse and storage areas.

3.2.5 The proposal comprises a residential-led mixed use development across 9 buildings (Blocks B and D) ranging between 7 and 29 storeys in height.

3. RELEVANT SITE HISTORY

Hybrid Planning Permission reference H/01054/13 was granted on 20th November 2013. The application approved development comprising the demolition and redevelopment of the West Hendon Estate to accommodate up to 2,000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure.

As part of the Hybrid, outline permission was granted for the demolition of existing buildings and the construction of up to 1,642 new residential units (Class C3); up to 3,870m² (GEA) of Class D1 floorspace comprising nursery and primary school and community centre uses; and up to 1,635m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 storeys, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp.

As part of the Hybrid, full planning permission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) was granted for the construction of 358 new residential units (Class C3), and 131m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 storeys, cycle and car parking provision including basement level parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works.

Reserved Matters Applications

The reserved matters application for Phase 3b and 3c was granted on 26th March 2015 for 298 homes. Following this, the next reserved matters application, comprising Phase 4, was approved by LB Barnet on 18th July 2017 for 611 homes.

Reserved matters for Phase 5 comprising 216 residential units were approved on 25th June 2018, and the reserved matters application for Phase 6 was approved on the same date (25th June 2018) comprising 516 residential units. The 2018 Phase 5 and 6 reserved matters approvals have not been delivered.

Reserved Matters have been approved separately for the Cool Oak Lane Bridge (ref. 17/0168/RMA) on 23 January 2017, and the Silk Stream Bridge (ref. 18/1163/RMA) on 21 February 2018.

Reserved matters for the school can still be submitted before November 2025.

The Hybrid Permission has been implemented and remains extant. There are development caps on the amount of development that can be delivered under it including a maximum of 2,000 homes, 202,000sqm residential (Use Class C3); 3,870sqm community facilities (Use Class D1); 1,766sqm retail and related uses (Use Class A1-A5); and office (Use Class B1).

The legal agreement requires a baseline of 25% of the total number of residential units as affordable housing units of which a minimum of 43% shall be social rented housing with the remainder being intermediate housing (unless otherwise agreed with the Council).

A S96a non material amendment application has also been submitted (Ref: 23/4260/NMA). This non material amendment is for *'Amendments include changes to the wording of conditions 5 and 7 and update to Strategic Phasing Parameter Plan'*. This application is currently being considered and would be determined in the event that committee resolves to grant planning permission for the reserved matters application.

A separate detailed planning application (Ref: 23/1802/FUL) is also currently under consideration for the remaining part of Phases 5 and 6 as well as some additional land on a former MOT garage and NHS centre on West Hendon Broadway. The description of this development is as follows.

"Comprehensive redevelopment of the site comprising the demolition of existing buildings and structures and the construction of 8 buildings from 2 to 12 storeys comprising of 350 residential units (Use Class C3), commercial uses (Use Class E), including Health Centre, basement, private and communal amenity space, associated car parking, cycle parking, refuse storage."

4. PUBLIC CONSULTATIONS AND VIEWS EXPRESSED

4.1 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 has included two Public Consultations events, each with 2 exhibition dates, held in July 2022 (the 21st and the 22nd of July) and January 2023 (the 10th and the 12th of January) with pop-up events taking place in the Community Hub at West Hendon.

Physical form newsletters were sent to the wider area to local residents and

communities. Across the two events, 30 people attended the public exhibition and 11 feedback forms were submitted in person.

4.2 Public Consultations by the Council and Views Expressed

Letters were sent out to 1247 addresses on the 22nd May 2023. The application was also advertised by site notice and by press notice on the 1st June 2023.

Public Representations

No representations were received.

5. STATUTORY AND INTERNAL BODIES

Transport for London

TfL provided the following comments and recommendations:

1. It is welcomed that cycle parking will be in form of two tire as well as Sheffield stands. Their on-going provision for during the life of the proposal shall be secured by condition. The applicant shall clarify the number of cycle spaces in each cycle store. It is strongly recommended that cycle storage to be split into two, if the original design contains more than 100 spaces in one store for the sake of safety and convenience for cyclists.
2. It is welcomed the proposal will includes 20% of active electric vehicle charging points from the on-set and the remaining spaces be provided with passive provision, meeting the current London Plan standards. On-going provision for during the life of the proposal shall be secured by condition.
3. The proposed car parking arrangement and management strategy is considered acceptable; its implementation and on-going enforcement shall be secured by condition/ s106 agreement.
4. The implementation and on-going operation of the Deliveries and Servicing Plan measures shall be secured by condition/ s106 agreement.
5. The production and implementation of the Residential Travel Plan shall be secured by condition/s106 agreement.

Metropolitan Police

Thanks for allowing the MPS to review and comment upon the planning submissions for West Hendon Estate on the above reference numbers.

Please can you accept the attached comments for both planning references.

In summary and as per my attached comments and rationale, I'd be grateful if you can please consider applying a formal planning condition to any approval whereby 'each building within each phase of the development must achieve Secured by Design (SBD) accreditation, prior to any occupation'.

Thames Water

Waste Comments:

With the information provided, Thames Water has been unable to determine the Foul 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. Foul water 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 Foul water 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. 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.

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%7Cf38e305bd7b04b21c5b508db6e6f44e1%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C638225196390529888%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQljiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=5YidwMactmaYHmu7e6pHsk9FdHJnYeo%2FNrkXiqY6eFc%3D&reserved=0>

Should you require further information please contact Thames Water. Email: 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

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%7Cf38e305bd7b04b21c5b508db6e6f44e1%7C1ba468b914144675be4f53c478ad47bb%7C0%7C0%7C638225196390529888%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQljiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=5YidwMactmaYHmu7e6pHsk9FdHJnYeo%2FNrkXiqY6eFc%3D&reserved=0>

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

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:

Supplementary Comments

As per impact study SMG1160E4031 undertaken in 2012, concluded that the proposed development will have minimal impact on the existing Foul sewer system. However as this was over 10 years ago, Thames Water requires a drainage strategy for foul flows from site containing points of connection in the sewer networks, expected discharge rates and site drawings. Where flows will be split between multiple connection locations in the sewer, we require a clear breakdown of flow rate and/or site size (square meterage) at each connection location. Please also provide pump rates where applicable. This is to check that the drainage strategy matches that of 2012 and nothing in the network has changed.

Internal Consultees

Trees

Subject to the submission of a detailed soft and hard landscape plan for the area that complement the approved schemes already introduced, there is no objection.

No Tree protection plan has been submitted, however there are no trees growing within these phases of the development.

Suggest that usual soft and hard landscape conditions are applied to any planning permission. .

Street Lighting

Expectation that no more than 3 lux to escape the site boundary when using a horizontal measurement.

Require further details on:

R - A submission detailing philosophy, reasons and targeted achievements dealing with expectations, controls, light pollution and spillage.

- Equipment used, specific lamps, luminaires and columns with images.

I - Isolux diagrams of the report overlaid with the parking areas, public areas and the surrounding houses and roads showing as a minimum 3, 5 and 10 lux lines.

- All of the external lights, whatever they are, whoever they belong to and wherever they are, need to be included if they affect the design area.

Scientific Services

Transport

The London Borough of Barnet (LBB) Transport Team have reviewed the submitted material (within the Transport Statement). Please see below comments from the Transport Team:

Condition 68: Vehicular Parking

- With a residential parking ratio of 0.43 spaces per dwelling (317 spaces), the proposed levels of car parking provision accord with the standards set out with the London Plan (maximum of 0.5 spaces per dwelling for Outer London Opportunity Area).
- In relation to the additional 7% of accessible parking spaces, clarification on plan is sought as to where the if the car parking spaces would be converted / provided.
- There are roads in the vicinity of the site that are not fully protected by parking restrictions and hence consideration would need to be given to potential impacts on the local amenity as a result of overspill / displaced parking.
- LBB Parking Team in relation to a scheme in vicinity of the subject site have previously commented as follows:
 - i. 'I can confirm that both Goldsmith Avenue and The Hyde area have been identified as locations where significant parking pressure is being experienced.
 - ii. Goldsmith Avenue area sits within Phase 2 of our CPZ programme which we are undertaking feasibility works for now and The Hyde area including the Jemca Toyota Services site sits within Phase 3 of our programme which we are looking to progress in late 2023/24.'
- Accordingly a proportionate contribution would likely be sought as part of this application in relation to the CPZ works programme. The Council's Parking Team should be consulted in relation to this application.

Cycle Parking

- The proposed levels of cycle parking set out within Table 2.3 of the TS does not align with current standards. Cycle parking should be provided in accordance with the London Plan and the London Cycle Design Standards (LCDS).

Condition 69: Electric Vehicle Charging Points

- Noted. No comment.

Condition 71: Car Parking Management Strategy

- Clarification is sought as to whether the maximum number of permits issued for buildings B and D1-8 are equal to the number of parking spaces shown in Table 2.2 1 of the TS (317 cars and 8 powered two-wheelers).
- There should be a planning condition to prevent residents from applying for on-street parking permits (on public highway).

- Disabled parking spaces whether used or unused should not be used as a standard space for residents (as suggested in paragraph 4.9 of the TS) and would be contrary to the London Plan.

Condition 72: Car Parking Management Plan

- The TS mentions that a Car Parking Management Plan (CPMP) was included within the Travel Plan for the consented scheme and would be implemented for the proposed development.
- As the scheme has been revised is there not a need for a revised CPMP in line with current proposals?

Condition 80: Delivery and Servicing Plan

- Service off the public highway and so close to the signalised junction with the A5 should be avoided.
- The swept path analysis appears to indicate that loading bays would struggle to accommodate service / delivery vehicle movements (e.g. entering in a forward direction / being able to fully stand within the bay without overhang).
- The Council's Street Scene team should be consulted on the acceptability of the refuse arrangements (refer to the Operational Waste Management Plan).

Condition 83: Residential Travel Plan

- It is stated that 'a Residential Travel Plan (RTP) will be submitted to LBB's Travel Planning Officer three months prior to occupation of the Proposed Development.'
- Once submitted, the Council's Travel Planning team should be consulted in relation to the Residential Travel Plan.

Condition 92: Pedestrian Environment Review System

- It is not clear how the applicant has fulfilled the requirements of Condition 92 against the each of the items in the PERS audit. Further clarification is sought.

Condition 93: Stopping Up Order

- Noted. No comment.

Condition 94: Turning Space Within Each Phase

- This is not clear on plan. Further clarification is required.

Condition 95: Adoption as Public Highway

- Noted. No comment.

Condition 97: Works to Existing Public Highways

- Noted that this Condition refers to any works on existing public highway and not just 'major' works. Please clarify compliance with this Condition.

Condition 98: Traffic Signal Re-Timing

- This Condition appears to refer to details of the interim re-timing of the traffic signals which take account of the phased delivery of the development and not just the whether the major highway works have been completed. Please clarify compliance with this Condition.

Waste

- All waste streams should be collected on the same day. This may have an impact on the holding area and any knock-on impacts should be mitigated.
- Standards refuse vehicle length should be 10.25m (allows for vehicle plus bin lift). Swept path analysis should be updated accordingly.
- Ravenstone Road collection arrangements are queried.
- It is understood that servicing activity will predominantly take place and be managed on-street / loading bays but this needs to allow for safe passing of vehicles whilst collections are being undertaken.
- There needs to be dropped kerbs at each of the collection points (applies to loading bay and all collection areas, on road and pavements to loading bays).
- Clarification is sought as to whether Ravenstone Road, East Street and other roads are to be public highway or private.
- It should be demonstrated that there is sufficient safe passing space and available forward visibility for other vehicles when collections are being undertaken. There appears to be issues at some locations such as at the bend on Ravenstone Road and West Street.

Officer Comments

Council planning officers have engaged with the applicant on all consultation feedback summarised above. The applicant has provided justification and explanation (where appropriate) in all cases.

Officers are comfortable with the justification provided and the level of detail submitted within the planning application itself, including the transport comments raised.

Officers do not consider it reasonable to require that a disabled parking bay which is not needed for wheelchair purpose can not be repurposed for general parking purposes until such time as it is needed.

Officers are comfortable that any outstanding issues, or where further information is required, can be controlled through appropriately worded planning conditions should committee resolve to grant planning permission.

6. KEY PLANNING POLICY

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 comprises The London Plan (published 2021) 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.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that the development will fulfil them to a satisfactory level, subject to the conditions. The proposed development is considered to comply with the requirements of the development plan.

National Planning Policy Framework (September 2023)

This document replaces the previous version of the National Planning Policy Framework (NPPF) published in July 2021. The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

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

National Design Guide 2021

The National Design Guide (NDG) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It advises that good design involves careful attention to other important components of place such as context, landscaping, technical infrastructure and social infrastructure. It continues that a well designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings and it comes through making the right choices at all levels, including layout, form and scale, appearance, landscape, materials and their detailing.

The guide identifies 10 characteristics which contribute to well-designed places which are as follows:

1. Context - enhances the surroundings
2. Identity - attractive and distinctive
3. Built form - a coherent pattern of development
4. Movement - accessible and easy to move around
5. Nature - enhanced and optimised
6. Public spaces - safe, social and inclusive

7. Uses - mixed and integrated
8. Homes and buildings - functional, healthy and sustainable
9. Resources – efficient and resilient
10. Lifespan - made to last

The Mayor's London Plan 2021

The London Plan 2021 is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.

The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. Borough's Local Plans must be in 'general conformity' with the London Plan, ensuring that the planning system for London operates in a joined-up way and reflects the overall strategy for how London can develop sustainably, which the London Plan sets out.

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

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

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, PM₁₀ and PM_{2.5} 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

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

- CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)
- CS1 (Barnet’s Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)
- CS3 (Distribution of growth in meeting housing aspirations)
- CS4 (Providing quality homes and housing choice in Barnet)
- CS5 (Protecting and enhancing Barnet’s character to create high quality places)
- CS6 (Promoting Barnet’s Town Centres)
- CS7 (Enhancing and protecting Barnet’s open spaces)
- CS8 (Promoting a strong and prosperous Barnet)
- CS9 (Providing safe, effective and efficient travel)
- CS10 (Enabling inclusive and integrated community facilities and uses)
- CS11 (Improving health and well-being in Barnet)
- CS12 (Making Barnet a safer place)
- CS13 (Ensuring the efficient use of natural resources)
- CS14 (Dealing with our waste)
- CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

- DM01 (Protecting Barnet’s character and amenity)
- DM02 (Development standards)
- DM03 (Accessibility and inclusive design)
- DM04 (Environmental considerations for development)
- DM05 (Tall Buildings)
- DM06 (Barnet’s Heritage and Conservation)
- DM08 (Ensuring a variety of sizes of new homes to meet housing need)
- DM10 (Affordable housing contributions)
- DM11 (Development principles for Barnet’s town centres)
- DM13 (Community and education uses)
- DM14 (New and existing employment space)
- DM15 (Green belt and open spaces)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

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. The independent Examination in Public commenced on Tuesday 20th September 2022 and concluded in November 2022. On the 17th August 2023, the Council received the Inspectors' interim findings and next steps. The Council is currently considering the content of this correspondence and preparing a written response.

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:

Affordable Housing (February 2008)

Sustainable Design and Construction (October 2016)

Planning Obligations (April 2013)

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

Sustainable Design and Construction (October 2016)

Residential Design Guidance (October 2016)

Green Infrastructure (October 2017)

7. PLANNING CONSIDERATIONS

The main areas for consideration are:

- Principle of Development
- Principle of Reserved Matters Details
- Design (scale, layout, appearance)
- Affordable Housing and Viability
- Impact on Neighbouring Amenity
- Landscaping
- Access
- Refuse and Recycling Storage

7.1 Principle of Development

The principle of constructing 732 residential dwellings (564 market and 168 intermediate) for Phases 5 and 6 and the provision of landscaping and parking was established by the Hybrid Planning Permission (outline part) in 2013. It is noted that under the current Reserved Matters application the amended scheme will still fall

within the main land use parameters of the 2013 approval providing a total of 2000 units in the wider West Hendon masterplan. The scheme in floorspace figures also remains under the cap of 202,000 sq.m (scheme is 198,864). The main change over the previous reserved matters approvals are that they are being provided in a smaller area of land (as allowed for under the current parameter plans), with the remaining land now the subject of a separate detailed planning application (ref. 23/1802/FUL). Planning considerations regarding the increase in total numbers across the wider masterplan site is a matter of consideration under 23/1802/FUL rather than this application which by itself is within the maximum parameter caps (in relation to total residential units and floorspace) established under the 2013 approval.

7.2 Principle of Reserved Matters Details

The reserved matters currently under consideration are as per conditions 5 and 6 of the Hybrid Planning Permission and relate to details of access, layout, scale, landscaping and appearance as below:

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 visual impression of the detailed elements and aspects of the building or composition of buildings both its intrinsic architectural or aesthetic merit and value.

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 – This relates to internal room layouts, primary and secondary routes around the site in compliance with the outline parameter plan as well as disabled access.

The 'outline' element of the Hybrid Planning Permission provided for a number of parameter plans which established a series of clear principles and guidelines to help shape the future of the development. These plans also help drive the direction of the development and set a fix quantum of works, while determining the maximum and minimum controls in relation to the built forms, land uses, height levels and access arrangements. Any assessment of subsequent phases shall be informed by these plans. As such, the key parameter plans relevant to the consideration of this application are as follows:

Parameter Plan Buildings to be Demolished 716_00_07_002 Revision P2: This established the number of existing onsite buildings to be demolished to make way for the new development.

Parameter Plan Development Area 716_00_07_003 Revision P3: This plan defines the extent and outline of the private space occupied by the buildings and their associated front and rear gardens. It also prescribes the maximum developable area per zone (the maximum Gross Internal Area). Outside of these defined zones is space belonging to the public realm comprising of roads, footpaths and public open spaces.

Parameter Plan Building Heights 716_00_07_004 Revision P3: This plan establishes the minimum and maximum building heights from ground level and sets limits for future ground levels within the site. It also controls all possible building storey numbers.

Parameter Plan Open Space 716_00_07_005 Revision P3: Establishes the location and extent of public open spaces and associated shared surfaces together with any tree planting strategies, neighbourhood play areas, Doorstep play areas and bridge links.

Parameter Plan Ground Floor Frontage Uses 716_00_07_006 Revision P3: This plan establishes the locations of the shop frontages, schools and building frontages.

Parameter Plan Typical Above Ground Frontage Uses 716_00_07_007 Revision P3: This plan establishes the general building frontages that would be largely visible above ground.

Parameter Plan Car Park 716_00_07_008 Revision P3: This plan provided an outline illustration as to the likely position of any underground, ground level and carpark zone and associated entrance as part of the development.

Parameter Plan Strategic Phasing 716_00_07_009 Revision P4: This plan defines the phasing strategy for the redevelopment. As the redevelopment of the estate involves re-housing existing tenants the phase boundaries have been informed by land availability, maintaining access and the likely requirements of each phase.

Parameter Plan Vehicular and Pedestrian Circulation 716_00_07_010 Rev 02 Revision P3: This establishes the movement strategy for the site and the locations of primary and secondary access points to the site for vehicles, cycles and pedestrians including connections to the surrounding network as well as identifying street hierarchy, bus routes and possible locations for bus stops.

These plans are read in conjunction with the Design Guidelines and other supporting documents originally submitted as part of the hybrid application, which expand upon the details in the parameter plans. Collectively these establish a series of development principles that are used to guide the detailed design of future phases to ensure the overall resulting development is in accordance with the outline elements of the hybrid permission.

Details submitted as part of the Reserve Matters application for Phases 5 and 6 demonstrate that the application broadly accords with the agreed parameters of the outline consent with the exception of some minor differences.

Deviations from parameter plans and master plan.

While the majority of the development complies with the parameter plans and Design Guidelines of the 2013 masterplan, there are several minor deviations which are outlined below:

Deviations Design Specification Strategic Housing Mix Table 4.4

Deviation in private studio, 1 bed and 3 bed units, together with minor deviations in the number of 2 bed and 3 bed intermediate units as set out below:

- Private Units - No. of studio units is 4% (Table 4.4 suggests 0%); no. of 1 bed units is 36% (Table 4.4 suggests a range of 20-35%); no. of 3 bed units is 8% (Table 4.4 suggests a range of 10-20%).
- Intermediate Units – No. of 2 bed units is 53% (Table 4.4 suggests a range of 30-44%); no. of 3 bed units is 9% (Table 4.4 suggests range of 15-30%).

The stated reasons for the above changes are as follows:

- Improve affordability of private units;
- React to market demand in this accessible central location;
- Ensure that the tall buildings contain a mix of units, rather than 2 bed units.

In relation to officer assessment of the proposed change, while there is a reduction in the number of 3 bed units, none of these affect affordable rented units and both private and intermediate 3 bed units can have significant affordable problems. It is also noted that other larger 3 bed units are provided elsewhere in the regeneration so in wider percentage terms the change will be limited and contributes to a broad housing mix of different typology.

Deviations in Strategic Phasing with respect to Proposed Landscaping (Between Block D and Block E)

The reserved matters application includes an element of proposed landscaping to the south of Block D (Phase 6) and between Block D and Block E (Phase 3). This open strip of land runs through the masterplan site from the Broadway to the Welsh Harp.

Whilst this proposed landscaping serves / mitigates the proposed reserved matters blocks in Phase 6 (i.e. Block D) it does sit outside of the area identified for Phase 6 on the Strategic Phasing Parameter Plan. Instead, it falls within the area identified for Phase 3 (just above the triangular section of Phase 6 land which protrudes into Phase 3). However, the proposed landscaping area is included within the reserved matters

red line, and is within the wider Hybrid masterplan red line area.

Deviations in Strategic Phasing with respect to Proposed Landscaping (at Silk Stream Plaza)

The reserved matters application includes an element of proposed landscaping to the north of Block D and inside Phase 5 as identified on the parameter plan.

Whilst the proposed landscaping serves / mitigates the proposed reserved matters blocks in Phase 6 (i.e. Block D) it does sit outside of the area identified for Phase 6 on the Strategic Phasing Parameter Plan. Instead, it falls within the area identified for Phase 5 (just to the north). However, the proposed landscaping area is included within the reserved matters red line, and is within the wider Hybrid masterplan red line area.

These minor changes to the landscaping parameter plans as set out above do not raise any strategic issues and are considered acceptable by officers.

Deviation in heights

The scheme involves minor amendments and alterations to the approved maximum parameter heights of Block D (which is located close to the Welsh Harp). The changes are illustrated in the below table. The changes are fairly small in both absolute and percentage terms and are considered acceptable by officers due to the location in a less sensitive part of the development in relation to existing neighbouring residential properties and would not be perceivable as different when seen from ground level by the naked eye.

Table 2.2: Maximum Building Height Changes

Block	Consented (mAOD)	Proposed (mAOD)	Change (m)
Block B	80.85	80.85	N/A
Block D1	69.12	69.80	+ 0.68
Block D2	75.12	75.80	+ 0.68
Block D3	66.12	66.80	+ 0.68
Block D4	143.55	145.55	N/A
Block D5	120.80	122.52	+ 1.72
Block D6	75.40	75.40	N/A
Block D7	66.05	66.05	N/A
Block D8	87.40	87.40	N/A

Car Parking and Car Parking ratios

The Car Park parameter plan has been amended to accommodate the revised layouts and to reduce the site-wide car parking ratio. The Applicant wishes to make an amendment to Condition 68 attached to the Planning Permission to facilitate a lower parking ratio to be attributed to the forthcoming reserved matters application for Phase 5 and 6. The proposed parking ratio for the forthcoming Phase 5 and 6 reserved matters application is 0.45.

This proposed parking ratio is lower than that approved for the earlier reserved matters approvals for Phase 5 and 6 in June 2018. However, this lower parking provision is in line with the current 2021 London Plan standards. To achieve this Phase 5 and 6 car parking ratio, there is a requirement to lower the site-wide parking ratio as controlled by Condition 68. This application proposes to reduce the site wide ratio from 0.8 to 0.7, which will facilitate the lower Phase 5 and 6 parking ratio (of 0.45).

The below table shows car parking provision for Phases 3 and 4 to date, plus the proposed parking level in the forthcoming Phase 5 and 6 reserved matters application. Figure 1 confirms a requirement to reduce the site wide level to 0.7 to achieve 0.45 in Phases 5 and 6. This would result in a site wide reduction of 97 car parking spaces from the requirements of the 0.8 car parking ratio to the Amended Development (1,601 previously required to 1,504 proposed).

Figure 2.1: Provided and Proposed Car Park Ratio

PHASE	BLOCK	UNITS	REQUIRED		PROVIDED		RATIO
			RATIO		UC/BASEMENT	SURFACE	
3	E	287	0.8	526	151	75	0.86
	F	207			303		
	G1/G2/G4	87			36		
	H3/H4	76			0		
SUB-TOTAL		657			490	75	
4	H1/H2	86	0.8	489	545	65	0.89
	J	324					
	K	186					
	M	15					
SUB-TOTAL		611			545	65	
5 AND 6	A	-	0.45			27	0.45
	B	84			7		
	C1-C4	-					
	D1-D8	648			295		
	G3/G5/G6	-					
SUB-TOTAL		732			302	27	
SUB-TOTAL		2000			1337	167	0.75
TOTAL		2000			1504		

Transport matters are discussed in more detail later in this report although overall the proposed amendments to the car parking ratio and quantum are considered broadly acceptable by officers being similar to other similar consented developments and being closed to current planning policy.

7.3 Design (scale, layout, appearance)

The National Planning Policy Framework (revised, 2023) 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 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.

Scale

As detailed above, the original parameter plans controlled the maximum height and building footprint for the scheme. Particular attention has been given to the need to create interest through architecturally active frontages and a variety of building heights, volumes, materials and facades. When completed, the development would result in an attractive skyline and give the development an architectural character of its own. The scale of the development also enforces strong building edges.

The proposed reserved matters application the subject of the current planning application is broadly in compliance with the proposed heights parameters with the exceptions of the minor variations in the height of some of the buildings in Block D which are illustrated above as minor in nature and can be considered non material in so far as the minor changes would not be noticeable from a ground level perspective.

Materials

Details submitted with the application demonstrate that the material pallet for Phases 5 and 6 has been informed by that agreed in the 2013 masterplan. Materials are complementing across plots and provide enough variation on site to relate to the architecture of buildings and proposed landscape. The bricks for this element of the development will include some additional pinks, reds and browns to the predominantly buff palette. However this will be formally agreed at a later date. Any brick will nevertheless be informed by general pallet for the development. The materials have also been informed from the analysis of existing context and applied where appropriate. As a result, the use of the material pallet allows for sufficient variation which avoids unnecessary repetition throughout the new development.

Housing 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.

Under the Hybrid Permission an indicative housing mix was agreed to be formalised under subsequent Reserve Matters applications. The housing mix should be informed by the housing needs within the Borough identified by the Council.

As previously mentioned the Phase 5 and 6 reserved matters application consists of 732 residential dwellings (564 market and 168 intermediate), with a unit mix of 61 studios, 237 one bed, 388 two bed and 46 three bed units.

The housing mix is discussed partly above under ES deviations and is considered appropriate in relation to these phases. It is also noted that the changes to the number of 3 bed units affects private and intermediate sized units only, for which there is a lack of demand for flatted units of this size due to affordability concerns. One bed units have also been identified in the recent housing needs assessment and an increase in this typology is also broadly supported.

Density

Chapter 11 of the National Planning Framework (Revised 2023) (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 Mayor's Housing SPG, at paragraph 1.3.12, further states that the density ranges should be "*used as a guide and not an absolute rule, so as to also take proper account of other objectives*". It does not preclude developments with a density above the suggested ranges, but requires that they "*must be tested rigorously*" (para.1.3.14). This will include an examination of factors relating to different aspect of "*liveability*" of a proposal (dwelling mix, design and quality of accommodation), access to services, impact on neighbours, management of communal areas and a scheme's contribution to '*place shaping*'. The impact of massing, scale and character in relation to nearby uses will be particularly important.

The SPG also considers the opportunities and constraints with regards to density on small sites (para.1.3.39). Responding to existing streetscape, massing and design of the surrounding built environment should be given special attention – where existing density is high, for example, higher density can be justified. Paragraph 1.3.40 notes that small sites require little land for internal infrastructure, and as such, it is appropriate for density to reflect this.

Based on the London Plan calculation, the phases would have a density of 362 units per hectare which is considered acceptable in this location and within the masterplan parameters.

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.

Internal space Standards for future Occupiers

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 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.

Access/Disabled Units

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.

Sunlight and Daylight to Proposed Units

The application is accompanied by a Daylight, Sunlight and Overshadowing Analysis report prepared by Point 2 Surveyors which provides an assessment of the potential impact of the development on sunlight, daylight and overshadowing to 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

This assessment includes Climate Based Daylight Modelling (CBDM) calculations, which have been undertaken to the proposed habitable rooms in accordance with the BRE guidelines. The CBDM methodology replaces the Average Daylight Factor (ADF) methodology. The applicant's Daylight Report advises that the new methodology is more complex, however is arguably a more accurate simulation of actual daylight levels but has targets that are generally more difficult to achieve in an urban context. Whilst ADF has been superseded by the new CBDM methodology, the Daylight Report continues to include the ADF results for comparison and as a benchmark.

The CBDM calculations show that 62.6% of the proposed habitable rooms should meet the suggested daylight standards. However, when assessed against the ADF method, 75.1% of the proposed habitable rooms will meet the suggested criteria which would typically be considered to be a good level of compliance for an urban area and

are considered appropriate by officers.

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 sunlight assessments show that over 70.2% of the proposed habitable rooms will meet the suggested sunlight criteria. However, when only main rooms with living room elements are taken into account, 86.2% will meet the BRE recommended criteria. Council officers are of the opinion that this is an acceptable result given the high density nature of the scheme and its urban location.

The Sun on Ground assessments (undertaken on 21 March) show that all amenity spaces will receive 2 hours of direct sunlight to at least 50% of their areas when aggregate values are taken into account. It is therefore considered that these amenity spaces will receive an adequate level of sunlight.

Outdoor amenity

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, whilst 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.

In relation to the application proposals all of the proposed units have access to private amenity space in the form of balconies or ground level gardens. In addition, units have access to communal amenity spaces such as podium deck gardens and roof gardens in addition to the wider public open space provided throughout the West Hendon regeneration area.

Fire Safety

London Plan 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 (BB7) 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. All buildings over 18 metres in height are also fitted with two staircores.

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.

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 Metropolitan Police were consulted on this application and did not raise any objections, but suggested a condition is attached to ensure that the development secures secured by design accreditation.

7.4 Affordable Housing and Viability

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 H4 seeks to maximise affordable housing delivery, with the Mayor setting a strategic target for 50% of all new homes to be genuinely affordable. London Plan Policy H5 states that the threshold level of affordable housing is a minimum of 35%, or 50% for public sector land and industrial land appropriate for residential uses in accordance with London Plan Policy E7 where the scheme would result in a net loss of industrial capacity. Policy H5 states that schemes can follow the Fast Track Route and are not required to submit viability information nor be subject to a late stage viability review if they meet or exceed the relevant threshold level of affordable housing on site without public subsidy; are consistent with the relevant tenure split; meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant; and demonstrate that they have taken account of the strategic 50% target and have sought grant to increase the level of

affordable housing.

Policy H6 of the London Plan sets out a preferred tenure split of at least 30% low cost rent (London Affordable Rent or social rent), at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined by the local planning authority taking into account relevant Local Plan policy. It is the expectation, however, that the remaining 40% is weighted towards low cost rent.

London Plan Policy H8 aims to protect the provision of affordable housing and create a policy framework for estate regeneration proposals. Part D of the policy establishes that demolition of affordable housing, including where it is part of an estate redevelopment programme, should not be permitted unless it is replaced by an equivalent amount of affordable housing floorspace. Part E of Policy H8 contends that all development proposals that include the demolition and replacement of affordable housing are required to follow the Viability Tested Route and should seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace.

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%.

Emerging Barnet Local Plan Policy HOU01 (Affordable housing) advises that within the context of a strategic London Plan target of 50% of all new homes to be affordable, the Council will seek a minimum of 35% affordable housing from all developments of 10 or more dwellings with a 60/ 40 split between low cost rent and intermediate such as shared ownership. On Housing Estates (Policy GSS10) the Council will seek to replace existing affordable housing whilst considering the specific circumstances of each site, it will facilitate the right of return for existing social rent tenants from estates into new social rent accommodation.

The current phases involve the erection of 732 residential dwellings of which 564 are market and 168 intermediate units. This equates to an affordable housing percentage of 23% for this particular phase. This is identical in amount to the previous reserved matters approvals for these phases.

Site wide - encompassing the entirety of the West Hendon Regeneration consented in the 2013 masterplan - the development would provide the following:

Tenure	No. Units
Private	1428
Affordable Rent	219
Intermediate	353

Total	2000
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The proposed mix has been assessed by the Council's in house viability officer who has confirmed that the reserved matters phase is providing the maximum quantum of affordable housing and accords with the 2013 Masterplan. It is noted that the Detailed Planning application, which forms a separate item on this agenda, is providing 50% affordable housing with a 60/40 split.

7.5 Impact on Neighbouring Amenity

Part of the 'Sustainable development' imperative of the NPPF 2023 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2021 policy D6 'Housing Quality and Standards', and is implicit in other policies contained within Chapter 3 'Design'. 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.

The application proposes windows within all its elevations. There are also balconies and terraces proposed to the north and east elevations. The application site is in the heart of a residential area. Therefore it is surrounded by residential gardens and would have shared boundary walls with several of these properties. However, the reserved matters site does not directly adjoin any residential units that do not form part of the current development.

Therefore there are no specific elements of the building layout, scale or position that would have a significant impact on the loss of any existing or future residential units as part of the wider site. As such, the development is more than compliant with the required policies governing loss of privacy, outlook, overshadowing and overlooking to any future neighbours.

Daylight, sunlight and overshadowing

The Daylight, Sunlight and Overshadowing assessment for the reserved matters application was presented within Section 5.7 of the EIA RMA Statement of Conformity (SoC) submitted in support of the application. The RMA SoC was prepared to assess the design proposals and alterations set out for the reserved matters development against the previously consented scheme and considered whether the conclusions of the ES (as amended) remain valid. As such, there was no standalone assessment of effects to neighbouring properties, as this assessment compared the effects of the reserved matters development to the previously reported

effects in the ES (as amended). This concluded that the reserved matters development was unlikely to give rise to different effects to those identified within the ES (as amended).

As the only physical changes are to Block G at the lowest part of the development and these changes are minor in scale i.e. between 0.68m and 1.72 it is not considered that the proposal would result in any significant impact on daylight, sunlight or overlooking over the extant approvals.

7.6 Landscape

London Plan Policy G7 (Trees and woodlands) also requires that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, 'i-tree' or CAVAT or other appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

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

The Arboricultural Officer has commented on the submission and commented that there are no existing trees within the redline boundary and raised no objections subject to appropriate conditions concerning landscaping and landscape maintenance. It is noted that these conditions were attached to the outline approval and as such do not need to be attached to the reserved matters approval.

7.7 Sustainability

The application site falls within Flood Zone 1. The site is considered to be at low risk from all other sources of flooding. The site is also not located within a critical drainage area (CDA), as defined in the Barnet Surface Water Management Plan (2011). In light of this, it is considered that the proposed development would be appropriate in flood risk terms.

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 develops that would reduce energy consumption through building orientation, massing and landscape.

In keeping with the fundamental practices of the NPPF, the Council's Local Development Plan provides policies to enforce sustainable practices. In particular, Policy CS (NPPF) states that a positive approach will be taken for developments that have been built to sustainable methods. Policy DM01 of the Local Plan states that all developments should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation.

This approach is also echoed by the London Plan Policy SI 2 (Minimising greenhouse gas emissions) which 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 Regulations¹⁵² 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.

The applicant has submitted details regarding the sustainability and energy efficiency of the scheme. This advises that the energy strategy at West Hendon delivers carbon savings well beyond the latest Part L regulations, significantly exceeding the benchmark requirements within the 2013 outline application.

The energy solution also complies with various LBB and GLA policies that encourage connection to existing community heating networks, and further expanding networks to meet demand through renewable and low carbon sources.

The provision of on-site renewables is maximised through the use of Photovoltaic arrays on suitable flat roof space. The approach is founded on three principles defined by the Energy Hierarchy: install systems and fabric that ensure energy efficiency and the initial reduction of energy demand to a level that exceeds GLA policy; supply heating and hot water via a community network supplied from a decentralised energy centre that will contribute to the decarbonising of London's heat network, and optimise the contribution of renewable energy suitable for the site.

Overall the proposed energy strategy is considered broadly acceptable by Council Officers although further clarity will need to be provided to the GLA as part of the Stage 2 referral process.

7.8 Access

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 level. 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.

The proposed street plan represents a coherent and legible layout with continuous views from The Broadway to the Brent Reservoir. The access routes throughout the development would result in a pleasant environment with a distinct character to the overall space. There is also continuity in the movement of pedestrian walkways. The use of greenery further helps generate beauty in the walkways. The width of the main pedestrian route connecting the Broadway to the Welsh Harp Reservoir satisfies the overarching principle of designing for pedestrians. The orientation of the pedestrian link is also aligned in order to increase connectivity with Station Road which is a welcome move as it will enhance the effectiveness of pedestrian movement. In addition, the differing characters of the streets provide a smooth transition from the urbanised environment of the Broadway and the adjoining phases.

Public Transport

The site as a PTAL level of between 2 and 3 which is average. Notwithstanding this the site is well served by public transport with the closest bus stops being West Hendon Broadway/ Herbert Road (Stop HM) in the northbound direction and West Hendon Broadway/ Herbert Road (Stop HC) in the southbound direction. Both stops are located approximately 30m from the Site and each has a shelter, seats and timetable information.

A summary of the local bus routes and frequencies (buses per hour (bph)) is provided in the table below which demonstrates that there is a weekday frequency of 27 buses in the AM peak hour and 28 buses in the PM peak hour.

Service	Service Type	Origin/ Destination	Weekday AM Peak (bph)	Weekday Off-Peak (bph)	Weekday PM Peak (bph)
West Hendon Broadway / Herbert Road (Stop HM), Northbound					
32	Normal	Edgware Station	7	7	7
83		Alperton Station	7	7	7
142		Watford Junction	5	5	5
183		Pinner	7.5	7.5	7.5
632	School	Saracens High School	1 (08:06)	-	-
642		London Academy	1 (07:20)	-	-
653		Jewish Free School	1 (07:51)	-	-
683		Jewish Free School	1 (07:49)	-	-
N5	Night	Edgware Station	-	-	-
N16		Edgware Station	-	-	-
N83		Ealing Hospital	-	-	-
West Hendon Broadway / Herbert Road (Stop HC), Southbound					
32	Normal	Kilburn Park Station	7	7	7
83		Golders Green	7.5	7.5	7.5
142		Brent Cross	5	5	5
183		Golders Green	8.5	8.5	8.5
632	School	Cricklewood Broadway/ Kilburn Park Station	-	-	1 (15:48)
642		Last Stop	-	-	1 (15:55)
653		Muswell Hill	-	-	1 (15:39)
683		North Finchley	-	-	3 (15:39/ 15:44 / 15:49)
N5	Night	Whitehall/ Trafalgar Square	-	-	-
N16		Victoria Station	-	-	-
N83		Golders Green Station	-	-	-

Car Parking

The application supporting documents advise that 317 car parking spaces plus 8 motorbike spaces will be provided as part of the development. As set out in the below table.

Table 2.1: Proposed Car and P2W Parking

Location	Car (Standard)	Car (Accessible)	P2W	Total
Block B Podium	2	2	-	4
Block D Lower Ground	153	19	8	180
Block D Basement	122	-	-	122
On-Street	17	2	-	19
Total	294	23	8	325

As can also be seen from the above in relation to disabled parking, 23 spaces will initially be set out as disabled parking spaces which equates to approximately 7%. This could be increased to 10% if required by converting standard spaces to accessible blue badge standards in accordance with T6 of the London Plan 2021.

This proposed parking ratio is lower than that approved for the earlier reserved matters approvals for Phase 5 and 6 in June 2018. However, this lower parking provision is in line with the current 2021 London Plan standards. To achieve this Phase 5 and 6 car parking ratio, there is a requirement to lower the site-wide parking ratio as controlled by Condition 68. This application proposes to reduce the site wide ratio from 0.8 to 0.7,

which will facilitate the lower Phase 5 and 6 parking ratio (of 0.45).

The below table shows car parking provision for Phases 3 and 4 to date, plus the proposed parking level in the forthcoming Phase 5 and 6 reserved matters application. Figure 1 confirms a requirement to reduce the site wide level to 0.7 to achieve 0.45 in Phases 5 and 6. This would result in a site wide reduction of 97 car parking spaces from the requirements of the 0.8 car parking ratio to the Amended Development (1,601 previously required to 1,504 proposed).

Figure 2.1: Provided and Proposed Car Park Ratio

PHASE	BLOCK	UNITS	REQUIRED		PROVIDED		RATIO
			RATIO		UC/BASEMENT	SURFACE	
3	E	287			151	75	0.86
	F	207			303		
	G1/G2/G4	87			36		
	H3/H4	76			0		
SUB-TOTAL		657	0.8	526	490	75	
4	H1/H2	86				65	0.89
	J	324			545		
	K	186					
	M	15					
SUB-TOTAL		611	0.8	489	545	65	
5 AND 6	A	-				27	0.45
	B	84			7		
	C1-C4	-					
	D1-D8	648			295		
	G3/G5/G6	-					
SUB-TOTAL		732			302	27	
SUB-TOTAL		2000			1337	167	0.75
TOTAL		2000			1504		

On balance given the changing policy position, the proposed reduction in parking levels is welcomed and supported by the Council and would strike an appropriate balance between providing appropriate levels of car parking provision while encouraging the use of sustainable transport modes.

Cycle Storage

In line with Policy DM17 of the Development Management Plan, the Council requires the provision of a secure and adequate cycle parking space as identified in the London Plan. All new residential units are required to be provided with secure, convenient, sheltered on site cycle parking to encourage residents to use their bicycles for everyday short journeys in line with the London Plan. New flatted development like the one proposed here, should provide some space either inside the building, in a cycle store-room or provide a separate, secure and accessible bike shed within the overall development.

In relation to assessment of the appropriate level of cycle provision, as the application is a reserved matters application pursuant to an earlier outline planning approval it is the cycle parking standards in place at the time which apply which were the Revised Early Minor Alterations to the London Plan (REMA) 2013 rather than the standards contained in Policy T5 of the London Plan 2021.

Details submitted with the application demonstrate that cycle parking provision for each Block would be provided as shown on the following table:

Block	Long-Stay (spaces)			Short-Stay (spaces)
	Two-Tier Racks	1.8m Sheffield Stands	Total	
B	80	6	86	17
D1	48	2	50	
D2	40	4	44	
D3	62	4	66	
D4	178	10	188	
D5	132	6	138	
D6	64	4	68	
D7	26	2	28	
D8	102	6	108	
Total	732	44	776	20

The proposed number of cycle parking spaces is considered compliant with the above stated London Plan policy as applied at the time consent was granted for the masterplan approval.

In light of the above discussion on access, it is considered that details submitted in relation to this element of the reserve matters are compliant with policy.

7.9 Refuse and Recycling Storage

Under Policy CS14 of the 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, instead of relying on landfill sites such as that in Bedfordshire. The London Borough of Barnet has one of the largest carbon footprints per head of population in London. However it was the first local authority to introduce compulsory recycling in March 2005. As such, it is clear that the Council employs a sustainable approach to refuse and recycling. This approach also forms part of The Mayor of London’s objectives. The London Plan (see Policy 5.16 and 5.17) sets a target of working towards managing the equivalent of 100 percent of London’s waste within London by 2031. Meeting this target will require the use of new facilities and technologies.

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 10m2 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).

Condition 36 of the original Hybrid Permission required the submission of a Waste Management Plan to be submitted, assessed and approved by the Local Planning Authority. Details relating to this were submitted and approved under Approval of Details application reference 17/8162/CON. The details include the storage of waste and recycling, process of collection and the estimated volume of waste, as well as recycling provisions.

The submitted Design and Access Statement advises that:

‘All residents will be required to take their refuse to either ground level or lower ground level refuse stores. The refuse strategy has been established based on LBB’s ‘Information for developers, architects and managing agents: Provision of Household Recycling and Waste Service’ (June 2021) document. 1,100 litre eurobins will provide separate storage for mixed recyclables and general waste. Safeguarded space is allowed to accommodate future storage of food waste in 240 litre wheeled bins, should such a service be offered by Barnet Council in the future.

On collection days the on-site management team will collect bins from any stores that are beyond 10m of a carriageway and temporarily store them at Intermediate holding points before returning them following collection’

The plan is consistent with that approved for all previous phases and thus is considered acceptable.

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

9. VIABILITY, PLANNING OBLIGATIONS & CIL

As the planning application is for reserved matters approval no S106 is required as this was provided for under the original outline approval.

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.

Indicatively in accordance with figures provided with the application, the scheme would generate £ 5,641,597.35 in Barnet CIL calculations.

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.

Indicatively in accordance with figures provided with the application, the scheme would generate £ 1,456,135.74 in Mayoral CIL calculations.

10. 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 examined and taken into account by the Local Planning Authority in their assessment of this application.

The application has considered the relevant Reserved Matters submission and deemed the submitted details acceptable and in keeping with the spirit of the original West Hendon Hybrid Planning Permission. The proposal would not significantly affect the amenities of neighbouring residential properties. It would provide for much needed quality housing, including 168 affordable units. All with a good standard of accommodation including outlook, privacy and access to daylight.

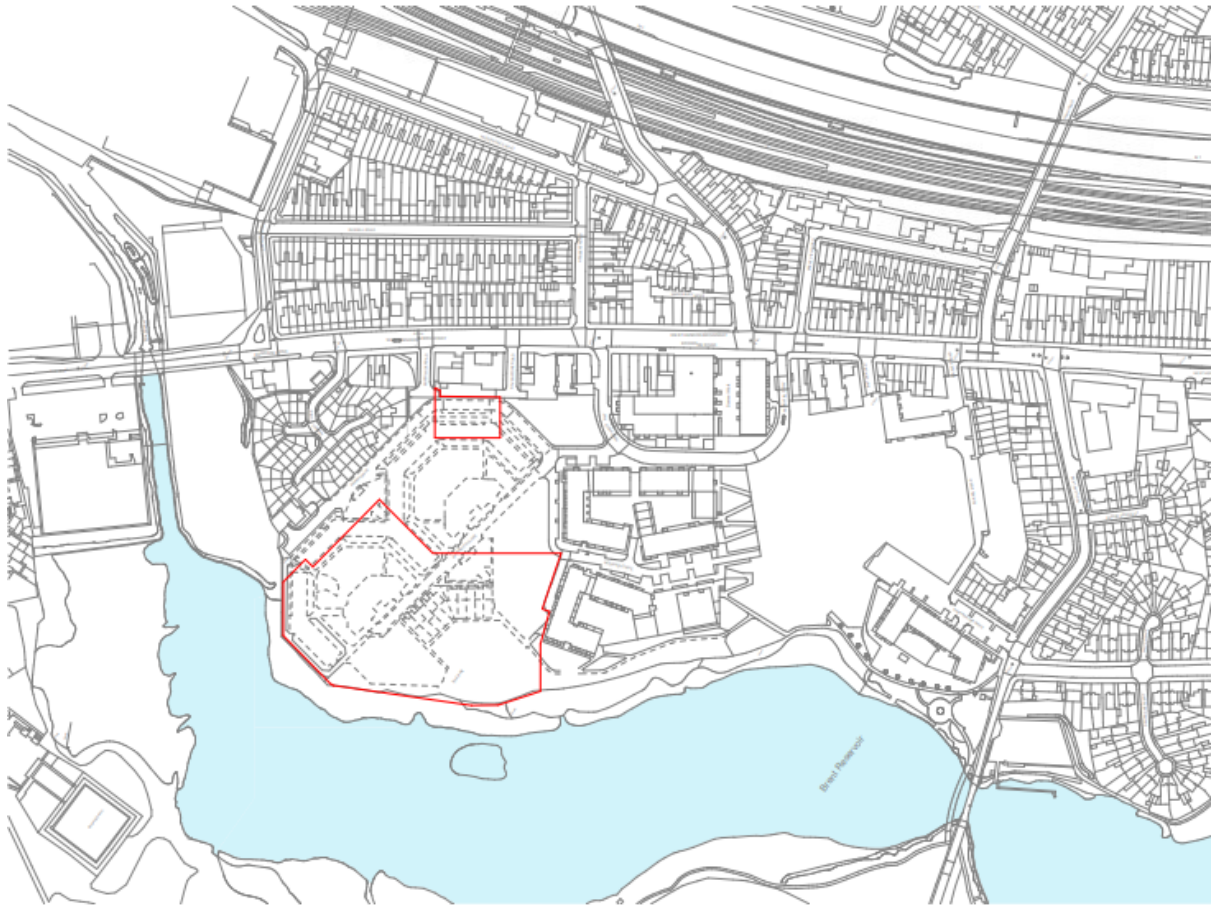
As conditioned, the proposal would not compromise the hybrid/outline planning permission (H/01054/13) for the redevelopment of the wider site. It accords with the relevant development plan policies and conforms to the design principles and parameters established in the approved outline application for the West Hendon Estate.

The design of the development is considered appropriate for its location, which also provides for a good level of variety and legibility in the built form. The materials, layout and building form relates well to the surrounding area resulting in a development that is permeable, well landscaped and aesthetically pleasing that sits well with the wider development and context. There are no significant deviations from the originally approved scheme, design inspiration and parameter plans.

In light of the above, the application is recommended for **Approval** subject to the attached conditions.

SITE LOCATION PLAN: West Hendon Estate, West Hendon Barnet NW9

REFERENCE: 23/1803/RMA



LOCATION: West Hendon Estate

REFERENCE: 23/1802/FUL

Received: 25 April 2023 **AGENDA ITEM 9**

Accepted: 25 April 2023

WARD(S): West Hendon

Expiry: 25 July 2023

APPLICANT: Barratt Metropolitan LLP

PROPOSAL: Comprehensive redevelopment of the site comprising the demolition of existing buildings and structures and the construction of 8 buildings from 2 to 12 storeys comprising of 350 residential units (Use Class C3), commercial uses (Use Class E), including Health Centre, basement, private and communal amenity space, associated car parking, cycle parking, refuse storage.

Background

Planning permission was originally granted in hybrid in 2013 for the comprehensive redevelopment of the West Hendon Estate for 2,000 homes, a new 2 form entry primary school, community building and commercial floorspace. The hybrid planning permission has been implemented and reserved matters have been submitted and approved for all phases (4-6 (excluding the school)), the most recent (Phases 5 and 6) being granted five years ago in 2018.

The development, known as Hendon Waterside, is well underway. Phases 1-2 have been completed under earlier planning permissions (2007 and 2008). Phase 3 (the detailed component of the hybrid) has been completed, and Phase 4 (the first phase of the outline component) is underway which will see major highway works delivered including the removal of the Perryfield Way gyratory, a key public benefit of the scheme. The 2018 Phase 5 and 6 reserved matters approvals have not been carried out.

The original red line of the hybrid planning permission was defined by land availability along West Hendon Broadway (A5), factoring in lease periods and CPO costs. An opportunity has now arisen whereby 213 The Broadway (an MOT garage) and 215 The Broadway (an NHS Doctors Surgery known as Hendon Way Surgery) has now become available for redevelopment. This is important as the 2013 permission includes land directly to the west of 215 The Broadway. Cumulatively, these individual land parcels comprise a city block, however, with only half the block falling within the 2013 hybrid planning permission this left a part developed frontage onto The Broadway which the development can now address under the current proposals.

The applicant (Barratt Metropolitan LLP) has also used the acquisition of this land to re-look at the opportunities available for the remaining, undeveloped, parts of Hendon Waterside whilst also exploring on an opportunity to provide more homes on largely the same land area that was subject to the 2017 Phase 5 and 6 reserved matters applications.

The applicant's strategy to achieve this is two-fold, namely:

- A reserved matters application for 732 homes as part of Phase 5 (Block B) and Phase 6 (Block D) pursuant to the 2013 hybrid permission. These applications complete the 2000 home maximum capped by the hybrid planning permission, and deals with the D Blocks and Block B; and

- A standalone detailed planning application for 350 homes, flexible town centre floorspace and a new health centre on land adjacent to the reserved matters application. The detailed application is on land identified as Phase 5 under the 2013 hybrid permission, and also includes the two new land parcels which are now available, dealing with Blocks A, C and G.

Both of the above applications form separate items on this agenda as the applications due to the linkage between the applications.

RECOMMENDATIONS

Recommendation 1

The application, being one of strategic importance to London, 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
50% affordable housing by habitable rooms providing 161 affordable housing units with a 60% SR/LAR and 40% intermediate housing split.

- (d) Carbon Offset Payment

Indicative payment of £659,438 towards Carbon Offset to meet mayoral zero carbon target. This will be confirmed on a final assessment prior to occupation.

- (e) Recruitment, employment and training

Forecasting of construction job opportunities; Notification of job vacancies; Local labour target; Jobs brokerage and skills training; Apprenticeships and work experience; Target local suppliers to be represented on subcontract/supply tender. All to the satisfaction of the Local Planning Authority.

- (f) Travel Plan measures and monitoring:
Including Provision of Travel Plans covering the following:
Travel Plan – Residential -
Travel Plan – Non-Residential

An appropriate Travel Plan Monitoring Fee would also need to be paid in relation to the above plans.

(g) Controlled Parking Zone

Contribution TBA towards a study of CPZ's in the vicinity of the site and the implementation or alteration to any CPZ on adopted roads in the vicinity of the site.

Traffic Regulation Order amendments to exclude (new) residents from CPZ permits

(h) Section 106 Monitoring contribution

Monitoring Contribution TBA.

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

Recommendation 3

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Service Director Planning & Building Control or Assistant Director to approve the planning application reference 23/1802/FUL under delegated powers, subject to the following conditions.

The Committee also grants delegated authority to the Service Director Planning & Building Control or Assistant Director to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) 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:

General Drawings

WSTHN MAK MPB XX DR AR 80-010 Masterplan - Red Line Drawing
WSTHN MAK MPB LG DR AR 80-020 Masterplan -Demolition Plan
WSTHN MAK MPB LG DR AR 80-120 Masterplan - Lower Ground Floor Plan
WSTHN MAK MPB 00 DR AR 80-121 Masterplan - Ground Floor Plan
WSTHN MAK MPB 01 DR AR 80-122 Masterplan - 01 Floor Plan
WSTHN MAK MPB XX DR AR 80-123 Masterplan - 02-04 Floor Plan
WSTHN MAK MPB 05 DR AR 80-124 Masterplan - 05 Floor Plan
WSTHN MAK MPB 06 DR AR 80-125 Masterplan - 06 Floor Plan
WSTHN MAK MPB 07 DR AR 80-126 Masterplan - 07 Floor Plan
WSTHN MAK MPB 08 DR AR 80-127 Masterplan - 08 Floor Plan
WSTHN MAK MPB 09 DR AR 80-128 Masterplan - 09 Floor Plan
WSTHN MAK MPB 09 DR AR 80-129 Masterplan - 10 Floor Plan
WSTHN MAK MPB XX DR AR 80-130 Masterplan - Roof Plan
WSTHN MAK MPB XX DR AR 80-280 Masterplan - Site Elevations - East Street
WSTHN MAK MPB XX DR AR 80-281 Masterplan - Site Elevations - West Street
WSTHN MAK MPB XX DR AR 80-380 Masterplan - Section 1 of 1

Block A

WSTHN MAK AZ 00 DR AR 80-130 Block A - 00 Floor Plan
WSTHN MAK AZ 01 DR AR 80-131 Block A - 01 Floor Plan
WSTHN MAK AZ 02 DR AR 80-132 Block A - Roof Plan
WSTHN MAK AZ XX DR AR 80-230 Block A - Sections

WSTHN MAK AZ XX DR AR 80-330 Block A - Elevations
WSTHN MAK AZ XX DR AR 80-335 Block A - Bay Study

Block C

WSTHN MAK CZ LG DR AR 80-140 Block C - Lower Ground Floor Plan
WSTHN MAK CZ UG DR AR 80-141 Block C - Upper Ground Floor Plan
WSTHN MAK CZ 01 DR AR 80-142 Block C - 01 Floor Plan
WSTHN MAK CZ 02 DR AR 80-143 Block C - 02 Floor Plan
WSTHN MAK CZ 03 DR AR 80-144 Block C - 03 Floor Plan
WSTHN MAK CZ 04 DR AR 80-145 Block C - 04 Floor Plan
WSTHN MAK CZ 05 DR AR 80-146 Block C - 05 Floor Plan
WSTHN MAK CZ 06 DR AR 80-147 Block C - 06 Floor Plan
WSTHN MAK CZ 07 DR AR 80-148 Block C - 07 Floor Plan
WSTHN MAK CZ 08 DR AR 80-149 Block C - 08 Floor Plan
WSTHN MAK CZ 09 DR AR 80-150 Block C - 09 Floor Plan
WSTHN MAK CZ RP DR AR 80-151 Block C - Roof Plan
WSTHN MAK CZ XX DR AR 80-240 Block C - Sections 1 of 2
WSTHN MAK CZ XX DR AR 80-340 Block C - Elevations 1 of 3
WSTHN MAK CZ XX DR AR 80-341 Block C - Elevations 2 of 3
WSTHN MAK CZ XX DR AR 80-342 Block C - Elevations 3 of 3
WSTHN MAK CZ XX DR AR 80-343 Block C - Internal Elevations 1 of 2
WSTHN MAK CZ XX DR AR 80-344 Block C - Internal Elevations 2 of 2
WSTHN MAK CZ XX DR AR 80-345 Block C - Elevations Birds and Bat Boxes 1 of 2
WSTHN MAK CZ XX DR AR 80-346 Block C - Elevations Birds and Bat Boxes 2 of 2

Block G

WSTHN MAK GZ 00 DR AR 80-160 Block G - 00 Floor Plan
WSTHN MAK GZ 01 DR AR 80-161 Block G - 01 Floor Plan
WSTHN MAK GZ 02 DR AR 80-162 Block G - 02 Floor Plan
WSTHN MAK GZ 03 DR AR 80-163 Block G - 03 Floor Plan
WSTHN MAK GZ 04 DR AR 80-164 Block G - 04 Floor Plan
WSTHN MAK GZ 05 DR AR 80-165 Block G - 05 Floor Plan
WSTHN MAK GZ 06 DR AR 80-166 Block G - 06 Floor Plan
WSTHN MAK GZ 07 DR AR 80-167 Block G - 07 Floor Plan
WSTHN MAK GZ 08 DR AR 80-168 Block G - 08 Floor Plan
WSTHN MAK GZ RP DR AR 80-169 Block G - Roof Plan
WSTHN MAK GZ XX DR AR 80-260 Block G - Sections
WSTHN MAK GZ XX DR AR 80-360 Block G - Elevations 1 of 2
WSTHN MAK GZ XX DR AR 80-361 Block G - Elevations 2 of 2
WSTHN MAK GZ XX DR AR 80-362 Block G - Internal Elevations 1 of 2
WSTHN MAK GZ XX DR AR 80-363 Block G - Internal Elevations 2 of 2
WSTHN MAK GZ XX DR AR 80-364 Block G - Elevations Birds and Bat Boxes

Planning Statement
Affordable Housing Statement (In Planning Statement)
Accommodation Schedule
Statement of Community Involvement
Sustainability Statement (incl. BREEAM Assessment)
Energy Strategy
Domestic & Non-Domestic Overheating Assessment
Whole Life Carbon Assessment

Circular Economy Statement
Internal Daylight Assessment
Fire Strategy
Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement
Preliminary Ecological Assessment
Biodiversity Net Gain Assessment
Flood Risk Assessment (inc. Drainage)
Foul Sewage and Drainage Assessment (Surface Water & SuDs Report & Drainage Assessment Form)
Utilities Assessment
Health Impact Assessment
Transport Assessment (including Draft Construction Logistics Plan); Framework
Travel Plan; Delivery and Servicing Management Plan; Waste Management Plan;
Car Park Management Plan
Environmental Statement Volumes 1, 2 & 3
Environmental Statement Non Technical Summary

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

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

3. Unless otherwise agreed with the Local Planning Authority, no construction works shall occur outside the following times:

08:00 – 18:00 hours weekdays

08:00 – 13:00 hours Saturdays

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

4. The development shall provide a total of 10% of units across the site designed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users 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 D7 of the London Plan; and Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

5. Prior to the commencement of the superstructure of relevant building within the development (other than demolition or Enabling Works), 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)
- iii. Building lighting
- iv. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- v. Details of any proposed biodiverse roofs
- vi. Details of any building security measures including cctv

Thereafter the feature hereby approved shall be installed prior to occupation of the relevant phase 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 policies D1, D3 & D4 of the London Plan 2021.

6. All non-residential units shall achieve a minimum of BREEAM Very Good. Within three months of first occupation of the building, a copy of the summary score sheet and BREEAM Post Construction Certificate shall be submitted to the Local Planning Authority to demonstrate that this has been achieved.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policy SI 2 of the London Plan 2021.

7. No residential unit shall be occupied until the private and/or communal amenity space provision, (excluding public open space) for that unit is available in accordance with the Approved Plans.

Reason: To ensure there is adequate amenity space available for all residential units.

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

Reason: To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy S4 of the London Plan 2021.

9. Prior to first occupation of each phase, a scheme for the provision of communal/centralised satellite and television reception equipment shall be submitted

for approval for that phase unless otherwise agreed in writing by the Local Planning Authority. The equipment shall thereafter be retained and made available for use by all occupiers of the relevant phase.

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

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

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

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

11. a) Prior to the commencement of the superstructure of a relevant building within the development (other than demolition and site preparation works) details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D1, D3, D4 and G7 of the London Plan 2021.

12. a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of each phase of the hereby approved development.

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

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and G7 of the London Plan 2021.

13. a) Prior to the commencement of the superstructure of a relevant building within the development (other than demolition and site preparation works), details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

14. a) Prior to the commencement of the substructure works hereby approved for each relevant phase a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

15. a) Prior to the first occupation of each phase of the hereby approved development, details of the location of any proposed green roofs have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

16. a) Prior to the occupation of each phase of the hereby approved development, details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy G4, G5 & G7 of the London Plan 2021.

17. The development shall not be occupied until details comprising a scheme of measures to enhance and promote biodiversity shall be submitted the Local Planning Authority and approved in writing. The scheme submitted shall include (but not be limited to) details of biodiversity enhancement measures related specifically to bats and birds. The approved scheme of measures shall be implemented in full in accordance with the approved details before the first occupation.

Reason: To ensure that the development represents a 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.

18. a) No phase shall be brought into use or first occupied until details of the means of enclosure, including boundary treatments for that phase have been submitted to and approved in writing by the Local Planning Authority.

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

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

19. (1) prior to carrying out above grade works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full 'Secured by Design' Accreditation.

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

(2) Prior to the first occupation of each building or part of a building or use, 'Secured By Design' accreditation shall be obtained for such building or part of such building or use.

Reason: To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

20. Prior to the commencement of the superstructure of a relevant building within the development, an air quality neutral assessment report shall be written in accordance with the relevant current guidance. This report shall be submitted to and approved by the Local Planning Authority.

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

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

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

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

21. The level of noise emitted from any plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

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

22. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

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

Reasons: In the interest of good air quality in accordance with London Plan policies SI1 & SI2.

23. Notwithstanding the plans submitted, disabled parking spaces shall be provided and clearly marked with a British Standard disabled symbol where appropriate. Such arrangements shall be completed to the Authority's satisfaction before the building is first occupied and shall thereafter be kept available/ maintained for such use.

The Blue Badge spaces will be allocated to registered Blue Badge holders in the first instance. Any surplus disabled spaces can be allocated to remaining residents on a first-come first-served basis subject to a strategy to be submitted and agreed by the Local Planning Authority prior to first occupation of each block. The strategy to be submitted will ensure that residents who become Blue Badge holders or new residents who are Blue Badge holders can be allocated one of the surplus disabled spaces where appropriate.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core

Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

24. Before development hereby permitted is occupied for each phase, parking spaces, cycle parking and turning spaces shown on the plans hereby approved shall be provided and marked out within the site in accordance with the approved plans. Thereafter, the parking spaces shall not be used for any purpose other than the parking and turning of vehicles, in connection with the approved development.

Reason: To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic.

25. Prior to demolition the development hereby permitted a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

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

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

- i. location and layout of car parking spaces,

- ii. The allocation of car parking spaces;
- iii. On site parking controls and charges;
- iv. The enforcement of unauthorised parking; and
- v. disabled parking spaces
- vi. Electrical Vehicle Charging Points.

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 shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

27. The approved development shall make provision for cycle parking and cycle storage facilities for each phase of the development in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

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

28. Before a phase of the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to for each phase and agreed by the Local Planning Authority.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

29. Before a phase of the permitted development commences details of the refuse collection arrangements on each phase shall be submitted to and agreed by the Local Planning Authority.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

30. Prior to commencement of development of a phase (other than demolition or site preparation works), details of the street lighting provision for each phase shall be submitted to and agreed by the Local Planning Authority.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

31. Notwithstanding the submitted plans, no block within a phase shall be occupied unless and until details of a scheme for the installation of petrol/oil interceptor(s) in all car parks located within that phase have been submitted to an approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme and shall be provided before the car park(s) to which the scheme relates is brought into use.

Reason: In order to prevent oil-polluted discharges entering local watercourses in accordance with Policies G6 & SI5 of the London Plan 2021.

32. Prior to occupation of any phase a framework for the assessment of the impacts to the SSSI from increased recreation associated with the new population will be undertaken in consultation with Natural England. This shall include a timescale for the undertaking of a survey of such impacts following occupation.

The survey shall take place in accordance with the agreed framework to consider appropriate avoidance/mitigation measures from any identified impacts of the increase in recreational activity with comment and undertakings on how they will be secured in the long-term.

Such the Framework and Survey findings shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development does not prejudice the adjacent SSSI and that onsite ecological features are protected, enhanced, created and managed in accordance with policies DM16 of the Barnet Local Plan and G6 of the London Plan 2021.

33. Lighting of and within buildings (including balconies) will be implemented to minimise light spill so as not to exceed 0.5lux within the SSSI woodland buffer or the wet woodland, including up to 20m above the woodland canopy.

Lighting of and within the Linear Park and adjacent public realm will be implemented to minimise light spill from the development so as not to exceed 0.5lux within the SSSI woodland buffer or the wet woodland, including up to 20m above the woodland canopy.

Reason: To ensure the development does not prejudice the adjacent SSSI and that onsite ecological features are protected, enhanced, created and managed in accordance with policies DM16 of the Barnet Local Plan and G6 of the London Plan 2021.

34. Prior to the commencement of development within each phase of the outline scheme details of any surface water run-off and ground water that is proposed to drain into the waterway shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Canal & River Trust and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure in line with Policies G6 & SI5 of the London Plan 2021.

35. The phasing of development shall be in general accordance with a phasing plan to be submitted to the Council prior to commencement of development of a phase (other than demolition, land remediation or Site Preparation Works). The phasing plan shall identify the location of the phase of development and shall provide a reference for that phase. The Development shall be carried out in accordance with the phasing plan.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure a coordinated approach to the delivery of the development.

36. For the purposes of the Community Infrastructure Levy Regulations 2010 (as amended) this is a phased development. Prior to commencement of each phase of CIL development, a CIL development plan establishing the extent of the CIL development shall be submitted to and approved by the Council. Each CIL development approved by this condition shall be considered a separate chargeable development for the purposes of calculating Community Infrastructure Levy.

Reason: For clarity, and to ensure CIL liability payments are phased and that each phase of the development is treated as if it were a chargeable development for levy purposes, in accordance with Regulation 8(3A) as amended by the Community Infrastructure Levy Regulations 2010 (as amended).

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 186 and 187 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 development is in accordance with the Development Plan.

3. Please be aware that additional conditions may be imposed as part of reserved matters approval in the event that issues are encountered which are covered by conditions in this decision notice.

4. The submitted Construction Method Statement shall include as a minimum details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used

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

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

5. Acoustic Consultant

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

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

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

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

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

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

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

6 Contaminated Land

In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

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

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

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

9. 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.

10. The Community Infrastructure Levy (CIL) applies to all 'chargeable development' where gross internal area of new build on the relevant land will be 100 square metres or more, or where development will comprise one or more dwellings.

Details of how the calculations work are provided in guidance documents on <https://www.gov.uk/guidance/community-infrastructure-levy>.

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 £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. This was increased to £60 per sqm on 1st of April 2019. 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 surcharges. 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.

11. Site Preparation: Comprises works of demolition, surveys, site clearance, ground investigation, the erection of fencing or hoardings, the provision of security measures and lighting, the erection of temporary buildings or structures associated with the development, the laying, removal or diversion of services, construction of temporary access, temporary highway works, and temporary estate roads.

12. Superstructure: Superstructure works are defined as part of the building above its basement or foundations

13. Phase of Development: This is a phased development. A phase of development can comprise a phase defined for the purposes of CIL and/or a phase defined for the purposes of the discharge of planning conditions and/or a

construction phase or sub-phase, and for the purposes of discharging relevant planning obligations. A phase can comprise site preparation works, sub-structures, and/or buildings.

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 comprises The London Plan (published March 2021) 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.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that the development will fulfil them to a satisfactory level, subject to the conditions and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan.

National Planning Policy Framework (September 2023)

This document replaces the previous version of the National Planning Policy Framework (NPPF) published in July 2021. The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

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

National Design Guide 2021

The National Design Guide (NDG) sets out the characteristics of well-designed places and demonstrates what good design means in practice. It advises that good design involves careful attention to other important components of place such as context, landscaping, technical infrastructure and social infrastructure. It continues that a well designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings and it comes through making the right choices at all levels, including layout, form and scale, appearance, landscape, materials and their detailing.

The guide identifies 10 characteristics which contribute to well-designed places and we have considered the following key attributes of the Guide as follows:

1. Context - enhances the surroundings
2. Identity - attractive and distinctive

3. Built form - a coherent pattern of development
4. Movement - accessible and easy to move around
5. Nature - enhanced and optimised
6. Public spaces - safe, social and inclusive
7. Uses - mixed and integrated
8. Homes and buildings - functional, healthy and sustainable
9. Resources – efficient and resilient
10. Lifespan - made to last

The Mayor's London Plan 2021

The London Plan 2021 is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.

The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. Borough's Local Plans must be in 'general conformity' with the London Plan, ensuring that the planning system for London operates in a joined-up way and reflects the overall strategy for how London can develop sustainably, which the London Plan sets out.

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

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

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, the aim is 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, PM₁₀ and PM_{2.5} 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)

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

London Plan Guidance - Affordable Housing (Draft) (May 2023)

This guidance provides detail on the various ways in which London Plan affordable housing requirements should be applied to residential development.

London Plan Guidance – Development Viability (Draft) (May 2023)

The guidance is relevant for all applications where an applicant, the local planning authority (LPA) or the Mayor wishes to rely on viability information. It should be read alongside the draft Affordable Housing LPG (May 2023).

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

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

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

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth

– The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 (Promoting Barnet's Town Centres)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well-being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet's Heritage and Conservation)

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

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet's town centres)

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

Supplementary Planning Guidance and Documents:

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

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. The independent Examination in Public commenced on Tuesday 20th September 2022 and concluded in November 2022. On the 17th August 2023, the Council received the Inspectors' interim findings and next steps. The Council is currently considering the content of this correspondence and preparing a written response.

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:

Affordable Housing (February 2008)
Sustainable Design and Construction (October 2016)
Planning Obligations (April 2013)
Delivering Skills, Employment, Enterprise and Training from Development through S106 (October 2014)
Sustainable Design and Construction (October 2016)
Residential Design Guidance (October 2016)
Green Infrastructure (October 2017)

1.2 Key Relevant Planning History

Hybrid planning permission reference H/01054/13 was granted on 20th November 2013. The application approved development comprising the demolition and

redevelopment of the West Hendon Estate to accommodate up to 2,000 residential units, a new 2 form entry primary school, community building and commercial uses and associated open space and infrastructure.

Outline permission was granted for the demolition of existing buildings and the construction of up to 1,642 new residential units (Class C3); up to 3,870m² (GEA) of Class D1 floorspace comprising nursery and primary school and community centre uses; and up to 1,635m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 2 to 29 storeys, associated cycle and car parking provision including basement level parking, landscaping and public realm works, interim works, associated highway works, and two pedestrian bridges across the Welsh Harp.

Full planning permission (Phase 3 Blocks G1, G2, E1, E2, E3, E4) was granted for the construction of 358 new residential units (Class C3), and 131m² (GEA) Class A1/A2/A3/A4/A5/B1 floorspace, within buildings ranging from 5 to 26 storeys, cycle and car parking provision including basement level parking, associated landscaping and public realm works, associated highway works, energy centre, and interim works.

Reserved Matters Applications

The reserved matters application for Phase 3b and 3c was granted on 26th March 2015 for 298 homes. Following this, the next reserved matters application, comprising Phase 4, was approved by LB Barnet on 18th July 2017 for 611 homes.

Reserved matters for Phase 5 comprising 216 residential units were approved on 25th June 2018, and the reserved matters application for Phase 6 was approved on the same date (25th June 2018) comprising 516 residential units. The 2018 Phase 5 and 6 reserved matters approvals have not been delivered.

Reserved Matters have been approved separately for the Cool Oak Lane Bridge (ref. 17/0168/RMA) on 23 January 2017, and the Silk Stream Bridge (ref. 18/1163/RMA) on 21 February 2018.

Reserved matters for the school can still be submitted before November 2025.

The hybrid permission has been implemented and remains extant. There are development caps on the amount of development that can be delivered under it including a maximum of 2,000 homes, 202,000sqm residential (Use Class C3); 3,870sqm community facilities (Use Class D1); 1,766sqm retail and related uses (Use Class A1-A5); and office (Use Class B1).

The legal agreement requires a baseline of 25% of the total number of residential units as affordable housing units of which a minimum of 43% shall be social rented housing with the remainder being intermediate housing (unless otherwise agreed with the Council).

A subsequent Reserved Matters application (Ref: 23/1803/RMA) was submitted accompanying the current application and will be reported to Planning Committee at the same time (reserved matters application to be considered by the committee before this application). This application is for the approval of reserved matters relating to appearance, landscaping, layout, scale, access, pertaining to Buildings B, D1, D2, D3, D4, D5, D6, D7 and D8 of the West Hendon Estate, including the construction of residential units (Use Class C3), flexible commercial floorspace (Use Class E), basement, parking and new landscaped public space pursuant to planning permission H/01054/13 dated 20/11/2013. The accompanying reserved matters application will effectively replace the 2018 Phase 5 and 6 reserved matters

approvals.

A S96a non material amendment application has also been submitted (Ref: 23/4260/NMA). This non material amendment is for '*Amendments include changes to the wording of conditions 5 and 7 and update to Strategic Phasing Parameter Plan*'. This application is currently being considered and would be determined in the event that committee resolves to grant planning permission for the reserved matters application and the current application. Procedurally however the S96a decision notice will need to be issued before the decision notices for the RMA and this application.

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 has included two Public Consultations events, each with 2 exhibition dates, held in July 2022 (the 21st and the 22nd of July) and January 2023 (the 10th and the 12th of January), with pop-up events held in the Community Hub located at West Hendon

Physical form newsletters were sent to the wider area to local residents and communities. Across the two events, 30 people attended the public exhibition and 11 feedback forms were submitted in person.

Further, regular West Hendon Partnership Board meetings take place between local residents, London Borough of Barnet ward Councillors and Officers and the LLP where the submitted proposals have been presented and discussed.

1.4 Public Consultations by the Council and Views Expressed

Letters were sent out to 1247 addresses on the 22nd May 2023. The application was also advertised by site notice on the 1st June 2023 and by press notice also on the 1st June 2023

Public Representations

As a result of this consultation, 4 letters of representation have been received all objecting to the planning application. One petition of objection also received signed by 13 neighbouring residents and businesses.

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

- The Development is too tall, with concerns relating to building up to 12 storeys high
- The proposed development is higher and denser than the approved 2018 development.
- Comments received relating to overshadowing and loss of daylight concerns;
- The Urban Greening Factor does not meet the required quantum except when combined with the reserved matters scheme
- The proposed parking provision is considered to be inadequate;
- Concerns relating to the privacy of neighbours facing the proposed GP practice, with request to ensure any overlooking is appropriately mitigated.

Officer Comment

All of the above representations have been taken into account in the officer assessment below, however in brief the design of the proposal including the proposed height and scale is considered acceptable and the proposal would not result in any significant problems of residential amenity or impacts on Local Infrastructure. In relation to the UGF, the Design & Access evidences a score over 0.4. Further, taking into assessment together the reserved matters and drop in applications the proposals meet the 0.4 UGF score, given that they are intrinsically linked in relation to the wider regeneration area. Issues relating to the rear access path are a property rather than a planning issue and were not provided for on previous reserved matters approvals.

Elected Representatives.

None received.

Member of Parliament

None received.

Consultation responses from neighbouring associations other non-statutory bodies.

No comments received from these bodies.

Consultation Responses from Statutory Consultees

Greater London Authority (GLA)

Strategic planning application stage 1 referral Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal is for the demolition of existing buildings and the construction of 8 buildings ranging between 2-12 storeys comprising 350 residential units (50% AH), commercial uses, and a health centre.

The applicant is Barratt Metropolitan LLP and the architect is Makower Architects.

Strategic issues summary

Land use principles: The mixed use redevelopment of this site to provide 350 residential units alongside social infrastructure and commercial uses within the Cricklewood/Brent Cross Opportunity Area is supported in strategic planning terms.

Affordable Housing: The proposals for 161 affordable homes which is equivalent to 50% affordable housing (by habitable room) at a tenure split of 60/40 in favour of London Affordable Rent, represents a significant uplift when compared to the existing consent which for this phase of the masterplan secured 31% affordable housing of which 98% was shared ownership.

Urban Design: The site is located in an area designated as suitable for tall buildings. Concerns are raised regarding the impact of the development on daylight & sunlight, particularly on internal and amenity areas. GLA officers also have concerns regarding the number of single aspect homes.

Transport: A night-time active travel zone assessment should be undertaken to assess how the proposed development will address matters such as personal safety and 24/7 access to the local area.

Environment and climate change: Further refinement of the energy strategy is required and further details regarding energy efficiency measures, the cooling hierarchy, DHN potential and the heating network should be provided in order to assess compliance with climate change policy. Additionally, on site carbon savings should be improved for both the domestic and non-domestic element of the proposed development.

Recommendation That Barnet Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 108. Possible remedies set out in this report could address these deficiencies.

Officer Comment

The applicant has prepared a response which addresses the GLA Stage 1 comments and are anticipated as being resolved as part of the Stage 2 referral process. The Council is satisfied that the number of single aspect units and daylight levels are within appropriate levels taken into account other factors such as the need to provide two cores to meet the latest building safety requirements, in particular fire safety.

London Borough of Brent

The London Borough of Brent have considered the proposal and have NO OBJECTION.

Metropolitan Police

Thanks for allowing the MPS to review and comment upon the planning submissions for West Hendon Estate on the above reference numbers.

Please can you accept the attached comments for both planning references.

In summary and as per my attached comments and rationale, I'd be grateful if you can please consider applying a formal planning condition to any approval whereby 'each building within each phase of the development must achieve Secured by Design (SBD) accreditation, prior to any occupation'.

Happy to discuss any of my comments further if needed?

Thanks in advance for your assistance.

Thames Water

Waste Comments

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. Should you require further information please contact Thames Water. Email: 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

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. [Q](#)

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

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

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.

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 .

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.

Internal Consultation responses

Transport and Regeneration

Highways

The London Borough of Barnet (LBB) Transport Team have reviewed the submitted material in relation to the above scheme.

Parking:

- It is noted that the long-stay cycle parking provision is not to be in accordance with the London Cycle Design Standards (LCDS). This does not seem appropriate. The Council's Cycling Officer should be consulted in relation to the acceptability of this.
- The lack of dedicated space / access and permanent provision of cycle parking for the commercial units is queried.
- There should be a planning condition for details of cycle parking provision / layout to be provided in accordance with the London Plan (as contained within the submitted TA report) for all land uses proposed.
- With a residential parking ratio of 0.32 spaces per dwelling, the proposed levels of car parking provision accord with the standards set out with the London Plan (maximum of 0.5 spaces per dwelling for Outer London Opportunity Area).
- Provision for disabled persons parking and electric vehicle infrastructure should be conditioned to be in accordance with the London Plan.
- In relation to the additional 7% of accessible parking spaces, clarification on plan is sought as to where the the car parking spaces would be converted / provided.
-
- There should be a planning condition to prevent residents from applying for on-street parking permits.
- LBB Parking Team in relation to a scheme in vicinity of the subject site have previously commented as follows:
 - i. *'I can confirm that both Goldsmith Avenue and The Hyde area have been identified as locations where significant parking pressure is being experienced.'*
 - ii. *'Goldsmith Avenue area sits within Phase 2 of our CPZ programme which we are undertaking feasibility works for now and The Hyde area including the Jemca Toyota Services site sits within Phase 3 of our programme which we are looking to progress in late 2023/24.'*
- Accordingly a proportionate contribution would likely be sought as part of this application in relation to the CPZ works programme.

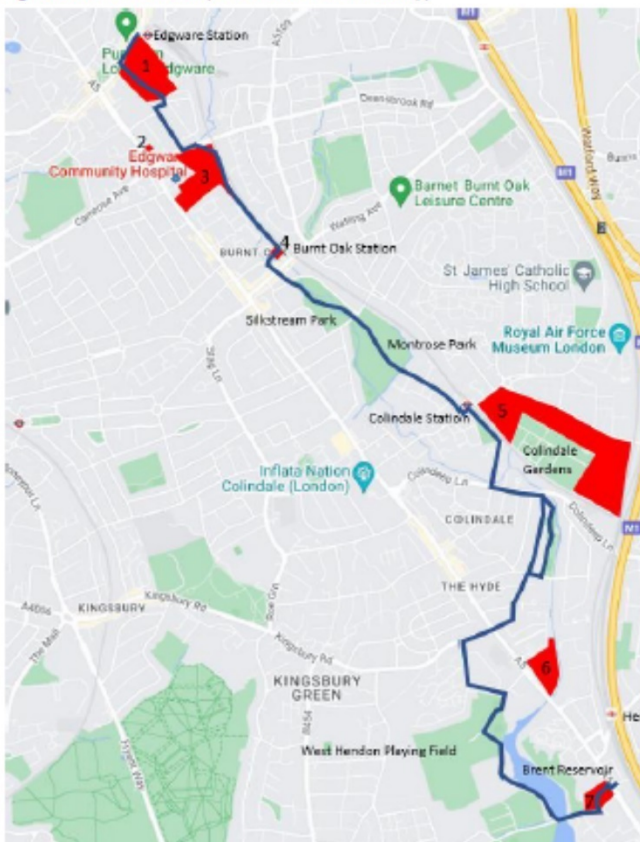
Site Layout / Servicing / Delivery:

- The swept path analysis appears to indicate that loading bays would struggle to accommodate service / delivery vehicle movements (e.g. entering in a forward direction / being able to fully stand within the bay without overhang). The GP surgery involved service vehicles reversing which is also queried.
- Kerbside refuse collection from the A5 should not be put forward as an option. In relation to Ravenstone Road, similar comments made above also apply.

Active / Sustainable Travel Measures:

- The A5 Parallel Cycle Route forms part of the Barnet Loop and could potentially help with improving the site's sustainability credentials. This proposal runs through Colindeep Lane, Rushgrove Park and along the Silk Stream. The route crosses the A5 at Kingsbury Rd (to the north of Garrick Road), circling the western boundary of the reservoir and re-crossing the A5 at Park Road. A draft plan of this scheme is provided in the figure below for information purposes. There is another cycle route scheme on the eastern side of the reservoir. Connections to this scheme to / from the subject site would assist its sustainability credentials. The Highways team that manages these schemes should be consulted (this may include a request for a proportionate contribution to the cycle improvement schemes).

Figure 1-1: A5 Parallel Route (An Element of The Barnet Loop)



Further submissions to be conditioned:

Individual and full detailed submissions should be conditioned for the following:

- Travel Plan (TP)
- Delivery and Servicing Plan (DSP)
- Car Parking Design and Management Plan (PDMP)
- Construction Traffic Management Plan (CTMP) / Construction Logistics Plan (CLP) and Construction Worker Travel Plan

Officer Comment

The applicant has responded to the technical matters raised to the satisfaction of planning officers. A contribution towards the A5 parallel route is not justified as the proposed Silkstream cycling bridge have already been constructed under the wider West Hendon development and the scheme does not otherwise directly affect the route.

Scientific Services

Regarding: 23/1802/FUL West Hendon Estate , West Hendon, London, NW9;
Comprehensive redevelopment of the site comprising the demolition of existing buildings and structures and the construction of 8 buildings from 2 to 12 storeys comprising of 350 residential units (Use Class C3), commercial uses (Use Class E), including Health Centre, basement, private and communal amenity space, associated car parking, cycle parking, refuse storage

I have looked at the following chapters of the Environmental statement:

AQA (chapter 9 of ES)

CEMP (chapter 6 of ES)

Noise and Vibration (chapter 10 of ES)

Noise - it does not appear that the new receptors have been considered within the assessment for plant noise, and I have not seen any reference to insulation between commercial and residential sections of the building; this needs to be considered.

There may need to be some limitation on which Class E uses are acceptable for use in this development, as many class E have antagonistic relationships with neighbouring residential usage, especially where there is a party wall/ceiling /floor e.g. restaurants requiring flues, gyms etc. when it comes to noise and vibration nuisance and air/odour pollution

.

Trees

The proposed development has the following impacts on trees as detailed within the submitted AIA:-

Twelve trees and groups were surveyed. The data for each is presented within the Tree Schedule at Appendix A.

- Three on-site groups and two neighbouring trees and groups have been identified for potential removal to facilitate the development, of which none are category A, one is category B, four are category C, and none are category U.
- Five trees and groups of the total 12 will be retained and integrated into the development.

Sufficient space and adequate protection measures have been set out to ensure that retained trees are not damaged during the pre-construction and construction phase and to enable their successful development post-construction. Retained tree protection measures are discussed throughout this report and illustrated on the Tree Protection Plan at Appendix B.

The overall impact is considered acceptable subject to replacement tree planting and proposed tree protection measures outlined within WEST HENDON ARBORICULTURAL IMPACT ASSESSMENT (DETAILED APPLICATION) PLOTS A, C & G dated 23-02-2023.

Tree protection landscape and landscape management conditions to be applied to any approval granted.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSALS

2.1 Site Description and Surroundings

The Site is located on the Edgware Road, which is part of London's Strategic Road Network (SRN) and is about 1 kilometre north of the A406 North Circular Road, part of the Transport for London Road Network (TLRN). Edgware Road is a busy bus corridor which is served by the four bus services, four school bus routes and three night-services. The nearest national rail services are at Hendon Station approximately 400 metres north of the site, and nearest London Underground (Northern Line) services at Hendon Central, 1.2 kilometres to north-east.

The site records a Public Transport Accessibility Level (PTAL) between 2 to 3 on a scale of 0- 6b where 6b represents the most accessible locations.

To the south and west lies the Silk Stream and the Welsh Harp Reservoir. The Welsh Harp is also known as the Brent Reservoir. The Site falls within Flood Zone 1. The Site is considered to be at low risk from all other sources of flooding. The Site is also not located within a critical drainage area (CDA), as defined in the Barnet Surface Water Management Plan (2011).

The Site sits within a larger area of land associated with permitted redevelopment of the West Hendon Estate. It is broadly a rectangular shape and has a total area of 1.49 hectares.

The Site comprises the DAS MOT and Service Centre, the NHS Hendon Way Surgery, a temporary car park and the area of land which previously housed part of the West Hendon Estate. The Site is cleared of all buildings, with the exception of the DAS MOT and Service Centre, and the NHS Hendon Way Surgery in the north east of the Site. Internal roads within the Site include the existing Borthwick Road, Ravenstone Road, Marriotts Close and Marsh Drive.

West Hendon is located within the Brent Cross/Cricklewood Opportunity Area in the LP with an indicative growth of 9,500 homes and 26,000 jobs (Policy SD1 'Opportunity Areas').

The Council's Proposals Map (2006) identifies the Site as falling within the Cricklewood, Brent Cross and West Hendon Regeneration Area which is allocated for the creation of new jobs and homes.

The Site is accessed from the north / east, off The Broadway. The Site has a Public Transport Accessibility Level (PTAL) rating of between 2 (poor) and 3 (moderate). Hendon Station is located approximately 0.2 miles from the Site, and a number of bus routes are located along the Broadway.

The Site does not lie within a conservation area or Archaeological Priority Area and does not contain any Scheduled Monuments, nationally or locally listed buildings, however the nearby Cool Oak Lane Bridge is Grade II Listed. The Brent Reservoir is a Site of Special Scientific Interest (SSSI). It is particularly recognised for its significance with respect to the breeding and wintering of the bird population. The reservoir is also designated as a Local Nature Reserve (LNR) and a Site of Metropolitan Importance for Nature Conservation (SMINC). It has also been designated by Brent Council as an area for recreational use and wildlife conservation.

2.2 Description of the Proposed Development

The description of the Proposed Development is as follows:

Comprehensive redevelopment of the site comprising the demolition of existing buildings and structures and the construction of 8 buildings from 2 to 12 storeys comprising of 350 residential units (Use Class C3), commercial uses (Use Class E), including Health Centre, basement, private and communal amenity space, associated car parking, cycle parking, refuse storage.

3. PLANNING CONSIDERATIONS

3.1 Environmental Impact Assessment (EIA)

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended) (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 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 a project which includes more than 1 hectare of urban development which is not dwellinghouse development, the development includes more than 150 dwellings or the overall area of development exceeds 5 hectares or 150 residential units.

Screening and Scoping for EIA development

In view of the nature and scale of the Development and recognition that it has the potential to give rise to significant environmental effects, the Applicant voluntarily committed to undertake an EIA. An informal scoping study was undertaken as the first stage of the EIA process to determine the scope of the ES and the general approach to the assessments.

The scope and approach to assessments had consideration of the ES that was submitted to accompany the original hybrid planning application, which is hereafter referred to as the 'ES as amended'. An Informal Scoping Note was submitted to LB Barnet on 4th January 2023. A formal Scoping Opinion was therefore not provided by LB Barnet. However, a response to the Informal Scoping Note was provided via email on the 9th February 2023 which confirmed there were no comments on the Informal Scoping Note. Assessments for each environmental discipline scoped into the EIA were then undertaken and an ES was prepared to report the methodology and results of the assessments.

In line with the above an Environmental Statement (ES) has been submitted in support of the application, and this is accompanied by a Non-Technical Summary (NTS). The details contained within these documents are discussed in the relevant sections below.

3.2 Principle of Development

Loss of Existing MOT garage

The proposal involves the redevelopment of the existing MOT garage on the Broadway measuring 230 sq.m in floor area. The site is not located within a designated Strategic Industrial Location (SIL).

London Plan objective GG5 seeks to promote and enable the continued development of a strong, sustainable and increasingly diverse economy. LP Policies E7 and E8 promote the intensification of business uses in Use Classes B1c, B2 and B8 occupying all categories of industrial land and seeks to ensure that employment opportunities for Londoners across a diverse range of sectors are promoted and supported. London Plan Policy E4 requires that a sufficient supply of land is retained and where possible optimised to support the current and future demands for industrial related functions.

London Plan Policy E7 sets out the requirements for industrial intensification, co-location and substitution through the introduction of small units, development of multistorey schemes, addition of basements, and more efficient use of land through higher plot ratios. The approach in Policy E7 should only be considered as part of a plan-led process of consolidation and intensification (and clearly defined in Development Plan policies maps) and not through ad hoc planning applications.

London Plan Policy E7 sets out that mixed-use or residential development proposals on Non-Designated Industrial Sites should only be supported where there is no reasonable prospect of the site being used for the industrial and related purposes, or the site has been allocated for mixed use development, or replacement industrial floorspace is provided within the proposed scheme.

In terms of local plan policy, Policy CS8 advises that Barnet will support business by *safeguarding existing employment sites that meet the needs of modern business in accordance with Policy DM14 New and Existing Employment Space;*

Policy DM14 advises that outside Local Significant Industrial Sites the loss of a B Class use will only be permitted where it can be demonstrated to the council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken.

Emerging Local Plan Policy ECY01: A Vibrant Local Economy promotes new industrial development with designated strategic locations (which this site is not located within). The policy also suggests that financial compensation may be sought where there is a loss of employment provision.

In relation to the application proposals, the existing MOT garage will not be reprovided as part of the application proposals. However the proposal will provide a significant increase in employment generating floorspace, providing 303 sq.m of commercial space within Block G which fronts the Broadway and as such will reprovide an equivalent amount of commercial floorspace albeit of a different typology and as such is considered broadly in compliance with the provisions of policies E7 of the London Plan or Policies CS8 and DM14 of the adopted plan.

The loss of the MOT facility in any event needs to be balanced against the contribution of the proposals towards meeting other Council policies and in this instance on balance given the site is not within a safeguarded employment location, the provision of a large number (350) new homes of which 50% are affordable needs to be balanced along with the improved health centre provision in the planning assessment against the loss of the MOT garage. It is also noted that other MOT garages are located in relatively close proximity to the application site; two within 100m of the site..

Health Centre

An NHS Doctors Surgery is proposed for demolition as part of the Planning Application measuring 345 sq.m in floor area. The current condition of the existing Hendon Surgery is very poor and has required significant repair works by the NHS in recent years.

It is proposed to replace this facility with a new purpose built medical facility measuring 703 sqm (GEA) in floor area. The new medical facility will be of significant benefit to local residents which will include a number of consultation rooms, as well as dedicated space for the CLCH staff, that doesn't exist in the current Surgery.

The phasing of development is also designed to ensure that the current facility operates whilst the new one is being constructed. Upon completion of the new facility, the current one will close.

London Plan Policy S1 establishes that proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.

The proposal is considered to fully comply with Policy S1 and the principle of a new enlarged fit for purpose health clinic is strongly supported by Planning Policy.

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 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 Proposed Development would accord with the above policies in land use terms providing much needed additional housing including affordable housing and will represent the completion of the wider West Hendon regeneration.

Housing Density

Chapter 11 of the National Planning Framework (Revised 2023) (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 230 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 considered appropriate by officers.

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 appropriate.

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 that 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.

The following table shows the proposed unit mix of the application.

All Homes	Homes (No)	Homes (%)	HR (No.)	HR (%)
Studio	2	1%	2	1%
1-bed	123	35%	246	24%
2-bed	154	44%	462	45%
3-bed	71	20%	314	30%
Total	350	100%	1,024	100%

Overall it is considered that the proposal proposes an appropriate split in housing type to address housing preference and need in accordance with the abovementioned policies including 71 larger 3 bedroom units.

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 H4 seeks to maximise affordable housing delivery, with the Mayor setting a strategic target for 50% of all new homes to be genuinely affordable. London Plan Policy H5 states that the threshold level of affordable housing is a minimum of 35%, or 50% for public sector land and industrial land appropriate for residential uses in accordance with London Plan Policy E7 where the scheme would result in a net loss of industrial capacity. Policy H5 states that schemes can follow the Fast Track Route and are not required to submit viability information nor be subject to a late stage viability review if they meet or exceed the relevant threshold level of affordable housing on site without public subsidy; are consistent with the relevant tenure split; meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant; and demonstrate that they have taken account of the strategic 50% target and have sought grant to increase the level of affordable housing.

Policy H6 of the London Plan sets out a preferred tenure split of at least 30% low cost rent (London Affordable Rent or social rent), at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined by the local planning authority taking into account relevant Local Plan policy. It is the expectation, however, that the remaining 40% is weighted towards low cost rent.

London Plan Policy H8 aims to protect the provision of affordable housing and create a policy framework for estate regeneration proposals. Part D of the policy establishes that demolition of affordable housing, including where it is part of an estate redevelopment programme, should not be permitted unless it is replaced by an equivalent amount of affordable housing floorspace. Part E of Policy H8 contends that all development proposals that include the demolition and replacement of affordable housing are required to follow the Viability Tested Route and should seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace.

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%.

Emerging Barnet Local Plan Policy HOU01 Affordable housing advises that within the context of a strategic London Plan target of 50% of all new homes to be affordable the Council will seek a minimum of 35% affordable housing from all developments of 10 or more dwellings with a 60/ 40 split between low cost rent and intermediate such as shared ownership. On Housing Estates (Policy GSS10) the Council will seek to replace existing affordable housing whilst considering the specific circumstances of each site, it will facilitate the right of return for existing social rent tenants from estates into new social rent accommodation.

The development comprises a total minimum affordable housing provision of 161 units which equates to 50% affordable housing provision by habitable rooms set out in the accommodation schedule below.

Tenure	Units	%	Habitable Room	%
Private	189	54.0%	511	49.9%
Low Cost Rent	86	24.6	306	29.9%
Intermediate	75	21.4%	207	20.2%
Total	350	100%	1,024	100%

Tenure	Low Cost Rent	%	Intermediate	%
1 bed	5	6%	34	45%
2 bed	50	58%	33	44%
3 bed	31	36%	8	11%
Total	86		75	

The proposed affordable housing is strongly supported in policy terms providing genuine additionality over the approved West Hendon regeneration scheme providing a policy compliant level of 50% affordable housing with 53% in favour of low cost rent. The provision of 31 larger 3 bed family affordable rented units is also welcomed. The GLA have also confirmed that they are satisfied and support the affordable housing offer.

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 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.

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.

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.

In relation to the application proposals all of the proposed units have access to private amenity space in the form of balconies or ground level gardens. In addition, all units will have access to communal amenity spaces such as podium deck gardens and roof gardens in addition to the wider public open space provided throughout the West Hendon regeneration area. The following table illustrates the quantum of spaces proposed under this application.

Amenity Type	Provision (m ²)
Private Balconies (demised to individual apartments)	1,975
Private gardens / defensible space	568
Communal Private Residential Gardens (Courtyards & communal roof terraces)	3,552
Total	6,095

Playspace and Open Space

Open Space

In relation to public open space the application proposals would provide a total of 0.77 hectares of open space throughout the development (0.47 hectares excluding footpaths). 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. It is worth noting that the development forms part of the wider West Hendon regeneration and occupiers will be able to use the open space and play equipment provided within this.

Amenity Type	Provision (ha)
Public Open Space / Amenity (at ground floor)	0.12
Private Communal Residential Amenity (courtyards and accessible roof terraces)	0.35
Streetscape & Other Public Realm (including footpaths but not road surface)	0.3
Total	0.77

Playspace

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 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 1,801 sqm of play space which exceeds the standards required in Policy S4 as illustrated in the below table and is considered acceptable.

Playspace Provision	Required (m ²)	Proposed (m ²)
Doorstep Playspace (Under 5 years)	814	822
Local Playspace (5-11 years)	594	597
Neighbourhood Playspace (12+ years)	352	382
Total	1,758	1,801

Urban Greening and Biodiversity Net Gain

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 application proposals include the planting of 81 new trees and will achieve an urban greening factor of 0.41. It is proposed that there will be a Biodiversity Net Gain of 21.06%, exceeding the 10% figure set out in the Environment Act 2021 which is welcomed. While the scheme is marginally below the 0.4 Urban Greening Factor target, when taken in conjunction with the reserved matters application which is presented separately on this agenda, the scheme complies. As the scheme will form an intrinsic part of the wider masterplan it is considered reasonable to take this into account and on balance the scheme is considered acceptable in this regard.

3.4 Design

The National Planning Policy Framework (2023) 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 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

2013 Masterplan

The Proposals now brought forward in this planning application are for parts of the former West Hendon Estate. The majority of lands that are the subject to this application formerly made-up part of Phase 5 in the West Hendon Masterplan, which received Outline Planning Approval [REF H/01054/13] in 2013. The application boundary also now includes new land, which did not form part of the 2013 permission (the former MOT garage and health centre on West Hendon Broadway).

The 2013 approval established approval for the redevelopment of the Hendon Waterside Estate into a residential-led mixed-use scheme including up to 2000 residential units, a two-form entry primary school with nursery, a community centre and commercial space along with associated parking provision, highways works, public realm proposals and two new pedestrian bridges across the Welsh Harp reservoir (Cool Oak and Silk Stream bridges). The residential accommodation in the Outline Approval is of mixed tenure, with 25% of the housing to be provided as affordable. A full description of the development can be found in the Development Specification contained in the documentation for the original Outline Application.

The 2013 permission included the creation of a masterplan which established a series of plots (A-G), streets and public realm network, via a series of Parameter Plans and Design Guidance. The aims of this masterplan were to address the following desired objectives:

- Community: Ensure that there is a viable phasing and decant process to secure the regeneration of the West Hendon for the existing community.
- Enhancing links: Reinforce and enhance the route between the Station and the Welsh Harp and redefine the sequence of spaces along this route.

- Integrating with the Broadway: Retain the majority of the Broadway to minimise the cost and disruption of the CPO process (required at the time) and to retain the commercial and social continuity.
- Welsh Harp: Set back from the Welsh Harp to respect this edge and to create a new public park. Optimise the number of homes with an aspect towards the Welsh Harp.
- Creating places: Allow buildings to form edges to streets and spaces to create a set of diverse places rather than compete for attention.
- Forming streets: Restore the street pattern on the West Hendon Estate to make it part of the continuous fabric of the City with buildings and entrances facing onto the streets to provide natural surveillance and activation.
- Providing homes: Provide high quality homes with private amenity space and secure shared courtyards with play spaces.
- Landscape: Enable increased access to green spaces by connecting the neighbourhood with the West Hendon playing fields with a new bridge and providing new parks as an integral part of the scheme.
- Identity: Create a distinctive place with a clear sense of orientation and address.
- Coherence: Suggest a consistent architectural language with variations on a theme to create visual richness whilst maintaining a coherent sense of place.

Current Scheme

This current application seeks permission for the erection of buildings on 3 sub plots, A, C and G to provide an amended scheme to provide an additional 350 units (along with a health centre and commercial space), predominantly within the area of the existing West Hendon site (Blocks A, C & Part of G) and partly outside on the former MOT and NHS health centre sites on West Hendon Broadway.

The proposed form of the development generally takes a similar form to that taken in the 2013 permission, connecting in to the same network of roads, paths and open spaces with a few adjustments to incorporate the current scheme. The applicant's submitted Design and Access Statement summarises these changes as follows:

- *Incorporation of additional land onto the Broadway the location of the current NHS Doctors Surgery and an MOT garage.*
- *The delivery of circa 350 new homes (50% by habitable room of which will be affordable), to be delivered via new land and density optimisation.*
- *A new GP Practice for use by the local community, proposed in block A.*
- *The omission of all end-on street parking, to increase pavement area.*
- *Increased greening of the streets, roofscapes, gardens, and the public realm generally providing green spaces for residents to enjoy.*
- *Improved biodiversity, supported by extra greening and ecological exploration of the planting palette.*
- *Improved blue infrastructure, sustainable urban drainage provision.*
- *New family (all ages appropriate) play and exercise spaces.*
- *Improved pedestrian wayfinding, connecting The Broadway to The Welsh Harp, York Park and the future Silk Stream Bridge (subject to a separate, consented design and permission).*
- *Increased PV provision on roofs to contribute to on site energy production.*
- *Increased provision of cycle parking and reduced carparking.*
- *Increased EV charging provision.*
- *Adjusted residential mix (inclusion of studio, intermediate homes) in addition to the increased affordable provision in the new detailed application.*
- *Adjusted massing and heights*
- *Adjustment to the brick colour variation and distribution (adding more pinks and reds and less yellows to provide greater character variation)*
- *Increased public amenity, via the creation of pocket parks on Borthwick Street and Ravenstone Road.*

Overall the proposed overall masterplan form is considered appropriate building off the original 2013 permission, while providing scheme improvements and enhancements in the current proposals.

Height, bulk, scale and massing

The proposal contains 3 blocks of development which consist of the following:

Block A which is a 2 storey linear building (and additional plant storey on top) containing the medical centre and backing onto the existing properties in Ramsey Close;

Block C is the third central court block to complete the central spine of the (2013) masterplan. It consists of a group of buildings with varying heights. C1 is a nine storey building, C2 is a seven storey building, C3 is nine storeys and C4 is twelve storeys high. A shared basement below the podium courtyard includes a car park, refuse and other support areas. The car park is accessed from West Street.

Block G faces onto West Hendon Broadway therefore becoming an important anchor point for the development from the A5. Alongside the Phase 3C Blocks H3/H4 and G4, these blocks stitch the development into the high street. The ground floors of these blocks offer flexible Class E floorspace that supplement the public offer along the Broadway. The block is split into a lower six storey mass tying it into the existing levels along the Broadway and a nine story building along the Broadway defining an alternative entrance to the development. The block is a horse-shoe shape nestled between Ravenstone Road and Perryfield Way, fronting on to East Street and the Broadway. The block has parking at ground floor level covered with a raised podium roof forming the base for the blocks.

Barnet Core Strategy Policy CS5 defines tall buildings as buildings of more than 8 storeys or 26m in height and states that they may be appropriate in strategic locations subject to detailed assessment criteria.

The taller buildings within the development are designed and located as prominent points to mark the entrance into the development to enforce wayfinding and mark important locations. The building heights relate directly to the space function, with taller buildings defining public spaces. The tall building (Block G) bordering West Hendon Broadway is intended to be a marker on the street, and has a stepped approach which positions low rise courtyard blocks behind the existing buildings on the Broadway and medium rise courtyard blocks in the centre of the site, with high rise by the waterfront. The proposed Block G also acts as a marker into the development and helps provide a visual presence on the Broadway as well as bookending the row of shops on this side and is considered appropriate in scale by Council officers.

This stepped approach is supported by GLA officers who contend that the massing of the new development responds appropriately to the wider masterplan.

While there is a taller element of Block G6 on The Broadway, this reaches a maximum height of 27.75m (9 storeys) and features a stepped design approach.

Whilst this would be the tallest building on The Broadway, it does not look unduly tall and the massing is appropriate

The proposals would form a complimentary component of the wider consented and emerging masterplan. The proposed buildings sit comfortably within the emerging streetscene and do not look out of place.

Tall buildings assessment

Barnet Core Strategy Policy CS 5 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.

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.'

London Plan Policy D9 states that development plans should define what is considered a tall building for specific localities (although not less than 6 storeys or 18 metres) and identify suitable locations; and identify appropriate tall building heights on maps in Development Plans (Parts A and B). Policy D9 also sets out further requirements for assessing tall buildings (Part C) including addressing visual impacts at different distances; aiding legibility and wayfinding; having exemplary architecture and materials; avoiding harm to heritage assets (or demonstrating clear public benefits that outweigh any harm); not causing adverse glare; and minimising light pollution. Functional impacts should consider internal and external design; servicing; entrance capacity; area and transport capacity; maximise benefits to the area; and not interfere with communications. Environmental impacts should consider wind, daylight, sunlight, and temperature; air movement (dispersal of pollutants); and noise creation. Cumulative impacts should also be considered.

The site is within an Opportunity Area where the London Plan considers the principle of tall buildings to be acceptable. The site is also in a location identified as suitable for tall buildings in both the adopted and emerging local plans. In policy terms therefore the principle of tall buildings on the application site is considered to be acceptable and compliant with the policy direction in the development plan. It is also noted that tall buildings are located elsewhere within the wider West Hendon development with the highest storey heights being located facing the Welsh Harp at between 26 and 28 storeys. In this context the proposed buildings at 12 storeys in height will remain subservient and mid rise in appearance against this backdrop.

The application includes a wind tunnel assessment which demonstrates that the proposal would not adversely affect local microclimate along with verified views taken from surrounding vantage points, which is discussed elsewhere in this section and are considered acceptable.

Overall it is considered that due to the above factors, sufficient justification has been provided to justify the proposed heights within the development. In reaching this conclusion significant weight needs to be given towards the overwhelming place making necessity of redeveloping the existing site along with the requirements to provide a significant quantity of affordable housing while remaining viable as a development, and the public benefit of a new GP surgery for local residents. The proposal is therefore considered in accordance with London Plan Policy D9 and Barnet Policies CS5 and DM05.

Proposed Materiality

The proposals for materials for this application follows the established principles from the outline permission and the previously delivered phases. A palette of high quality materials with simple, crisp detailing is proposed. The materials will be durable and low maintenance in order to ensure that the buildings will become richer and look better with time.

The application proposes a harmonious and limited selection of brick tones, with some additional pinks, reds and browns to the predominantly buff palette. The brick walls are complimented by the use of metal balustrade and concrete bands and entrance porch highlights.

The buildings are designed to express a strong base, elegant middle and distinctive tops. Base layers are activated with lobbies and ground floor residential units provided with a front garden buffer. Materials have been selected to emphasise base and upper zones with the tops staggered to provide variation to the skyline.

The proposed materials are considered appropriate in this context and it is considered that the proposed detailed appearance is in compliance with Council Policy representing a high quality of development.

Visual impact and views

In assessing the visual impact of the scheme, it is important to note as mentioned above that the site falls within a designated tall building area and will be seen in the context of the existing and consented tall buildings in the wider West Hendon Estate Regeneration area. The height of the buildings range from 2 to 12 storeys with tall buildings located at the eastern edge of the site and one located at the front of the site bordering the Broadway.

The applicant has provided short-and long-term range views of the proposals which demonstrate that while tall (for the purposes of Barnet's tall building definition), they are still significantly smaller than other blocks within the masterplan backing on to the Welsh Harp and are as such remain subservient in views to these larger structures.

In conclusion it is not considered that the proposals would result in any significant adverse visual impact due to the careful design and positioning of the proposed buildings and the context with the larger built form beyond leading up to the Welsh Harp.

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. All buildings over 18 metres in height are also fitted with two staircores.

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.

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 application supporting documents advise that consultation took place with the Crime Prevention Officer in July 2022, during the design development stage. A summary of the main points discussed is set out below:

- It was noted that overall, the design will improve the levels of safety in the area.
- Careful attention is required when designing car parks as these are one of the most vulnerable areas. Secured access gates will be required to secure the space.
- Doors to refuse stores and bike stores to not open to the exterior preferably. Number of doors opening to the outside to be reduced as much as possible.
- A clear definition between private/public spaces is recommended.
- Where benches are located, these should be placed on more visible areas. Lighting strategy should follow BS5489-1:2020
- Residential courtyards with access only to residents highly supported.

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 and 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.

The Site is not located within or in the immediate vicinity of any statutorily designated or locally (non-statutorily) designated views.

The Site is not located within or in proximity to a Conservation Area and there are no Scheduled Monuments, World Heritage Sites, Registered Parks and Gardens, Registered Battlefields, listed buildings, or locally listed buildings on or within close proximity to the Site.

The Site is not located within a designated archaeological area, such as an Archaeological Priority Area (APA). The nearest APA to the Site is approximately 1km north.

The nearest Listed Buildings to the Site are the Grade II listed St Johns Church located approximately 330m to the east of the Site and the Grade II listed Welsh Harp Bridge, located approximately 345m south of the Site on Cool Oak Lane but within the EIA Site extent.

The nearest Conservation Area (CA) is 'Hendon, the Burroughs', located approximately 1.07 km north east of the Site. The main type of development found within 'Hendon, The Burroughs' CA, is terraced residential dwellings, although there is a collection of offices, six shops and a former public house.

Given the above it is considered that the proposal would not result in any undue harm to heritage assets as a result of the proposals.

3.5 Amenities of Neighbouring and Future Residents

Part of the 'Sustainable development' imperative of the NPPF 2023 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2021 Policy D6 'Housing Quality and Standards', and is implicit in other policies contained within Chapter 3 'Design'. 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

All of the proposed buildings with the exception of Block A are positioned significantly in excess of the 21m distance separation required under the SPD. In relation to Block A, the proposed 2-storey medical centre building backs onto the residential gardens in Ramsey Close. However the building has been designed to avoid fenestration along the rear elevation and as such would not adversely affect privacy to these properties.

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 health uses are appropriately located and are not considered to be likely to result in any undue disturbance to neighbouring residential properties.

In considering the potential impact to neighbours, conditions are recommended to ensure that any plant or machinery associated with the development achieves required noise levels for residential environment. The council's environmental health team have recommended appropriately worded conditions for noise reporting and impact mitigation, extract and ventilation equipment and plant noise. It should be noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

Air quality

The applicant has submitted an Air Quality Assessment in support of the application contained within the ES demonstrating that residents will not be exposed to poor air quality. Suitable Conditions are attached regarding ventilation and the submission of details of proposed plant and equipment along with a requirement for the development to meet Air Quality 'Neutral' and Air Quality 'Positive'.

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.

Wind and Microclimate

The Proposed Development has been subject to a Wind Tunnel Assessment and the application is accompanied by a Wind and Microclimate Assessment contained within the submitted ES. This shows that with the proposed landscaping and mitigation measures in situ, wind conditions would range from representing a major beneficial to negligible (not significant) effect and as such are within acceptable tolerance. There are no safety failings due to wind and all pedestrian areas are suitable for all uses including sitting during summer months. In addition, the assessment showed that the wind levels for the windiest season (normally winter) remained acceptable.

Daylight and Sunlight

The application proposals are accompanied by a Daylight/Sunlight and Overshadowing Assessment contained within the ES. The Daylight and Sunlight Assessment assess the impact of both the detailed element of the proposal and also the 2013 masterplan outline elements based on the maximum parameters applied for.

Daylight

The daylight analysis assessed 605 windows serving 417 rooms in 47 individual properties surrounding the Site which are material for consideration in daylight terms. These have all been assessed in terms of both VSC (Vertical Sky Component and NSL (No Sky Line).

The study found that 263 rooms meet the BRE Guidelines in relation to VSC and 342 rooms don't. In relation to NSL 304 rooms comply and 113 don't (out of a total of 417 rooms).

The Daylight Sunlight Study goes onto make a more detailed assessment of the windows which failed, and in short consider the failures are generally acceptable as

the retained levels of daylight are still relatively high i.e. low to mid 20's which while below the 27 VSC target is still within normal levels for built up areas or the magnitude of change over the baseline consented development is low i.e. 4-6% so not relatively noticeable. In other instances affected rooms concern bedrooms where lower levels of light are considered acceptable.

Sunlight

In relation to sunlight of the 417 residential rooms assessed for daylight, 199 have at least one window that is orientated within 90 degrees of due south and have therefore been assessed for sunlight.

Of these rooms 182 meet the policy compliant level of sunlight and 5 rooms fail to meet the winter sunlight targets and 16 the total sunlight targets. A further assessment of sunlight in relation to a comparison with the baseline consented position shows that the levels of sunlight will be equal or better than the baseline position, so on balance is considered acceptable.

Conclusion Daylight and Sunlight

The BRE guidelines explain that the BRE guidelines are not mandatory and that the guide should not be seen as an instrument of planning policy; its aim to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstance the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

This flexibility is reflected in the Mayor's Housing SPD which advises as follows:

'An appropriate degree of flexibility needs to be applied when using BRE Guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.'

It is considered that these factors apply in the current scheme, with the application involving the redevelopment of a key development site within the West Hendon Regeneration area. As such on balance taking into account the regeneration benefits of the scheme the placemaking improvements and the delivery of a significant amount of affordable housing it is considered that the daylight and sunlight impacts to these adjoining properties is acceptable in this instance..

Overshadowing

In relation to overshadowing of amenity areas two-hr Sun on Ground assessments and site wide transient overshadowing studies have been undertaken to the rear gardens spaces that are likely to be affected. These are 5-17 Ramsey Close. The Sun on Ground assessments show that all amenity spaces assessed will continue to enjoy good levels of sunlight above those suggested by the BRE guidelines.

Internal Residents

The applicant has also carried out an assessment of the likely internal daylight levels within the proposal. This assessment includes Climate Based Daylight Modelling (CBDM) calculations for the proposed habitable rooms in accordance with the BRE guidelines. The CBDM methodology replaces the Average Daylight Factor (ADF) methodology. The applicant's Daylight Report advises that the new methodology is more complex, however is arguably a more accurate simulation of actual daylight levels but has targets that are generally more difficult to achieve in an urban context. Whilst ADF has been superseded by the new CBDM methodology, the Daylight Report continues to include the ADF results for comparison and as a benchmark.

The CBDM calculations show that 45.2% of the proposed habitable rooms within Blocks C and G will meet the suggested daylight standards. When assessed against the ADF method, 74.7% of the proposed habitable rooms will meet the suggested criteria which would typically be considered to be a very good level of compliance for an urban area. In relation to amenity areas 40% of the amenity areas to each block will be able to enjoy at 2 hours of direct sunlight on 21 March. This is below the 50% target outlined in Policy but not significantly so and overall on balance it is considered appropriate in this instance by officers. In this regard account has been taken of the impact of climate change and the likely need for shade and shelter as well as sunlit areas for residents enjoyment.

Overheating

An Overheating Report has been submitted in support of the application which demonstrates that the scheme achieves TM59 thermal comfort criteria in all of the tested zones. The proposal maximises passive and active design measures by responding to the local context in the following ways:

- Energy efficient lighting and appliances have been recommended to reduce internal heat gains;
- The building fabric will be insulated over and above the standards set out by Building Regulations and reduced solar gains from glazing solar factors as low as 0.36;
- Mechanical Ventilation specified with sufficient Flow Rate and Air Changes per Hour (ACH).

3.6 Transport, highways and parking

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure.

Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

In relation to emerging policy, Policy T6 of the London Plan sets a maximum car parking ratio of 0.5 in outer London Opportunity Areas.

TRIP GENERATION & IMPACT

The development is in relation to a standalone permission for the West Hendon development providing 350 residential units and 303 sq.m of flexible E class floorspace along with a 703 sq.m health centre. The applicant's Transport Statement has calculated the following anticipated trip generation by various transport modes as a result of the proposal.

Mode	AM Peak (08:00-09:00)			PM Peak (17:30-18:30)		
	In	Out	Total	In	Out	Total
Underground	6	39	45	26	13	39
National rail	3	18	21	12	6	18
Bus	6	37	43	25	13	38
Taxi	0	0	0	0	0	0
Motorcycle, scooter or moped	0	2	2	1	1	2
Car driver	5	32	38	22	11	33
Car passenger	1	3	4	2	1	3
Cycle	2	11	13	8	4	11
On foot	3	19	23	13	7	20
Total	27	162	189	108	56	164

The above is in relation to the proposed residential usage. The report considers that the proposed commercial space would mostly attract local business due to its nature and that the health centre while larger replaces an existing health centre and has no more car parking spaces. The majority of patients are considered likely to be local and more likely to walk.

This level of trip generation including the methodology has been assessed by Council highway officers who have not raised any concern regarding the impact of the above on local highway infrastructure.

PARKING (CAR, CYCLE, DISABLED, VISITORS)

Residential Parking

A car parking ratio of 0.32 (110 Spaces) is proposed for the residential element of the development and as such complies with the maximum parking standard of 0.5 as set out within the London Plan 2021 in relation to outer London Opportunity Areas.

In line with the London Plan, 20% of spaces will have active charging facilities with disabled provision providing a minimum of 3% and being capable of being increased to 10% as required. Car club spaces are also proposed in this phase. Car parking will be in the form of podium deck car parking and also on street spaces.

Based on the above and as the parking ratio remains in accordance the London Plan requirements across the site, the proposed level of provision is deemed acceptable subject to conditions associated with a car parking management plan, and the applicant entering into a S106 agreement to incorporate travel plan measures including incentives and to review neighbouring CPZ and prevent future residents from applying for permits.

The design of the car park layouts and on street spaces on adopted roads have been reviewed and are considered suitable for the intended long term residential use while also providing limited capacity for visitor parking including accessible parking for the proposed health centre..

Non-residential parking

The GP surgery is allocated four on-street staff spaces, primarily for doctors and travelling care staff, and one short-stay visitor accessible space. This has been agreed with the CLCH NHS Trust Capita Estates Team and seeks to match the existing GP surgery's car parking provision.

In relation to the commercial Class E space this is proposed to be car-free, with accessible parking available as per Blue Badge scheme on surrounding streets. Loading bays are located in close proximity to enable servicing.

This is considered acceptable.

Cycle Parking

The application supporting documents advise that cycle parking will be provided in accordance with London Plan cycle standards. These will be in the form of secure cycle storage within the podium blocks. Short stay cycle parking is also provided for visitors to the health centre and for the commercial premises. In relation to the comments made by the Transport officer regarding the cycle storage this was predominantly in relation to some of the cycle spaces being double stacked. However such an arrangement is common on other regeneration projects and indeed in earlier stages of the West Hendon development and is considered acceptable by planning officers. The final layout of the proposed cycle storage is in any event secured by condition for final approval.

The development proposals therefore conform to the cycle parking requirement of the London Plan and is secured by condition. Cycle parking demand will be measured as part of the Travel Plan monitoring surveys and additional spaces will be provided if needed to meet changing demand.

Public Transport

The site as a PTAL level of between 2-3 which is average. Notwithstanding this the site is well served by public transport with the closest bus stops being West Hendon Broadway/ Herbert Road (Stop HM) in the northbound direction and West Hendon Broadway/ Herbert Road (Stop HC) in the southbound direction. Both stops are located approximately 30m from the Site and each has a shelter, seats and timetable information.

A summary of the local bus routes and frequencies (buses per hour (bph)) is provided in the table below which demonstrates that there is a weekday frequency of 27 buses in the AM peak hour and 28 buses in the PM peak hour.

Service	Service Type	Origin/ Destination	Weekday AM Peak (bph)	Weekday Off-Peak (bph)	Weekday PM Peak (bph)
West Hendon Broadway / Herbert Road (Stop HM), Northbound					
32	Normal	Edgware Station	7	7	7
83		Alperton Station	7	7	7
142		Watford Junction	5	5	5
183		Pinner	7.5	7.5	7.5
632	School	Saracens High School	1 (08:06)	-	-
642		London Academy	1 (07:20)	-	-
653		Jewish Free School	1 (07:51)	-	-
683		Jewish Free School	1 (07:49)	-	-
N5	Night	Edgware Station	-	-	-
N16		Edgware Station	-	-	-
N83		Ealing Hospital	-	-	-
West Hendon Broadway / Herbert Road (Stop HC), Southbound					
32	Normal	Kilburn Park Station	7	7	7
83		Golders Green	7.5	7.5	7.5
142		Brent Cross	5	5	5
183		Golders Green	8.5	8.5	8.5
632	School	Cricklewood Broadway/ Kilburn Park Station	-	-	1 (15:48)
642		Last Stop	-	-	1 (15:55)
653		Muswell Hill	-	-	1 (15:39)
683		North Finchley	-	-	3 (15:39/ 15:44 / 15:49)
N5	Night	Whitehall/ Trafalgar Square	-	-	-
N16		Victoria Station	-	-	-
N83		Golders Green Station	-	-	-

Vehicular Access

The proposed highway layout incorporates the Major Highway Works which are expected to be completed in Q4 2023 which were funded by the original West Hendon Planning Permission in 2013.

The Proposed Development will take external vehicular connections at the following locations:

- Ravenstone Road connecting to the A5 West Hendon Broadway
- East Street connecting to Phase 3 of the 2013 permission
- West Street connecting to Phase 3 of the 2013 permission

Other streets within the Proposed Development include Cross Street, West Street and North Street.

All streets are to be two-way for vehicular movement, with the exception of Cross Street which is one-way southbound.

These connections effectively form a network of private streets to achieve vehicular access through the Proposed Development to the buildings and car parking throughout. No streets are proposed to be adopted as public highway.

The streets have been designed in accordance with the Healthy Streets Approach and Manual for Streets. They will be relatively quiet access streets, though Ravenstone Road will provide the main connection with the wider, external highway network so is likely to be the busiest, albeit much quieter than the existing Perryfield Way.

Swept-path analysis has also been submitted demonstrating that the following vehicles can access the proposed highway network:

- 7.9m fire appliance
- 9.19m LBB refuse vehicle
- 10m rigid vehicles

National Rail Services

Access to national rail services is provided at Hendon Station, approximately 400m east of the Site (a six-minute walk or four-minute cycle). The station is located on the Midland Main Line (MML).

Hendon Station provides step-free access from the car park to platform 1 (for trains towards London). There are steps to all other platforms. The station is served by 'Thameslink' services, which are currently operated by Govia Thameslink Railway (GTR) and provide four 4-car trains per hour on the slow lines in each direction for the majority of the weekday from Luton/St Albans to the north through Kings Cross/St Pancras and beyond to the south.

Other Thameslink services pass non-stop, serving stations as far as Bedford to the north and Gatwick and Brighton to the south.

Brent Cross West Station is due to open imminently on the MML to the south of Hendon Station. It will be served by the same services which currently stop at Hendon Station.

Underground Services

Hendon Central Underground Station is located 1.8km east of the Site, a 19-minute walk or seven-minute cycle. The station is sited on the Edgware branch of the Northern line with northbound services to Edgware and southbound to Morden and Battersea Power Station via central London.

Wembley Park Underground Station is located 4.1km west of the Site, approximately a 15-minute cycle or 16-minute bus journey (service 83). The station is served by the Metropolitan line and the Jubilee line.

Pedestrian & Cycling Access

The Proposed Development will be highly permeable for people walking and cycling. It will knit in with the 2013 permission and provide high quality pedestrian and cycle connections to each block and the local area, such as the A5 West Hendon Broadway.

An attractive public realm with extensive street trees, rain gardens, planting and seating will offer places for people to rest, play and dwell. Footways around the Proposed Development are generally 2.0m in width and dropped kerbs with tactile paving will be located to provide uncontrolled crossings throughout the street network.

Cyclists will share the carriageways of the private streets across the Proposed Development. This is suitable for most cyclists given the expected low traffic flows, low speeds and low proportion of heavy vehicles. Access to long-stay cycle stores within buildings will primarily be via the shared vehicular gates or footways.

MANAGEMENT PLANS / STRATEGIES

A car parking management plan and travel plan were submitted in support of the application. Conditions are attached to secure these along with the delivery of car and cycle parking in accordance with the permission.

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' 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 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 152 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 in support of the application by Briary Energy. The Energy Statement outlines a series of measures which will be incorporated into the proposal to improve sustainability and reduce carbon emissions.

The Energy Statement advises that development will achieve net zero carbon for residential and non residential aspects, targeting a 35% reduction in CO₂ emissions against Part L 2021 of the Building Regulations. As advised within GLA guidance, any developments connecting to an existing District Heat Network (DHN) will initially find achieving this target challenging until a decarbonisation strategy begins to take effect, as they are tied to the higher carbon emission rates of the CHP led system. It is crucial that reduction of energy demand is prioritised.

The development will apply the 'Be Lean, Be Clean, Be Green' hierarchy, prioritising fabric and energy efficiency measures to minimise initial demand, before applying a clean heating system. Heating and hot water is provided by connecting to the capacity of the existing on site DHN. Further renewables are incorporated through maximising the provision of Solar PV panels to available flat roof areas.

The strategy calculates the total development CO₂ emissions and savings at each stage of the hierarchy. A total carbon emission reduction of 27.87% will be achieved, with the remaining emissions offset by a Cash in Lieu payment of £659,438 based on a Carbon Levy of £95 over 30 years. A Whole Life Carbon Assessment has also been submitted in support of the application in line with GLA policy.

A BREEAM pre assessment has also been submitted for the proposed health centre which demonstrates that the health centre will achieve BREEAM 'Very Good'.

Overall the proposed energy strategy is considered broadly acceptable by Council Officers note that further clarity will need to be provided to the GLA as part of the Stage 2 referral process.

3.9 Landscaping, Trees and biodiversity

The 'sustainable development' imperative of the NPPF 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

As previously mentioned, the application proposes the creation of several areas of open space within the development site. In addition to this, additional planting is proposed along the proposed estate roads along with podium deck gardens for the proposed apartment blocks. Detailed landscaping conditions are included in the list of suggested conditions which will ensure the Council can secure the future quality of these areas.

Trees

London Plan Policy G7 (Trees and woodlands) also requires that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, 'i-tree' or CAVAT or other appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

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

The submitted application builds on the regeneration area of West Hendon Estate. The current proposal will require the removal of several trees of moderate to low value. The Council's arboricultural officer has advised that subject to suitable replacements the loss of these trees is acceptable.

In relation to replacement planting the proposals include the planting of 81 replacement trees the provision of which is welcomed and supported by the Council's arboricultural officer subject to the appropriate landscaping conditions.

Biodiversity

London Plan Policy G6 (Biodiversity and access to nature) also requires Sites of Importance for Nature Conservation (SINCs) to be protected. Part C of the policy advises that where harm to a SINC is unavoidable, and where the benefits of the

development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:

- 1) avoid damaging the significant ecological features of the site
- 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
- 3) deliver off-site compensation based on the principle of biodiversity net gain.

Part D also advises that development proposals should aim to secure net biodiversity gain and be addressed from the start of the development process. Proposals which reduce deficiencies in access to nature should be considered positively.

Barnet Policies CS7 (Enhancing and protecting Barnet's open spaces) and DM16 (Biodiversity) seek to protect existing Sites of Importance for Nature Conservation and ensure that development makes the fullest contributions to enhancing biodiversity, both through on-site measures and by contribution to local biodiversity improvements. Proposals are expected to meet the requirements of the London Plan.

An Ecological Appraisal Report has been submitted in support of the application, which confirms that while the site is located within 100m of the Welsh Harp which is a SSSI and of national significance, the site itself which mostly consists of cleared buildings and rubble has negligible existing ecological value, however careful control will need to be placed in controlling construction activities, to control noise, pollution or lighting impacts on the neighbouring SSSI. Operationally, care will also need to be taken to ensure that the increased population of the development does not result in recreational disturbance, although evidence from the wider West Hendon development suggest that both construction and recreational use have not resulted in any harm to the Welsh Harp but need to be subject to ongoing monitoring.

The development also includes ecological enhancement measures including:

- Provision of approximately 1,590m² of biodiverse roofs across the buildings within the Site. The roofs will include a varied vegetation structure, a diverse range of flowering plants, and a varied depth of substrate with sand or log piles also present;
- Installation of the following wildlife boxes within the buildings:
 - 4 black redstart nest boxes;
 - 8 house martin nest cups; and
 - 8 house sparrow terraces.

The applicant has also submitted a Biodiversity Net Gain Assessment which shows that the scheme is likely to achieve a positive on-site net percentage change of 21.06% (equating to an increase in 0.27 units) for habitat units, and a positive on-site net percentage change of 100% (equating to an increase in 0.23 units) for hedgerow units. This significantly exceeds the 10% target and is welcomed by officers.

Overall Officers are satisfied that the proposal would not adversely affect ecology as a result of the development subject to the attachment of appropriate conditions.

Flood risk, Water Resources, Drainage and SUDs

Flood Risk is considered within the submitted ES

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. On site attenuation is proposed to be addressed via a combination of green roofs, permeable podium/courtyard attenuation, swales, bio-retention and permeable paving in the streets, and attenuation tanks to achieve a 1000 m³ attenuation within the site boundary. Some discharge allowance of up to 405l/s to the Welsh Harp is factored in for peak storm events. Petrol/Oil interceptors are also required to be fitted.

Overall the proposal for surface water management is considered to be consistent with the aims of the NPPF and the London Plan 2021 and demonstrates a sustainable approach consistent with current best practice.

The Environment Agency, Thames Water and Capita Drainage (Lead Local Flood Authority) have been consulted on the application. Thames Water have requested the imposition of Conditions and Informatives which are included in the list of suggested conditions.

3.10 Other matters

Utilities

In support of the application a Utilities Assessment has been submitted.. The Utility Assessment advises that consideration has been given to utility connections i.e. electricity, water and broadband. It is concluded that 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.

Ground conditions and Contamination

In regards to potential contamination, the submitted ES sets out remediation works to be carried out which has been secured by condition. Subject to the attachment of such conditions no objections are raised in this regard.

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 **50%** affordable housing by habitable room which will be secured by legal agreement, along with other contributions such as the carbon offset payments along with the requirements to address the transport impacts of the proposal in the form of a travel plan.

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.

Indicatively in accordance with figures provided with the application, the scheme would generate £ 5,892,538.41 in Barnet CIL calculations.

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.

Indicatively in accordance with figures provided with the application, the scheme would generate £ 1,381,248.58 in Mayoral CIL calculations.

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.

As part of the decision making process to grant planning permission for the hybrid application in 2013, the Officers had regard to the requirements of equality and diversity issues. This concluded the submission "*adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and support the council in meeting its statutory equality responsibilities*".

Therefore, the principle for the re-development has been established through the process originally undertaken in 2013, and the changes to the development have been assessed as neutral in subsequent updates including most recently the Socio-Economic Chapter of the Environmental Impact Assessment submitted with this application.

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 include the demolition and re-provision of Hendon Way Surgery. The relocation will only take place once new premises are available providing unbroken services for patients. The new premises would be purpose-built and provide an uplift over the existing floorspace. The effects on service provision has been considered by the applicant within the Environmental Assessment (Socio-Economics Chapter) and the Health Impact Assessment (HIA) as part of the planning application.

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 this part of the West Hendon Estate is considered acceptable and accords with national, regional and local Plan Policy guidance.

The proposal makes a significant contribution towards additional affordable housing providing a policy compliant mix of affordable housing including much needed larger 3 bed affordable rented units.

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 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 amenities of neighbouring residential occupiers are not considered to be unduly impacted by the proposals.

The scheme deals with its waste and recycling requirements and in terms of energy and sustainability, a range of measures are proposed including a carbon offset payment to achieve mayoral standards for a reduction in CO2 emissions.

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.

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: West Hendon Estate, West Hendon, London, NW9

REFERENCE: 23/1802/FUL

