

MEETING

PLANNING COMMITTEE

DATE AND TIME

MONDAY 2ND MARCH, 2020

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

Chairman: Cllr Shimon Ryde
Vice Chairman: Cllr Melvin Cohen LLB

Councillors

Cllr Claire Farrier	Cllr Brian Gordan LLB	Cllr Nagus Narenthira
Cllr Eva Greenspan	Cllr Tim Roberts	Cllr Mark Shooter
Cllr Stephen Sowerby	Cllr Julian Teare	Cllr Laurie Williams
Cllr Jess Brayne		

Substitute Members

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

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

Andrew Charlwood – Head of Governance

Governance Services contact: mainplanning.committee@barnet.gov.uk

Media Relations Contact: Tristan Garrick 020 8359 2454

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ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 8
2.	Absence of Members	
3.	Declarations of Members' disclosable pecuniary interests and non-pecuniary interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Fosters Estate, London NW4 (Tree Preservation Order)[19/TPO/027]	9 - 18
7.	Grahame Park, London, NW9 5XA [19/5493/OUT]	19 - 126
8.	Phase 6b, Millbrook Park (Former Inglis Barracks) NW7 1PX [19/5827/FUL]	127 - 222
9.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee

14 January 2020

Members Present:-

AGENDA ITEM 1

Councillor Shimon Ryde (Chairman)

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

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 04 November 2019, be agreed as a correct record.

2. CHAIRMAN'S WELCOME

The Chairman welcomed everyone to the meeting.

The Chairman also outlined the revised running order, which he noted would be reflected in the minutes.

3. ABSENCE OF MEMBERS

The Chairman provided Councillor Melvin Cohen's apologies. Therefore, in attendance was substitute Member, Councillor Helene Richman.

4. DECLARATIONS OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

None.

5. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

6. ADDENDUM (IF APPLICABLE)

The Chairman noted that the addendum to the Officer's report had been circulated to Members and published to the Council's website.

7. 19.4661.FUL - UNIT 4, HYDE ESTATE ROAD, NW9 6JX

The Chairman highlighted that there were a number of registered speakers who had registered within the deadline. The Chairman noted that the registered speakers had been contacted in advanced of the meeting to agree among themselves which two

residents would make a representation. The Chairman checked the position with the attending Governance Officer and the registered speakers that were in attendance. It became clear that agreement had not been reached. The Chairman therefore adjourned the meeting for a short time and requested that the Governance Officer consult with residents in order to a positive outcome to be found. The Chairman noted that an agreement could not be met and therefore he informed the public gallery that that Mr Adewale Bakare and Mr Ian Fergusson could make a representation as they had registered in time. Both residents had the opportunity to make a representation. The third resident was not able to speak as he had not registered in time.

Ward Member Councillor Gill Sargeant made a representation in objection to the application. The applicant's agent then gave a verbal representation.

Members of the Committee had the opportunity to question all speakers.

During the consideration of the item the Chairman sought clarity on the Silk Stream, landscaping and information relating to infrastructure. Mr Griffiths duly responded to these points and outlined the S106 contributions.

Having considered the report, the Chairman moved to VOTE on the Officer's recommendations.

The vote recorded was:

For	7
Against	5
Abstained	0

Resolved:

That the report be approved in accordance with Officer's report and the addendum to the report.

8. MILLBROOK PARK PHASE 6B SECOND APPLICATION

Before the consideration of the item the Chairman welcomed the scouts in attendance, particularly the younger members that were in attendance.

The Committee received the report and the addendum to the report.

The Committee heard verbal representations from Mr Clive Hailey and Mr Bill Taylor who spoke in objection to the application. During this phase of the meeting both speakers noted concerns in regards to trees. The applicant's agent spoke in response.

Members of the Committee had the opportunity to ask all speakers questions.

The Chairman questioned the applicant's agent in regard to concerns that related to the screening of trees and any negative impact to trees in the event the application be approved. He therefore suggested that the item be deferred so that further information could be provided to clarify this matter. The applicant responded to this point that they did not consider that a deferral was necessary but would defer to the Chairman in this regard.

The Chairman proposed and was seconded by Cllr Roberts that the application was deferred to the next meeting, for the applicant to provide additional information in relation to the root zone of the adjacent trees in the scout camp and to provide a construction method statement demonstrating how the proposed basement would be constructed while safeguarding the adjoining trees.

The vote recorded was:

For	9
Against	2
Abstained	1

Resolved:

That the item be deferred.

9. 27 WOODSIDE AVENUE

The Committee received the report and the addendum to the report.

The Committee heard verbal representations from Mr Robert Fortune and Mr Peter Champion who spoke in objection to the application. The applicant's agent spoke in response and made a verbal representation. The applicant gave a verbal representation.

Members of the Committee had the opportunity to ask all speakers questions.

Having considered the report, the Chairman moved to VOTE on the Officer's recommendations.

The vote recorded was:

For	10
Against	1
Abstained	1

Resolved:

That the report be approved in accordance with Officer's report and the addendum to the report.

10. REFERRAL FROM HENDON AREA PLANNING COMMITTEE 18.11.19. - 113 THE REDDINGS

The report was introduced by the Council's Principal Planning Tree Officer. Members noted that this item had been referred from the Hendon Area Planning Committee in order for it to be considered.

Members were given the opportunity to question Officers and make comments.

Having considered the report, the Chairman moved to VOTE on the application and therefore:

REFUSED the application for following reason (as detailed in officer report):
The loss of these trees of special amenity value is not justified as a remedy for the alleged subsidence damage on the basis of the information provided.

The vote recorded was:

Votes in favour – 11

Votes against – 1

Resolved:

That the application be refused.

11. BROWNFIELD LAND REGISTER

The Committee received the report:

Resolved:

That Planning Committee approved the updated 2019 Brownfield Land Register (BLR) for publication.

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

None.

The meeting finished at 21:45

COMMITTEE REPORT

- LOCATION:** FOSTERS ESTATE, LONDON NW4 2
- REFERENCE:** 19/TPO/027
- WARD:** Hendon
- PROPOSAL:** To seek authority for confirmation of Tree Preservation Order, with modification to the First Schedule to correct inconsistency in Map Drawing number.
- RECOMMENDATION:**
1. That the Council, under Regulation 7 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 confirms the London Borough of Barnet Fosters Estate, London NW4 2 Tree Preservation Order 2019 with modification to the First Schedule to correct inconsistency in Map Drawing number.
 2. That the person(s) making representations be advised of the reasons.

1. MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance Adopted

- Local Plan – Core Strategy (Adopted September 2012) – Policy CS7
- Local Plan – Development Management Policies (Adopted September 2012) – Policy DM01

Relevant Planning History

- Report of Service Director – Planning and Building Control dated 26th September 2019
- 19/2517/FUL - Demolition of Cheshire Hall (D1 use class), Cheshire House (C3 use class) and assorted outbuildings and erection of 217no. residential units including 75no. extra care units (C3 use class) across six blocks (A-F) comprising 15no. residential buildings, ranging from 1 to 7 storeys in height, the erection of bin stores and other outbuildings, associated access, parking and landscaping works and alterations to the external appearance of the retained residential blocks
 - Fosters Estate, London NW4
 - Validated 10th May 2019
 - Recommended for conditional approval by this Committee on 10th October 2019 but, being an application of strategic importance to London, referred to the Mayor of London

- Currently awaiting decision by the GLA

Background Information/Officers Comments

The Town and Country Planning Act 1990 (as amended) at section 197 states:

“It shall be the duty of the local planning authority—

(a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and

(b) to make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.”

Section 198 of the Act empowers a local planning authority to make a Tree Preservation Order if it appears to be ‘expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area’.

National Planning Practice Guidance clarifies that:

“Authorities can either initiate this process themselves or in response to a request made by any other party. When deciding whether an Order is appropriate, authorities are advised to take into consideration what ‘amenity’ means in practice, what to take into account when assessing amenity value, what ‘expedient’ means in practice, what trees can be protected and how they can be identified.”

- The Guidance states that “‘Amenity’ is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order. Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.”
- The Guidance suggests the following criteria should be taken into account: “*Visibility* - The extent to which the trees or woodlands can be seen by the public will inform the authority’s assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public. *Individual, collective and wider impact* - Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:
 - size and form;
 - future potential as an amenity;
 - rarity, cultural or historic value;
 - contribution to, and relationship with, the landscape; and

- contribution to the character or appearance of a conservation area.
- In terms of expediency, the Guidance notes “It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.”

“When granting planning permission authorities have a duty to ensure, whenever appropriate, that planning conditions are used to provide for tree preservation and planting. Orders should be made in respect of trees where it appears necessary in connection with the grant of permission.”

A Tree Preservation Order was made on 3rd October 2019 in the interest of public amenity in the light of a planning application for redevelopment at the site (19/2517/FUL). The making of the Order was considered justifiable both on grounds of amenity and expediency. As set out below, the trees are considered to be of significant public amenity value – visually and environmentally.

At the time the Order was made, a planning application was under consideration for “Demolition of Cheshire Hall (D1 use class), Cheshire House (C3 use class) and assorted outbuildings and erection of 217no. residential units including 75no. extra care units (C3 use class) across six blocks (A-F) comprising 15no. residential buildings, ranging from 1 to 7 storeys in height, the erection of bin stores and other outbuildings, associated access, parking and landscaping works and alterations to the external appearance of the retained residential blocks” at Fosters Estate (19/2517/FUL). The redevelopment scheme is for Barnet Homes.

‘Fosters Estate’ is some 3.19ha and is described in application documents as “currently comprises a 1960s housing estate formed of 196 existing residential properties, including 28 ‘Sheltered Housing’ units, (C3 Use Class) across 11 residential blocks. The existing residential blocks range between 2 and 11 storeys. In addition to the existing residential accommodation, the Site comprises Cheshire Hall (D1 Use Class) within Cheshir House; green open space; and assorted outbuildings.” Fosters Estate currently comprises:

- six blocks of flats called Little Fosters (1 – 11, 12 – 22, 23 – 33, 34 – 44, 45 – 55 and 56 - 66) accessed from New Brent Street and North Street
 - two blocks of flats called Upper Fosters (1 – 44 and 45 – 88) accessed from New Brent Street, Foster Walk and Foster Street
 - two blocks called Foster Court (1 – 6 and 7 – 14) accessed from Foster Street
 - one block called Cheshir[e] House (1 – 43 plus Hall) accessed from Foster Street
- There are also some small peripheral roadways between the Estate and surrounding buildings providing access to car parking and rear accesses

Between the Estate and Brent Street:

- Brampton Lane, Short Street, Cowley Place

Between the Estate and Heriot Road:

- Eaton Road

The Arboricultural Consultant employed by RE Ltd to assess the arboricultural aspects of the application on behalf of the Local Planning Authority raised concerns about the extent of tree loss across the site that would result from the application proposals. Local residents also expressed concern about the proposed tree loss and requested trees be considered for possible inclusion in an Order.

The Council as Local Planning Authority has power to make a Tree Preservation Order in the interests of amenity to provide for the preservation of trees or woodlands in their area and a statutory duty to make such Orders as appear necessary in connection with the grant of planning permission for any development to ensure that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

It should be borne in mind that the making of the Tree Preservation Order and assessment of planning application for redevelopment are separate procedures. The inclusion of the trees in an Order would render the trees an ongoing material consideration in any planning application - the merit of trees and appropriateness of retention would be taken into account when assessing the planning application(s). The inclusion of the trees in an Order would give the Council as Local Planning Authority some measure of control over treatment considered excessive; as well as allowing imposition of planning condition(s) if deemed appropriate when determining the redevelopment application.

On 19th September 2019 a "BS5837: 2012 Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement" dated 18th September 2019 was submitted. The tree survey provided details of 39 individual trees, 7 groups and 2 hedges. The 'Arboricultural Appraisal Summary' within the September 2019 document indicated:

BS5837 Category A – 2 individuals 0 groups

BS5837 Category B – 11 individuals 3 groups

BS5837 Category C – 21 individuals 3 groups

BS5837 Category U – 5 individuals 1 groups

The trees are distributed widely across the Estate, growing in the large green areas surrounding the multi-storey blocks and, as acknowledged in the tree survey, a number of them are of high quality. These trees are very clearly visible across the site and from surrounding roadways / properties – they contribute significantly to softening the otherwise harsh built form; provide a sense of scale to the large multi-storey blocks; provide seasonal interest; and provide wildlife habitat. It was therefore considered reasonable to designate the trees as an 'area' as the trees have collective public amenity value in the context of the Estate.

As Fosters Estate is Council owned, in accordance with Council procedures, internal discussions have taken place with officers in the Major Projects Team (who dealt with the planning application); CSG Estates (responsible for the administration of

Council owned property); and the Re/Capita Development Team (who were involved in the redevelopment proposals for Barnet Homes securing agreement to the making of an area Order.

With appropriate cultural attention, the trees are capable of contributing to public amenity for a considerable period of time. For the above reasons it was considered appropriate to include the trees in a Tree Preservation Order.

As noted above (see Relevant Planning History), since the Order was made, the planning application for redevelopment has been recommended for conditional approval by this Committee and is currently with the GLA.

Notices were served on the persons affected by the Order in accordance with paragraph 1(a) of Regulation 5 of the Town and Country Planning (Tree Preservation) (England) Regulations. Two representations were received.

The Tree Preservation Order secures the protection of the trees on a provisional basis for up to six months from the date of making, but an Order needs to be formally confirmed for it to have long-term effect. The Council is required to take into account all duly made objections and representations before deciding whether to confirm the TPO.

One representation was an e-mail received from a local resident requesting clarification as to which trees the Order related - but no further response was received on being informed that the dotted black line marking the boundary of area A1 on the Tree Preservation Order map follows the perimeter of Fosters Estate, thus all the trees growing at Fosters Estate (within the dotted boundary of area A1) are included in the Tree Preservation Order.

The second was a letter of representation objecting to the Tree Preservation Order received from the Interim Senior Project Manager for The Barnet Group involved in the redevelopment of the Council housing at Fosters Estate. The representations conflate matters relating to the Tree Preservation Order and to the planning application but, in terms of the Order, are as follows:

- *The objector referred to an outdated Arboricultural Implications Assessment (AIA) and stated "The overarching landscaping strategy is to retain as many trees on site as possible and only remove those trees needed to facilitate the construction of the new homes. The AIA states there are no Category A trees to be removed and a combined total of 28 Category B and C trees identified for removal..... the strategy also provides for the protection of retained trees during the construction process and additional tree planting to enhance the existing stock and improve the landscaped areas."*
- *The project team are committed to delivering high quality new homes and enhancing the landscaped areas for all residents on the Fosters Estate and we are keen to work with the Council to achieve this. Our concern with granting an area wide TPO is that this may cause delay and additional costs to the project which we feel would be unnecessary given the Council's overall support for the scheme. We believe that rather than an area wide TPO, it*

would be more appropriate to issue TPO's for those trees (individual or groups) which are retained in the approved scheme.

In response the Council's Tree and Environment Officer comments as follows:

- (i) The confirmation of the Tree Preservation Order and assessment of planning application for redevelopment are separate procedures. A Tree Preservation Order is made / confirmed in accordance with s198 of Act and the Town & Country Planning (Tree Preservation) (England) Regulations 2012); whereas the determination of the redevelopment application would be subject to section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.
- (ii) The objection conflates the separate procedures of confirmation of the Tree Preservation Order and assessment of planning application for redevelopment. If it is considered that, because of implications for trees, a planning permission should be refused or granted subject to conditions to protect the trees, a Tree Preservation Order should be in place in accordance with the planning legislation. Confirmation of the Order would render the trees a material consideration in any planning application - the merit of trees and appropriateness of retention would be taken into account when assessing the planning application.
- (iii) Notwithstanding Members' recommendation in respect of the planning application for redevelopment 19/2517/FUL, as the application is one of strategic importance to London, it must be referred to the Mayor of London. The referral to the Mayor is still in process – it could take a considerable period and there is no certainty as to the outcome. In accordance with TPO legislation, a provisional Order lapses if it is not confirmed within six months of being made. As the referral process may extend beyond the six months period, the decision whether or not to confirm the Order needs to be made independently of the timing of the planning application.
- (iv) The contention that the area Tree Preservation Order should not be confirmed because it *"may cause delay and additional costs to the project which we feel would be unnecessary given the Council's overall support for the scheme"* misunderstands legislative procedures and that the making / confirmation of an Order is a separate step to the determination of a planning application for development.
- (v) Confirmation of the Tree Preservation Order would allow the imposition of conditions for the preservation and planting of trees ('protection of retained trees during the construction process', 'additional tree planting to enhance the existing stock and improve the landscaped areas') should development occur.

- (vi) As noted above, the Arboricultural Consultant employed by RE Ltd to assess the arboricultural aspects of the application on behalf of the Local Planning Authority raised concerns about the extent of tree loss across the site that would result from the application proposals.
- (vii) It is unclear why the objector is concerned that confirmation of the area Order “may cause delay and additional costs to the project” given he has also noted that the “*overarching landscape strategy is to retain as many trees on site as possible and only remove those trees needed to facilitate the construction of the new homes... [and] provides for the protection of retained trees during the construction process and additional tree planting to enhance the existing stock and improve the landscaped areas*” – there appears to be an inherent contradiction between the two statements.
- (viii) The contention that the Tree Preservation Order should not be confirmed because it “*may cause delay and additional costs to the project which we feel would be unnecessary given the Council’s overall support for the scheme*” is considered unreasonable. There are hundreds of Tree Preservation Orders in the borough, a substantial number of which have been made in association with proposed development schemes supported by the Council – on both private and Council owned land. Particularly in the light of the previous internal discussions which took place with officers in the Major Projects Team; CSG Estates; and the Re/Capita Development Team securing agreement to the making of an area Order, to now suggest the Order should not be confirmed on the grounds that it “may cause delay and additional costs” also has the potential to give rise to concerns about ‘double-standards’ being applied to Council schemes.
- (ix) Although the objection suggests “*We believe that rather than an area wide TPO, it would be more appropriate to issue TPO’s for those trees (individual or groups) which are retained in the approved scheme*”, it should be noted that that the ‘area’ designation is considered reasonable as the trees (many of which are acknowledged as being of high quality and contributing significantly to public amenity) are widely distributed across the site and have collective value in the context of the Estate.
- (x) The suggestion that the Order should only include trees “*which are retained in the approved scheme*” not only misunderstands legislative procedures and that the making / confirmation of an Order is a separate step to the determination of a planning application for development but disregards the fact that referral to the Mayor is still in process – with no certainty as to either duration or the outcome.
- (xi) In accordance with TPO legislation, a provisional Order lapses if it is not confirmed within six months of being made. As the referral process to the Mayor may extend beyond the six months period, the decision whether or not to confirm the Order needs to be made independently of

the timing of the planning application. Confirmation of the Tree Preservation Order would allow the imposition of conditions for the preservation and planting of trees if planning permission is granted for the redevelopment, and would provide some measure of control over inappropriate treeworks into the future.

It is considered that the making of the area Order fully accords with the duty imposed on the Council as Local Planning Authority as being 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'. Notwithstanding Members' recommendation, the planning application must be referred to the Mayor of London. The referral to the Mayor is still in process – it could take a considerable period and there is no certainty as to the outcome. In accordance with TPO legislation, a provisional Order lapses if it is not confirmed within six months of being made. As the referral process may extend beyond the six months period, the decision whether or not to confirm the Order needs to be made independently of the timing of the planning application. Confirmation of the Tree Preservation Order would allow the imposition of conditions for the preservation and planting of trees if planning permission is granted for the redevelopment, and would provide some measure of control over inappropriate treeworks into the future.

The Town and Country Planning (Tree Preservation) (England) Regulations 2012 clarify that an Order shall contain or have annexed to it a map that shall be treated as part of the Order which indicates the position of the trees, groups of trees or woodlands, as the case may be, by reference to a map; Regulation 3 (4) stating "In the case of any discrepancy between the map contained in, or annexed to, an order and the specification contained in the Schedule to that order, the map shall prevail." In this case, the First Schedule describes area A1 designation as being "All the trees of whatever species within the area marked A1 on the map" and the annexed Tree Preservation Order map clearly shows the boundaries of the designated area A1 but, when the Tree Preservation Order was created, it appears that due to a typographical error the Map drawing number was incorrectly specified on part of the First Schedule. The Map Drawing number is 20191003 and is correctly specified as such for the individual tree section of the schedule, but the wrong drawing number is referenced in respect of area, group, and woodland sections. For the avoidance of doubt, it is considered that the First Schedule should be amended to refer to "map 20191003" at the area, group, and woodland sections of the schedule. It is therefore recommended that the Order be confirmed with modification to the First Schedule to correct the inconsistency in Map Drawing number.

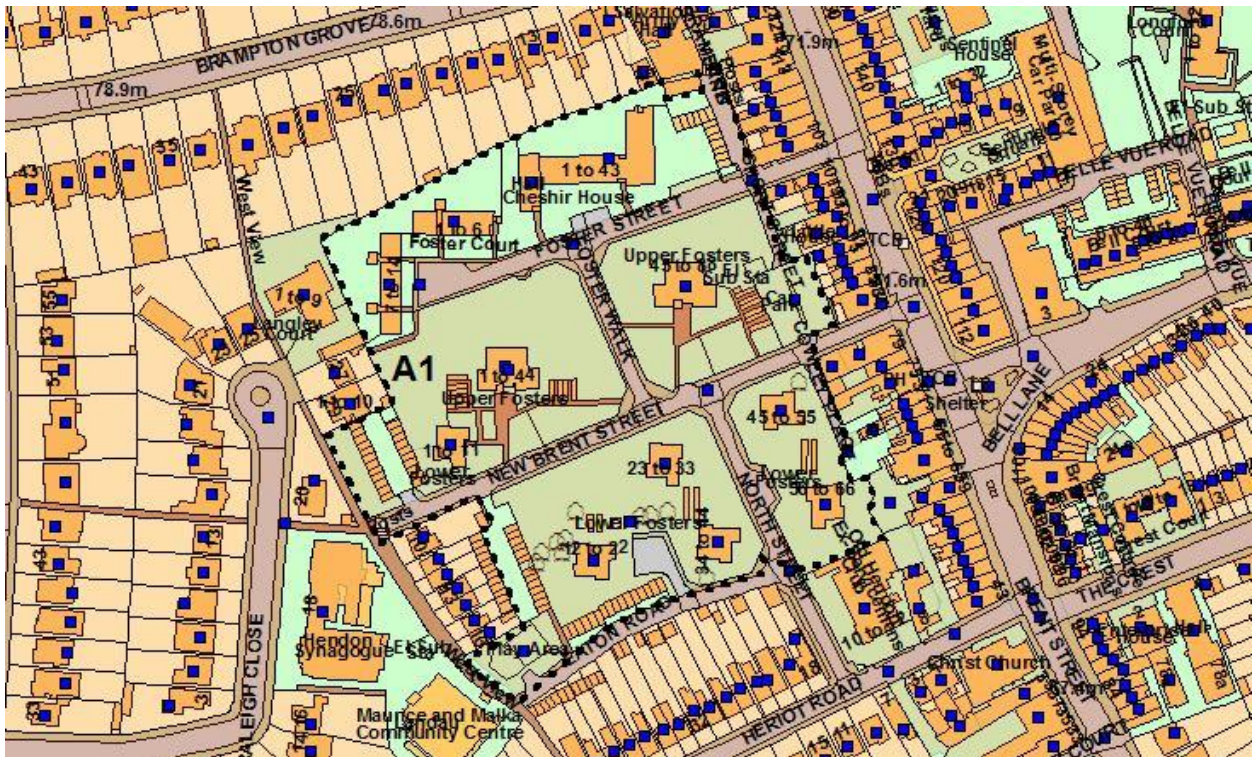
2. EQUALITIES AND DIVERSITY ISSUES

The Equality Act 2010 (the Act) came into force in April 2011. The general duty on public bodies requires the Council to have due regard to the need to eliminate discrimination and promote equality in relation to those with protected characteristics such as race, disability, and gender including gender reassignment, religion or belief, sex, pregnancy or maternity and foster good relations between different groups when discharging its functions.

The Council have considered the Act but do not believe that the confirmation of the Order would have a significant impact on any of the groups as noted in the Act.

3. CONCLUSION

The confirmation of the Tree Preservation Order is considered appropriate in the interests of public amenity, it would allow the imposition of conditions for the preservation and planting of trees if planning permission is granted for the redevelopment, and some measure of control over treework that is considered excessive. As set out above, it is considered the trees within the boundary of area A1 identified in the Order contribute significantly to public amenity and given normal arboricultural attention are capable of providing amenity value for a considerable time. However, there is a typographical error on the First Schedule which could usefully be amended for the avoidance of doubt. It is therefore recommended that the Order be confirmed with modification to the First Schedule to correct the inconsistency in Map Drawing number.



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LOCATION: Grahame Park, London, NW9 5XA.

REFERENCE: 19/5493/OUT

Received:

9 October 2019

AGENDA ITEM 7

Accepted:

9 October 2019

WARD: Colindale

Expiry:

8 January 2020

APPLICANT: Choices for Grahame Park/Notting Hill Genesis

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

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

Application Background and Summary

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

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

An outline planning application was submitted by Choices in 2004 for the redevelopment of the estate (reference W01731JS/04). This scheme was approved in September 2004 subject to a Section 106 Agreement. Following the completion

of the Section 106 and Principal Development Agreement for the regeneration, outline planning permission was finally granted on the 31st January 2007.

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

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

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

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

The Grahame Park SPD (2016) breaks Stage B down into three phases. The Proposed Development takes in the entire first phase, involving the redevelopment of the Concourse area, along with a small part of Phase 3 that is currently occupied by the estate's energy centre. The entirety of Phase 1 has been allocated as an area for 'comprehensive redevelopment' which requires the full demolition of existing buildings and structures, and new development to take the place of the existing estate.

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

'Outline planning permission for the demolition of 630 existing residential units, Everglade GP Practice, Community Hall, library and retail units and the construction in three phases (plots 10, 11 and 12) of: 1083 residential units (use Class C3); a Community Hub of approximately 3,766 sq.m (GIA) comprising a community hall and workshop rooms, a daycare nursery, a GP Health centre, community health facilities and ancillary office accommodation (all use class D1) along with 186 sq.m (GIA) café (use class A3); approximately 340 sq.m (GIA) of retail space (predominantly use class A1, along with A2, A3, A4 and/or A5) ; a flexible ground

floor space of approximately 55sq.m (GIA) (use class A1 or use class B1) within Block 10B; a new energy centre to provide district heating; and associated car parking, open space, landscaping and access arrangements.

Within the outline application:

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

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

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

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

In directing the Council to refuse the application, the Mayor set out his view that it was possible for the proposals to be successfully amended to better optimise the development and housing potential of the site and ensure that replacement social rented housing and necessary transport mitigation was secured. It was advised that the Council and applicant work with the GLA and TfL to bring forward a revised scheme that met these strategic objectives.

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

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

The description of development is as follows:

'Hybrid planning application for the demolition of 630 residential units and existing commercial, retail and community floorspace, and the phased redevelopment of

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

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

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

The application is referable due to the mayor of London as the development falls within identified criteria as defined under the Town and Country Planning (Mayor of London) Order 2008.

RECOMMENDATION

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 units across the whole development (1045 units in total) on the basis of the following indicative unit mix:

Social Rent and London Affordable Rent (346 Units)

123 x 1 Bed
147 x 2 Bed
53x 3 Bed
22 x 4 Bed
1 x 5 Bed

Shared Ownership (699 Units)

417 x 1 Bed
282 x 2 Bed

(d) Affordable Housing – Review Mechanism

Submission of an Early (if implementation is delayed), Mid and Late Stage Viability review.

(d) Community Centre & Nursery

The delivery of the Community Centre & Nursery non-residential buildings to the satisfaction of the Local Planning Authority.

(e) Heybourne Park

The delivery of the proposed improvements to Heybourne Park to the satisfaction of the Local Planning Authority up to a value of £2,000,000 plus indexation. Or payment of equivalent cash sum to the Council to carry out said works.

(f) Health Centre

The delivery of a new health centre to the satisfaction of the Local Planning Authority or cash payment TBA towards the provision of such a facility elsewhere in the Colindale Area.

(g) Carbon Offset Payment

Payment of TBA towards Carbon Offset to meet mayoral zero carbon target.

(h) Recruitment, employment and training

The applicant would be expected to enter into a Local Employment Agreement with the Council to provide for the following outcomes:

Part 1a - Non-financial obligations	Outputs	30% of Outputs to Commute	70% of Outputs to Discharge
a) Progression into Employment (unemployed under 6 mths)	40	12	28
b) Progression into Employment (unemployed over 6 mths)	45	13.5	31.5
c) Apprenticeships (min NQV Level 2)	50	15	35
d) Work Experience (min 10 days)	122	36.6	85.4
e) School/College/ University Site Visits	1113	1113	1113
f) School/College Workshops	612	612	612
g) Local Labour	10%	10%	10%
h) Local supplier requirements	10	10	10

30% Commute- Above SPD-SEET Agreed Non- Financial Contributions

Table C - Non-financial obligations	30% Non- Financial to Commute	Multiplier- SPD; 2014; Para; 2.8-2.12	Financial Contribution- Total to Commute	Difference of Non- Financial Obligations to Discharge
a) Progression into Employment (unemployed under 6 mths)	12	5,340.00	64,080.00	28
b) Progression into Employment (unemployed over 6 mths)	14	5,340.00	74,760.00	31
c) Apprenticeships (min NQV Level 2)	15	25,000.00	375,000.00	35
d) Work Experience (min 10 days)	37	5,340.00	197,580.00	85
e) School/College/ University Site Visits	1113	0.00	0.00	1113
f) School/College Workshops	612	0.00	0.00	612
g) Local Labour	10%	0.00	0.00	10%
h) Local supplier requirements	10	0.00	0.00	10
TOTAL			711,420.00	

(i) Travel Plan measures and monitoring:

Including Provision of Travel Plans covering the following:

Travel Plan – Residential -

Travel Plan – Non-Residential including Retail, Nursery, Health Centre (if applicable) & Community Centre

An appropriate Travel Plan Monitoring Fee would also need to be paid in relation to the above plans.

(j) Bus Contribution

A contribution 900,000 paid by the Developer to Council to fund the Bus Service Improvement.

(k) Colindale Tube Station Contribution

TBA contribution of up to £160,000 towards improvements at Colindale Tube Station if considered necessary.

(l) CPZ Contribution

Contribution TBA towards a study of CPZ's in the vicinity of the site and the implementation of a bespoke Grahame Park CPZ on adopted roads within the development.

Traffic Regulation Order amendments to exclude (new) residents from CPZ permits (outside of the redline boundary).

(m) Section 278 Works

The applicant shall submit plans showing details of highway works to the Council for approval prior to the commencement of construction works. The final details of the

proposed works to be undertaken to the existing public highways and adopted highways will be secured via a s278 agreement. These works include, but is not limited, to the following:

Northern Route (a contribution of up to £50,000 is sought) for:

- i. Bunns Lane / Lyndhurst Avenue mini roundabout – provision of informal crossing with refuge, in line with pedestrian desire line, including dropped kerbs and tactile paving
- ii. Bunns Lane / Woodcroft Avenue – provision of informal crossing with refuge, in line with pedestrian desire line, including dropped kerbs and tactile paving
- iii. Bunns Lane – replacement of informal crossing with zebra crossing

New and amended roads surrounding Plot A (a contribution of up to £150,000 is sought) for:

- iv. The southern access road shall form a new priority controlled junction with Heybourne Crescent south of Plot A.
- v. Great Field Road is to be converted to a one-way eastbound movement from its junction with Heybourne Crescent, past Saint Augustine's Church to its junction with the access road directly south of Plot A.

Enter into a Highways Agreement with the Council in respect of detailed design / highway works and adoption. This relates to all new roads and the new junction of Heybourne Crescent and site access road (south of Plot A).

(n) Pedestrian and Cycling improvements

S106 funding for the following schemes:

- i. Northern pedestrian route to Mill Hill Broadway Railway Station and the district town centre; and
- ii. Martlesham Walk pedestrian and cycling route improvement works (525 metre route). A part contribution of up to £150,000 is sought

(o) Section 106 Monitoring contribution

Monitoring Contribution TBA.

(p) 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 Head of Strategic Planning to approve the planning application reference 19/5493/OUT under delegated powers, subject to the following conditions.

The Committee also grants delegated authority to the Service Director Planning & Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the 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

Conditions relating to Plot A – Detailed Component

1. The development hereby permitted must be commenced no later than THREE YEARS from the date of this permission.

Reason To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted for the detailed component shall be carried out in accordance with the following approved plans and documents:

HP-PTA-A0-RF-DR-A-9100_PL1 Proposed site plan
HP-PTA-A0-RF-DR-A-9150_PL2 Proposed site plan Phase 01
HP-PTA-A0-GF-DR-A-9101_PL3 General arrangement plan - Ground floor
HP-PTA-A0-01-DR-A-9102_PL1 General arrangement plan - Level 01
HP-PTA-A0-02-DR-A-9103_PL1 General arrangement plan - Level 02
HP-PTA-A0-03-DR-A-9104_PL1 General arrangement plan - Level 03
HP-PTA-A0-04-DR-A-9105_PL1 General arrangement plan - Level 04
HP-PTA-A0-05-DR-A-9106_PL1 General arrangement plan - Level 05
HP-PTA-A0-06-DR-A-9107_PL1 General arrangement plan - Level 06
HP-PTA-A0-07-DR-A-9108_PL1 General arrangement plan - Level 07
HP-PTA-A0-08-DR-A-9109_PL1 General arrangement plan - Level 08
HP-PTA-A0-09-DR-A-9110_PL2 General arrangement plan - Level 09
HP-PTA-A0-10-DR-A-9111_PL1 General arrangement plan - Level 10
HP-PTA-A0-RF-DR-A-9112_PL1 General arrangement plan - Combined roof plan
HP-PTA-A0-ZZ-DR-A-9200_PL1 General arrangement elevation - South
HP-PTA-A0-ZZ-DR-A-9201_PL1 General arrangement elevation - North
HP-PTA-A1-ZZ-DR-A-9202_PL1 General arrangement elevation - A1 West & East
HP-PTA-A2-ZZ-DR-A-9203_PL1 General arrangement elevation - A2 West & East
HP-PTA-A3-ZZ-DR-A-9204_PL1 General arrangement elevation - A3 West & East
HP-PTA-A4-ZZ-DR-A-9205_PL1 General arrangement elevation - A4 South East North & West
HP-PTA-A5-ZZ-DR-A-9206_PL1 General arrangement elevation - A5 South East North & West
HP-PTA-A0-ZZ-DR-A-9300_PL1 Plot A General arrangement section - A-A
HP-PTA-A0-GF-DR-L-9400_PL1 Landscape plan - Ground floor
HP-PTA-A0-01-DR-L-9401_PL1 Landscape plan – First floor

Design reports:

HP-PTA-A0-XX-RP-A-9002_PL2 Design and Access Statement (DAS) Vol 2 - Detailed component

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).

3. Prior to the commencement of above ground works for the detailed component, the following details shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved and agreed):
 - i. Full details (including samples, where appropriate) of the materials and finishes to be used on all external surfaces
 - ii. Door, entrances, windows (including glazing specifications) and balconies (including drawings and section showing thresholds to adjacent internal spaces and drawings and sections of privacy screens)

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

4. Prior to occupation of the detailed component, the following details shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved and agreed):
 - i. Details of the design and access controls for the car park gate(s)
 - ii. Building lighting

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

5. Prior to completion or first occupation of the detailed component, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local planning Authority. The site shall be landscaped strictly in accordance with the

approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - (a) permeable paving
 - (b) tree pit design
 - (c) underground modular systems for new tree pits around car parking spaces
 - (d) Sustainable urban drainage integration
 - (e) use within tree Root Protection Areas (RPAs);
- 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
- 5) types and dimensions of all boundary treatments

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality 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.

Conditions relating to Outline Component

6. The development hereby permitted for the outline component shall be carried out in accordance with the following approved plans and documents:

Masterplan parameter drawings for approval:

HP-PTA-MP-ZZ-DR-A-0100_PL1 Site Location Plan
HP-PTA-MP-XX-DR-A-0101_PL1 Existing site layout and demolition
HP-PTA-MP-XX-DR-A-0102_PL1 Development plot plan
HP-PTA-MP-XX-DR-A-0103_PL1 Development phasing plan
HP-PTA-MP-XX-DR-A-0105_PL1 Horizontal limits of development plots

HP-PTA-MP-XX-DR-A-0106_PL1 Vertical limits of development plots
HP-PTA-MP-XX-DR-A-0107_PL1 External ground levels
HP-PTA-MP-XX-DR-A-0111_PL1 Access and circulation plan
HP-PTA-MP-XX-DR-A-0112_PL1 Horizontal boundary restrictions on development plots

Illustrative masterplan drawings:

HP-PTA-MP-XX-DR-A-0104_PL1 Building block plan
HP-PTA-MP-GF-DR-A-0108_PL1 Ground Floor uses
HP-PTA-MP-ZZ-DR-A-0109_PL1 Upper Floor uses
HP-PTA-MP-XX-DR-A-0110_PL1 Area of public realm
HP-PTA-MP-XX-DR-A-0113_PL1 Plot storey heights
HP-PTA-MP-XX-DR-A-0114_PL1 Access and circulation plan

Design reports:

HP-PTA-MP-XX-RP-A-9001_PL2 Design and Access Statement (DAS) Vol 1 - Outline component
HP-PTA-MP-XX-RP-A-9003_PL1 Design Guidelines - Outline component

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).

a) The total number of residential units across the development hereby permitted shall not exceed 2088 units.

b) The quantum of non-residential built floor space and distribution of land uses shall not exceed the figures specified below:

Business (B1) – 1,100sq.m
Retail (A1), Financial and Professional Services (A2), Food and Drink (A3) – 1,500sq.m
Drinking Establishments (A4) – 250sq.m

The quantum of Community Uses (D1)/ Assembly and Leisure (D2) shall provide a minimum of 1,200sq.m and not exceed 3,100sq.m.

c) In the event of there being any discrepancy between the figures specified above and the documents submitted in support of the application the floorspace figures specified in this condition shall apply.

d) Each reserved matters application shall include a statement to demonstrate compliance with the above table.

Reason: To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of floorspace remains within the approved parameters as assessed pursuant to the Environmental Impact Assessment of the development.

7. Applications for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the dates of this permission.

Reason: In accordance with section 92 of the Town and Country Planning Act 1990.

8. The development hereby permitted for the outline component shall begin no later than 7 years from the date of this permission and, in the case of the individual Development Plot, no later than 2 years from:
 - i. the final approval of the last Reserved Matters Application pursuant to Condition 7; or
 - ii. The final approval of any pre-commencement condition associated with that Development Plot.

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

9. Applications for the approval of the following reserved matters for each Development Plot shall be made to the Local Planning Authority before the expiration of 15 years from the date of this permission
 - Layout of buildings and associated roads, routes and open space;
 - Scale of the building
 - Appearance of the building
 - Landscaping

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

10. With the exception of Ground Works and Site Preparation Works, no development shall commence for the outline element until a Phasing Plan identifying the Development Plots (including Heybourne Park) and associated infrastructure works (including highways works) has been submitted to and approved by the Local Planning Authority.

The development shall be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

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

11. Notwithstanding any additional requirements identified by the LPA, any other authority and the National List and Local List, Reserved Matters Applications shall be accompanied by the documents listed below unless the LPA considers and confirms in writing that the submission of any of such documents is not necessary.

Layout

- i. A report and plans detailing layout of the proposed building or buildings and any relevant roads or landscaping associated with the Development Plot to which the reserved matter relates;
- ii. A reconciliation plan showing how the proposed detailed layout of the roads, pedestrian and cycle routes, and the detailed layout of open spaces with the Development Plot are consistent with the parameters and principles for the layout of the wider development in accordance with the Design Guidelines;
- iii. A report detailing any necessary temporary layout associated with the Development Plot;
- iv. A report and plans detailing internal layout of any buildings.
- v. A report detailing inclusive access;
- vi. A plan showing refuse and recycling, and servicing details.

Scale

- i. A statement (including accompanying design material) to demonstrate the selection of materials accords with the Design Guidelines.

Appearance

- i. Plans, drawings, sections and elevations to explain full details of the materials to be used on all external surfaces (including hard landscaping) and, where practicable, samples shall be provided; and
- ii. A statement (including accompanying design materials) to demonstrate the selection of materials accords with the Design Guidelines.

Landscaping

- i. Plans, drawings, sections and specifications to explain details of proposed landscaping works, including finished ground levels, proposed drainage arrangements, play equipment, planting, finishes, fences, walls, gates, railings. Screens, canopies, seating, signage and litter bins, surface treatments and enclosures;
- ii. A statement (including accompanying design material) to demonstrate the landscape works accords with the Design Guidelines;
- iii. Specification for the size, type and appearance of all paving or other hard surfaces;
- iv. Outline specification for street furniture;
- v. Tree planting details and specification of all other planting and cultivation;
- vi. Management and maintenance details;
- vii. Details of proposed green or brown roofs including detailed specifications and a supporting explanatory statement to demonstrate the anticipated distribution of green or brown roofs within the Development Plot required to accord with the Design Guidelines;

- viii. Details of hard landscaping, including means of enclosure, means of access to each building, any shared vehicular and pedestrian surfaces (including surface material and kerb details that ensure a safe and convenient environment for blind and partially sighted people), car parking layouts, pedestrian access and circulation areas, cycle parking layouts, hard surfacing, external furniture, play equipment and refuse storage;
- ix. Details of soft landscaping works including planting plans, written specifications (including cultivation and other operations associated with grass and plant establishment and after care and maintenance), schedules of plants, species, plant sizes, proposed numbers or densities where appropriate, height and maturity of trees and shrubs, sections through mounds, and tree containers and raised shrub beds at podium level.
- x. Details of the programme for implementing and completing the planting.
Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2016.

Site-wide Conditions Infrastructure Works

- 12.No development shall commence within a Development Plot (with the exception of Demolition, Ground Works and Site Preparation Works) until a scheme of Advanced Infrastructure Works associated with that Development Plot is submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- i. Underground drainage details
 - ii. Below ground energy infrastructure
 - iii. Below ground services and utilities
 - iv. Groundworks, earthworks, contouring and levels
 - v. A statement of compliance with the site wide strategies as illustrated in the approved application documents.

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

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

Construction Environment Management Plan

- 13.No Construction Works except for in a Development Plot shall Commence unless and until a scheme/plan making provision for a construction environmental method and management plan to control the adverse impacts of the Construction Works on the amenity, safety and wellbeing of site workers, the public and nearby occupiers (Demolition and Construction Environmental Method and Management Plan) for that Development Plot has been submitted to the Local Planning Authority for approval in writing.

Each submitted Construction Environmental Method and Management Plan shall include (where applicable), but not be limited to, details of:

- a) Construction Logistics Plan (CLP);
- b) parking of vehicles of site personnel and visitors;
- c) sourcing of materials;
- d) storage of plant and materials;
- e) dust management controls;
- f) location and height of cranes, scaffolding and safety;
- g) measures of minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- h) predicted noise and, if appropriate, vibration levels for construction using methodologies and at locations agreed with the Local Planning Authority;
- i) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;
- j) scheme for security fencing / hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- k) details of disposal of waste and storage arising from the construction programme, including final disposal points (the burning of waste on the site at any time is specifically precluded);
- l) hours of operation;
- m) smoke management controls;
- n) odour controls;
- o) road cleaning and wheel washing facilities;
- p) any other matters relevant to the particular Development Plot; and,
- q) all other mitigation measures referred to in the approved Environmental Statement (ES) as to be contained within an Environmental Management Plan.

Each Development Plot shall only be constructed in accordance with its relevant approved and Construction Environmental Method and Management Plan.

Each approved Construction Environmental Method and Management Plan shall be fortnightly monitored during the construction works and if necessary revised to reflect any changes to programme or events and activities on-site.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan 2016.

14. No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days unless in accordance with previously agreed emergency procedures for deviation.

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

15. 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 interests of good air quality with regard to policies 5.3 and 7.14 of the London Plan 2016. In accordance with the Council's Sustainable Design and Construction SPD (adopted October 2016).

Air Quality

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

Reason: To ensure that the development does not have an adverse impact on air quality in the vicinity, in line with the Sustainable Design and Construction SPD (adopted October 2016) and policies 3.2, 5.3 and 7.14 of the London Plan 2016.

Contaminated Land

17. 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 for each Development Plot 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 of each plot is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2016.

18. If, during development of each Development Plot, contamination not previously identified is found to be present at the site then no further development within that Development Plot (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 e) of the National Planning Policy Framework.

Noise

19. a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2016.

20. The level of noise emitted from the 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 proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

21. a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2016.

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

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

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

b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and 7.15 of the London Plan 2016.

Drainage

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

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

Unless otherwise agreed the scheme shall be based upon the principles within the agreed Grahame Park Stage B (Plots A-Q) Drainage Strategy prepared by Curtins (ref: HP-CUR-MP-XX-RP-C-0001) dated October 2019 and shall include but not limited to:

- A feasibility study investigating the discharge to the existing pond in Heybourne Park;
 - A clear labelled detailed network diagram showing pipe gradients, sizes, levels including relevant information for hydrobrake manhole;
 - Supporting hydraulic design calculations with corresponding Micro Drainage design input/output using the same reference numbers;
 - Evidence of third-party agreement for diversion of the existing drainage system (in principle/ consent to discharge);
 - Evidence of third-party agreement for discharge to their system with agreed rate of discharge (in principle/ consent to discharge);
 - Flood Estimation Handbook (FEH) design rainfall (2013);
 - Assessment of the proposed drainage system during the 30-year design rainfall according to Sewer for Adoption 7th Edition (without attenuation storage or flow control structure);
 - Assessment of the attenuation storage volume to cope with the 100-year rainfall event plus climate change to include the proposed drainage network as one system not in isolation;
 - 50% drain down time of the proposed attenuation storage volume;
 - Longitudinal section profile showing the proposed SuDS attenuation storage, relevant, control structure including the existing outfall points with relevant design levels;
 - A plan showing details of overland flood flow routes in the event of system exceedance, or blockage with demonstration that such flows can be appropriately managed on site;
 - Relevant maintenance programme and on-going maintenance responsibilities for the proposed SuDS;
 - The proposed SuDS structures design details.
- Agreement for the proposed discharge rates and discharge point for surface water sewer network undertaken in line with Thames Water recommendations.
 - Agreement of the discharge point of the highway drainage.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with policies 5.13 and 5.14 of the London Plan 2016, 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).

24. No infiltration of surface water drainage into the ground at Grahame Park is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason To protect groundwater. Based on the geology of the site, it is considered that shallow infiltration drainage is unlikely to be achieve sufficient

soakage rates, and therefore is unlikely to be suitable. The use of deep infiltration systems present a higher level of risk, and given the designation of the permeable strata at depth as a Secondary Aquifer A overlying a Principal Aquifer, it is considered that they are unlikely to be considered acceptable, unless a suitable level of risk assessment demonstrates otherwise.

25. Piling, deep foundations or other intrusive groundworks (investigation boreholes, tunnel shafts, ground source heating and cooling system using penetrative methods) shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed development does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework. The development is located in a low sensitivity area with respect to groundwater due to the proven presence of approximately a 15m thickness of London Clay. However, it is important to ensure that activities which have the potential to penetrate the clay layer are monitored.

Thames Water

26. No properties shall be occupied until confirmation has been provided that either:-

1. Capacity exists off site to serve the development, or
2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan, or
3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

Energy and Sustainability

27. Prior to above ground works for the detailed element a revised Energy Strategy shall be submitted and approved in writing and carried the development for out in accordance with the approved strategy.

As part of Reserved Matters applications for all Development Plots, details of the energy supply for each building in the relevant Development Plot shall be submitted and approved by the Local Planning Authority. Details shall be in accordance with the Energy Statement unless otherwise agreed and shall include:

- i. Details of the energy supply for each building connections, including a statement of compliance with the Energy Statement
- ii. Details of any temporary energy provision required
- iii. Details of the safeguarded provision for connections to an area wide heat network if feasible (as per Part A)

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2016 policies 5.2 and 5.6

Rainwater and greywater feasibility study

28. Prior to construction of any building, a rainwater and greywater feasibility study, investigating the potential for incorporating rainwater or greywater recycling, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2016 policies 5.13, 5.14 and 5.15.

Trees

29. Prior to the commencement of any phase of development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS:

a) Location and installation of services/ utilities/ drainage.

b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.

c) Details of construction within the RPA or that may impact on the retained trees.

d) a full specification for the installation of boundary treatment works.

e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.

f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.

- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) a specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires.
- k) Boundary treatments within the RPA.
- l) Methodology and detailed assessment of root pruning.
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist.
- n) Reporting of inspection and supervision.
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping.
- p) Veteran and ancient tree protection and management.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, 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. and pursuant to section 197 of the Town and Country Planning Act 1990.

Landscape

30. Prior to completion or first occupation of the relevant Development Plots, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - (a) permeable paving
 - (b) tree pit design
 - (c) underground modular systems for new tree pits around car parking spaces
 - (d) sustainable urban drainage integration
 - (e) use within tree Root Protection Areas (RPAs);
- 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise
- 5) types and dimensions of all boundary treatments; and
- 6) details of tool storage and irrigation on the podiums and any roof terraces that will enable residents to interact/maintain the soft landscape areas.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2016.

Biodiversity

31. Notwithstanding the content of plans hereby approved, prior to the commencement of development within each Development Plot details comprising a scheme of measures to enhance and promote biodiversity within the development shall be submitted to the Local Planning Authority and approved in writing. The approved scheme of measures shall be implemented in full in accordance with the approved details before the development is first used.

Reason: To ensure that the development represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan 2016.

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

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

Play space, sport and recreational features

33. Prior to first occupation within the relevant Development Plots, unless otherwise agreed in writing as part of the approved phasing, the play space and sport and recreation features shall be provided in accordance with the approved details for the Development Plots to which the play space relates and thereafter maintained for the lifetime of the development.

Reason: To ensure there is adequate plays space available for all users in accordance with London Plan 2016 policy 3.6 and Barnet Development Management policy DM02.

Refuse and recycling

34. Notwithstanding the details submitted with the application, prior to construction of above works of any building within the relevant Development Plot, the following details for that Development Plot shall be submitted to and approved in writing by the Local Planning Authority:

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

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

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

36. The non-residential units within the relevant Development Plot shall not be occupied until an Operational Waste Management Plan, setting out the measures for the management of operational waste within that Development Plot, has been submitted to and approved in writing by the Local Planning

Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2016 policy 5.3, and to ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

Wheelchair accessible units

37. 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 policies 3.8 and 7.2 of the London Plan (2016); and 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 policies CS9 and DM17 of the Barnet Local Plan.

Secure by Design

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

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

Details of External Lighting

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

Reason: To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of

the Barnet Local Plan and to mitigate the impact to species including bats in accordance with policies CS7 and DM16.

Commercial Uses Strategy

40. Prior to implementation of the first phase of the outline element to include non-residential floorspace (excluding D1 and D2 floorspace), a Commercial Uses Strategy shall be submitted to and approved by the local planning authority and the recommendations implemented accordingly.

Reason: In the interests of establishing the proposed strategy for marketing and occupying the proposed A1, A2, A3, A4 and B1 floorspace.

Estate Management Plan

41. No building shall be occupied until an Estate Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The development shall be managed in accordance with the approved Estate Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the coordinated management and maintenance in good working order of the site not limited to an including its buildings, roads including SUDs, parks, gardens, landscaping, street trees, public squares, energy centre and site network in the interests of sustainable development in accordance with the NPPF, London Plan 2016 and Barnet Core Strategy.

Transport and Highways

42. Prior to Ground Works and Site Preparation Works for each Development Plot details of all highways to be stopped under Section 247 of the Town and Country Planning Act 1990 shall be submitted to and agreed with the Local Planning Authority.

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

43. No residential or commercial units shall be occupied until the access roads and highways works (on and off-site) associated with the block in which that unit is located are made available for use.

Reason: To ensure there is adequate access available to all residential units and commercial units.

Parking

44. A Site Wide Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment. The development shall be carried out in accordance with the approved Site Wide Car Parking Management Strategy unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and also, To ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

45. Prior to first occupation of the relevant Development Plot a Car Parking Management Plan demonstrating compliance with the Site Wide Car Parking Strategy shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:

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

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

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London

Plan (2016) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

46. Prior to first occupation within each development plot the developer shall hereby submit for approval in writing by the Local Planning Authority, a Temporary Parking Strategy to respond to the phased construction of the development in line with the Phasing Plan (also to be submitted from approval). The details of the temporary car parking during the development build-out shall include:
- i. Management of existing car parking spaces;
 - ii. Displacement and replacement of parking spaces within the development site boundary for residents;
 - iii. Associated controls on these spaces.

Reason: To ensure the development meets the needs of its existing and future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies.

Cycle Parking

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

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

48. No building shall be occupied until a Delivery and Servicing Management Plan in respect of that building has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment and Outline Delivery and Servicing Management Plan. The development shall be carried out in accordance with the approved Delivery and Service Management Plan unless otherwise agreed in writing with 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.

49. Prior to first occupation within the relevant Development Plot, a communal/centralised satellite and television reception equipment shall be installed on all blocks within that Development Plot 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 development.

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

50. 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 enlargement or extension of the dwellings hereby permitted, including any additions or alterations to the roof; the construction of a new building or enclosure within the application site; the construction of new hardstanding for vehicles, or means of vehicular access to the highway to be formed, laid out or constructed within the site; 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.

51. The proposed flexible non-residential floorspace at ground floor hereby approved shall not be used for a nightclub, music venue, concert venue, bingo hall, or a place of worship or any equivalent uses within Classes D2 and D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), and the Town and Country Planning (General Permitted Development) Order 1995 (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 ensure that occupation of the premises does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

52. In respect of any future Class A3/4 occupation, no persons other than staff shall be permitted to be on the premises between the hours of 23.30 and 08.00 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that occupation of the premises does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

INFORMATIVE(S):

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

2. The applicant is advised that 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.
- For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999. Proof within the contractor's specification that all NRMM will be registered on the local government website
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- For major developments only: provide a copy of an asbestos survey for smaller developments confirmation that a survey has been carried out.

Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday – Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site

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 (2019) / National Planning Practice Guidance (2018);
- 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. 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.

2. Environmental Permit The proposed energy centre associated with this development will require an Environmental Permit under the Environmental

Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 08708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted. Additional 'Environmental Permitting Guidance' can be accessed via our main website (<http://www.environment-agency.gov.uk>).

3. Advice to applicant Environment Agency

No investigation can completely characterise a site. The condition may be appropriate where some parts of the site are less well characterised than others, or in areas where contamination was not expected and therefore not included in the original remediation proposals.

The previous use of the proposed development site as an air field presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon Principal Chalk aquifer (at depth).

Some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. A piling risk assessment and appropriate mitigation measures should be submitted with consideration of the EA guidance. During piling works (especially if the piles extend to the Chalk within SPZ1 saturated zone) due to the proximity of nearby potable abstractions the weekly groundwater monitoring for in situ parameters and turbidity should be considered.

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf>

We recommend that developers should: Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. Refer to the Environment Agency Guiding principles for land contamination for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

Refer to the contaminated land pages on GOV.UK for more information. We expect the site investigations to be carried out in accordance with best practice guidance for site investigations on land affected by land contamination. E.g. British Standards when investigating potentially contaminated sites and groundwater, and references with these documents:

- BS5930:2015 Code of practice for site investigations;
- BS 10175:2011 A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;

- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)
 - Use MCERTS accredited methods for testing contaminated soils at the site. A Detailed Quantitative Risk Assessment (DQRA) for controlled waters using the results of the site investigations with consideration of the hydrogeology of the site and the degree of any existing groundwater and surface water pollution should be carried out. This increased provision of information by the applicant reflects the potentially greater risk to the water environment. The DQRA report should be prepared by a “Competent person” E.g. a suitably qualified hydrogeologist. In the absence of any applicable on-site data, a range of values should be used to calculate the sensitivity of the input parameter on the outcome of the risk assessment.
 - GP3 version 1.1 August 2013 provided further guidance on setting compliance points in DQRAs.
 - Where groundwater has been impacted by contamination on site, the default compliance point for both Principal and Secondary aquifers is 50m. Where leaching tests are used it is strongly recommended that BS ISO 18772:2008 is followed as a logical process to aid the selection and justification of appropriate tests based on a conceptual understanding of soil and contaminant properties, likely and worst-case exposure conditions, leaching mechanisms, and study objectives. During risk assessment one should characterise the leaching behaviour of contaminated soils using an appropriate suite of tests. As a minimum these tests should be:
 - upflow percolation column test, run to LS 2 – to derive kappa values;
 - pH dependence test if pH shifts are realistically predicted with regard to soil properties and exposure scenario; and
 - LS 2 batch test – to benchmark results of a simple compliance test against the final step of the column test. Following the DQRA, a Remediation Options Appraisal to determine the Remediation Strategy in accordance with CRL11. The verification plan should include proposals for a groundwater-monitoring programme to encompass regular monitoring for a period before, during and after ground works. E.g. monthly monitoring before, during and for at least the first quarter after completion of ground works, and then quarterly for the remaining 9-month period.)
- Where SUDs are proposed; infiltration SUDs should not be located in unsuitable and unstable ground conditions such as land affected by contamination or solution features. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should have a suitable series of treatment steps to prevent the pollution of groundwater. For the immediate drainage catchment areas used for handling and storage of chemicals and fuel, handling and storage of waste and lorry, bus and coach parking or turning areas, infiltration SuDS are not permitted without an environmental permit. Further advice is available in the updated CIRIA SUDs manual http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx

4. REFUSE

Refuse collection points should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Level access should be provided for the refuse collection *personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements.* Alternatively, the dustbins will need to be brought to the edge

of the refuse vehicle 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.

5. VEHICULAR ACCESS - SECTION 184 OF THE HIGHWAYS ACT (1980)

The applicant must submit an application under Section 184 of the Highways Act (1980) for all the proposed vehicular accesses. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section –Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

6. CONSTRUCTION ADJACENT TO PUBLIC HIGHWAY

For construction works adjacent to the public highways, the applicant must contact the council's First Contact on 0208 359 2000 for any necessary Highways Licenses.

7. HIGHWAYS REPAIR

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 construction traffic movements. 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. The applicant is advised that photographic records should be kept of the public highway likely to be affected by the development proposal prior to commencement of any construction or demolition works on site.

8. RELOCATION OF STREET FURNITURE

The applicant is advised that any street furniture or lighting column affected by the proposed works would be relocated under a rechargeable works agreement by the Council's term contractor for Highway Works. You may obtain an estimate for this work from Development & Regulatory Services, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

9. ALTERATION TO ON-STREET WAITING AND LOADING RESTRICTIONS

The applicant is advised that the proposed development may involve alterations to the existing on-street waiting and loading restrictions. Alterations to on-street waiting and loading restrictions will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process.

10. ADOPTION OF ACCESS ROADS

The council's refuse vehicles will be required to enter the site and therefore the estate roads must be constructed to adoptable standards. Details of the materials and surface finishes that would be acceptable for use on the private roads will be

undertaken and constructed to an adoptable standard. Details of the road construction requirements can be obtained from the Traffic and Development Section in Development & Regulatory Services, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

11. RAMP GRADIENT

The gradient for the proposed ramps leading to the underground parking areas should have a gradient not steeper than 1:10 or in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks 3rd Edition.

12. S38 WORKS

The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 38 Agreement under the Highways Act 1980.

13. S278 WORKS

The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.

14. Adoption of Proposed Road Layout

Should the scheme be adopted, a commuted sum may be required. This will only be estimated once an application for a S278/S38 is made.

15. Tree Works and Landscaping

The following British Standards should be referred to:

- a) BS: 3882:2015 Specification for topsoil
- b) BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
- c) BS: 3998:2010 Tree work – Recommendations
- d) BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
- e) BS: 4043:1989 Recommendations for Transplanting root-balled trees
- f) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
- g) BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
- h) BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations
- i) BS: 8601:2013 Specification for subsoil and requirements for use

16. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The

Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588

17. 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.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sqm on all forms of development in Barnet except for education and health developments which are exempt from this charge.

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

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

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

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

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

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

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

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

National Planning Policy Framework

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

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016 (Jan 2017 fix)

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing Standards Minor Alterations to the London Plan published in March 2016 and the Parking Standards Minor Alterations to the London Plan published in March 2016.

The London Plan policies most relevant to the determination of this application are as follows:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.2 (London and the Wider Metropolitan Area)

2.7 (Outer London Economy)

2.8 (Outer London Transport)

2.13 (Opportunity Areas and Intensification Areas)

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

London's People:

Policy 3.1 (Ensuring equal life chances for all)

Policy 3.6 (Children and young people's play and informal recreation facilities)
Policy 3.16 (Protection and Enhancement of social Infrastructure)

London's Response to Climate Change:

- 5.1 (Climate Change Mitigation)
- 5.2 (Minimising Carbon Dioxide Emissions)
- 5.7 (Renewable Energy)
- 5.10 (Urban Greening)
- 5.11 (Green Roofs and Development Site Environs)
- 5.12 (Flood Risk Management)
- 5.13 (Sustainable Drainage)
- 5.21 (Contaminated Land)

London's Transport:

- 6.1 (Strategic Approach)
- 6.2 (Promoting Public Transport Capacity and Safeguarding Land for Transport)
- 6.3 (Assessing Effects of Development on Transport Capacity)
- 6.4 (Enhancing London's Transport Connectivity)
- 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure)
- 6.7 (Better Streets and Surface Transport)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.11 (Smoothing Traffic Flow and Tackling Congestion)
- 6.12 (Road Network Capacity)
- 6.13 (Parking)

London's Living Places and Spaces:

- 7.4 (Local Character)
- 7.6 (Architecture)
- 7.8 (Heritage assets and archaeology)
- 7.14 (Improving Air Quality)
- 7.15 (Reducing and Managing Noise)
- 7.18 (Protecting Open Space and addressing deficiency)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and Woodlands)
- 7.7 (Location and design of tall and large buildings)

Draft Replacement London Plan 2017

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

The Inspector Panel Report following the Examination in Public was published in October 2019. The Inspector Panel was broadly supportive of the majority of the DLP, subject to several changes being made. The Mayor has subsequently declared in December 2019 it's 'intention to publish', accepting some but not all of the Inspector's recommendations. As not all of the Inspector's recommendations have been accepted. It is for the Secretary of State to decide whether the DLP can proceed to adoption. The Secretary of State wrote to the Mayor on the 14th

February (this follows an earlier letter dated 23rd December) extending the time period for the SoS to respond to the 14th March 2020. It would be within the power of the SoS to extend this period further by letter and this is the second extension following the mayor's publication of their 'intention to publish'.

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

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)

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

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

Sets out the Mayor's policies for Estate Regeneration.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD which were both adopted on 11 September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

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

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

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

CS7 (Enhancing and Protecting Barnet's Open Spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive integrated community facilities and uses+)

CS11 (Improving health and wellbeing in Barnet)

CS13 (Ensuring the efficient use of natural resources)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM14 (New and existing employment space)

DM13 (Community and education uses)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

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

Colindale Area Action Plan 2010

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

Grahame Park Supplementary Planning Document 2016

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

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)

Planning Obligations (April 2013)

Barnet's Local Plan (Reg 18) 2020

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

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

1.2 Key Relevant Planning History

Application Ref.	Address	Description of Development	Decision and Date
W01731JS/04	Grahame Park Estate - bounded by Lanacre Avenue to the west, Grahame Park Way to the south and Field Mead to the north.	Redevelopment of site involving the demolition of 1314 existing residential units and construction of 2977 new residential units providing a total of 3440 units on the estate, provision of approximately 9074sq.m replacement retail (Class A1), office (Class A2) food and drink (Class A3) and social and community (Class D1) uses and associated public and private open space, car parking and access arrangements. (OUTLINE) Submission of Environmental Statement.	APPROVED 17 th January 2007
W01731LA/07	PHASE 1A, Grahame Park Estate, Colindale London NW9	Reserved matters application seeking approval for design and external appearance in relation to Phase 1A, comprising 319	APPROVED 15 th January 2008

		residential dwellings pursuant to condition 6 of outline planning permission W01731JS/04 dated 17-01-2007 for the redevelopment of Grahame Park Estate.	
W01731KW/07	Land relating to Section 73 changes to Phase 1B, Grahame Park Estate, Colindale London NW9	Environmental Impact assessment - screening opinion.	Environmental Statement Not Required - 19 th September 2007
W01731LB/07	Grahame Park Estate - bounded by Lanacre Avenue to the west, Grahame Park Way to the south and Field Mead to the north.	Section 73 application for variation to the approved phasing (amendment to phases 1A (Anson Block), 1B, and 4A) of the regeneration of Grahame Park Estate requiring the variation of conditions 4, 7 and 30 of Outline Planning Permission W01731JS/04 dated 17-01-2007.	APPROVED 9 th April 2008
W01731KY/07	Part of Grahame Park Open Space (Area within south eastern section) Bounded By Lanacre Avenue to the South and Quakers Course to the East, London NW9	Construction of single storey community facility to replace existing log cabin adventure playground, and associated landscaping and vehicle drop off.	APPROVED 11 th December 2007
H/04448/10	Grahame Park Estate - bounded by Lanacre Avenue to the west, Grahame Park Way to the south and Field Mead to the north, Colindale, NW9 5UP	Extension to the time limit for implementing planning permission W01731LB/07 granted 09/04/08 for "Section 73 application for variation to the approved phasing (amendment to phases 1A (Anson Block), 1B, and 4A) of the regeneration of Grahame Park Estate requiring the variation of conditions 4, 7 and 30 of Outline Planning Permission W01731JS/04 dated 17-01-2007.	Approved 16 th February 2011
H/05110/10	Grahame Park Estate, (Phase 1B of Regeneration), London NW9	Prior Notification for proposed demolition of buildings in relation to Phase 1B of the Regeneration of Grahame Park Estate comprising of 18 residential buildings of 1 to 4 storey brick and concrete flats, one	Approved 18 th February 2011

		single storey non-residential building and some separate garages.	
H/00308/11	Grahame Park Estate, (Phase 1B of Regeneration), London NW9	Reserved matters application seeking approval for design, external appearance and landscaping for Phase 1B of the Grahame Park Estate Regeneration comprising 446 residential units (including Block A9), 5,483sq.m (GEA) of non-residential floorspace including a library (Use Class D1), community centre (Use Class D1), supermarket (Use Class A1) and ancillary retail units (Use Classes A1, A2 and A3), pursuant to condition 6 of outline planning permission reference H/00309/11 for the regeneration of Grahame Park Estate, together with details of traffic management/highway improvements (condition 12) and phasing plans (condition 44) required to form part of the reserved matters, and details of the construction methods statement in order to discharge condition 46.	Approved 21st February 2012
H/02522/13	Grahame Park Estate, (Phase 1B of Regeneration), London NW9	Non material amendment to previously approved application Ref: H/00308/11 dated: 12/2/2012 for: Reserved matters application seeking approval for design, external appearance and landscaping for Phase 1B of the Grahame Park Estate Regeneration comprising 446 residential units (including Block A9), 5,483sq.m (GEA) of non-residential floorspace including a library (Use Class D1), community centre (Use Class D1), supermarket (Use Class A1) and ancillary retail units (Use Classes A1, A2 and A3), pursuant to condition 6 of outline planning permission reference H/00309/11 for the regeneration of Grahame Park Estate, together with details of traffic management/highway improvements (condition 12) and phasing plans (condition 44)	Approved 14 th August 2013

		required to form part of the reserved matters, and details of the construction methods statement in order to discharge condition 46. Amendments to include: change to sub-phasing of Phase 1B to create Sub-Phase 2 to allow for the delivery of the new Lanacre Avenue shift and Sub-Phase 3 for the delivery of Blocks A1, A8, B1 and B6.	
H/00320/14	Grahame Park Estate, (Plot A8)	Revised application for development of plot A8 consisting of a 5 storey building comprising a 5,536sq.m college, 500sq.m public library and 500sq.m centre for independent living (all Use Class D1); associated vehicle access, parking, landscaping, refuse and cycle storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 57 flats, a 750sq.m public library, 945sq.m centre for independent living and 279sq.m of retail floorspace).Amendments to include: change to sub-phasing of Phase 1B to create Sub-Phase 2 to allow for the delivery of the new Lanacre Avenue shift and Sub-Phase 3 for the delivery of Blocks A1, A8, B1 and B6.	Approved 6th May 2015
H/04502/14	Grahame Park Estate, (Plot B1)	Revised application for development of plot A8 consisting of a 5 storey building comprising a 5,536sq.m college, 500sq.m public library and 500sq.m centre for independent living (all Use Class D1); associated vehicle access, parking, landscaping, refuse and cycle storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 57 flats, a 750sq.m public library, 945sq.m	Approved 6th May 2015

		centre for independent living and 279sq.m of retail floorspace).	
14/07210/FUL	Grahame Park Estate, (Plot B6)	Revised application for development of plot B6 comprising buildings between 1 and 6 storeys, to accommodate 92 residential units (84 flats and 8 dwellinghouses); associated vehicle access, highways, parking, landscaping, amenity space, refuse and cycle storage (this is an amended proposal for the whole of this development plot, being proposed instead of the reserved matters approval reference H/00308/11 dated 21/02/2012 for 84 flats in a part 5, part 6 storey building).	Approved 15th July 2015
15/04039/FUL	Grahame Park Estate, (Plot A1)	Construction of a new council office building between 4 and 9 storeys in height providing 11,146 sq.m of floorspace comprising 10,646 sq.m of (B1) office space and 170sq.m of (A3) cafe and ancillary space on ground floor and basement. Provision of landscaping and public realm improvements, car and cycle parking and refuse and recycling stores. Amended Plans showing alterations to design of proposed council office building.	Approved 5th April 2016
17/2840/OUT	Grahame Park Estate, Plots 10, 11 & 12	Outline planning permission for the demolition of 630 existing residential units, Everglade GP Practice, Community Hall, library and retail units and the construction in three phases (plots 10, 11 and 12) of: 1083 residential units (use Class C3); a Community Hub of approximately 3,766 sq.m (GIA) comprising a community hall and workshop rooms, a daycare nursery, a GP Health centre, community health facilities and ancillary office accommodation (all use class D1) along with 186 sq.m (GIA) café (use class A3); approximately 340 sq.m (GIA) of retail space (predominantly use class A1, along with A2, A3, A4 and/or A5) ; a flexible ground floor space of approximately 55sq.m	Refused 13/02/2018

		<p>(GIA) (use class A1 or use class B1) within Block 10B; a new energy centre to provide district heating; and associated car parking, open space, landscaping and access arrangements.</p> <p>Within the outline application:</p> <ul style="list-style-type: none"> - full details are submitted for the means of access, layout, scale, appearance and landscaping of Plots 10 and 12 and associated works; and - full details of Plot 11 are submitted for the means of access, layout, scale, appearance and landscaping with the exception of Plot 11D, where details of layout and scale are submitted, with means of access, appearance and landscaping reserved. 	
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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.

The applicant has undertaken consultations with local residents and the wider community at each stage of the project including 4 drop-in consultation events (March and May 2019) and an exhibition at the Grahame Park Festival (July 2019). The applicant has also undertaken extensive pre application discussions with the London Borough of Barnet and the GLA as well as other local key stake holders including ward councillors.

1.4 Public Consultations by the Council and Views Expressed

Public Consultation

1977 local residents were consulted on the planning application by letter on 28.11.2019. The application was advertised in the local press on 07.11.2019 and site notices were put up on site on 07.11.2019. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

Public Representations

As a result of the consultation, a total of 12 responses have been received, including a petition against the proposal signed by 53 persons. The remainder of the public comments contain 6 objections and 3 letters of support.

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

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

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

Loss of privacy and overlooking of neighbouring properties;

Impact on daylight and sunlight to neighbouring properties;

Impact of the volume of development on local public transport infrastructure;

Inadequate parking provision in development;

Impact on traffic generation and road safety as a result of the development;

Noise disturbance during demolition and construction;

Noise disturbance as a result in increased population and traffic generation;

Loss of genuine affordable housing, all existing residents (including non-secured tenants) should be rehoused on the estate;

Lack of transparency with residents;

Orientation of parking entrances to the existing houses on Great field with corresponding traffic, road safety and pollution concerns;

Lack of local services to support growth in population including GP's and schools;

Shops should be re-provided to replace those lost;

Removal of existing trees around existing car park on Plot A;

Limited green space in redevelopment;

Wind tunnel impacts;

Roads should be wider;

Safety issues of pond in the park;

Impact on TV signals;

Relationship of development to St Margaret's Church in relation to accuracy of plans, privacy and security;

Relationship of proposal to future proposals in Douglas Bader Estate. Proposals will cause some loss of light to these future units, and proposed future units in Douglas Bader will cause some light reduction to part of the Grahame Park proposals – both schemes should be understanding of this aspect of the proposals.

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

Exciting to see project move forward;

Estate has seen better days and needs redevelopment.

Officer Comment

All of the above representations have been taken into account in the officer assessment below. Minor amendments have been made in relation to the position of the boundary.

Elected Representatives.

Andrew Dismore AM

I am writing to object to the above application in my capacity as London Assembly Member for Barnet and Camden.

This application represents the onward march of the notoriously poorly planned Grahame Park "regeneration" scheme, which has already caused chaos and misery to many.

My objections are based on the following grounds:

Firstly, the unacceptable loss of genuinely affordable homes and replacement with homes that are not truly affordable. Barnet Council have used Grahame Park extensively for the provision of temporary accommodation, with some 'temporary' residents living there for many years. It is unlikely that these residents will be rehoused locally, as they will not be able to afford the proposed properties. Any planning permission must make it a condition of approval that those living on the estate now should be offered proper and permanent rehousing in the regenerated estate, should they so wish.

Secondly, the design aspects are extremely poor. We see yet more overdevelopment and unsustainable levels of population density. This is not a large site, yet it is being developed on a city centre scale, rather than a local suburb with just one nearby tube station already ram-packed, and one extremely busy Thameslink station.

This leads on to my third objection, which relates to a lack of local services to cope with a vast expansion of the population. There is nowhere near enough GP practice cover, and school spaces are being built mainly on the other side of the borough, where transport links are poor. In addition, there will be a very limited amount of green space available for residents to use and enjoy.

Fourthly, there is a lack of parking. I have objected time and time again to these plans due to the completely unrealistic idea that families who live far away from local amenities and adequate transport will not have cars. The development in this area has already extensively debunked that myth, yet as usual with Barnet regeneration plans, no learning has been done.

Finally, the height of 10/11 storeys is completely unacceptable, and breaks promises made to residents about height. We have seen far too many examples of these taller buildings overlooking nearby residents and there being no privacy for people to enjoy their own homes.

There is also an impact of loss of light in habitable rooms.

Therefore I strongly urge officers to reject this scheme and come up with a far more thought through plan.

Officer Comment

There is no loss of affordable housing. The density of the proposal follows extensive design work between the applicant and the Council and the GLA and has also been through a CABI design panel. The quantity of car parking is partly as a result of capacity and also due to GLA parking policies. The impact on services and light to neighbouring properties is considered acceptable.

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

Strategic issues

Principle of estate regeneration: The application complies with the requirement for the like for like replacement social rented floorspace and would provide an increase in terms of social rent accommodation by floorspace and habitable rooms (paragraph 21 to 33).

Land use principle: Further housing intensification of the site is supported, as is the proposed quantum of flexible commercial and employment use. The approach to social infrastructure re-provision is supported, subject to further discussion on the wording of any Section 106 agreement. Amendments to Heybourne Park would result in a net loss of open space; however, this is acceptable given the overall net increase in open space proposed across the site and the comprehensive qualitative landscape improvements proposed to the park itself (paragraphs 34 to 48).

Housing and affordable housing: 50% affordable housing by habitable room, comprising a 38:62 tenure split between social rent/London Affordable Rent and intermediate shared ownership is supported in principle, subject to this being verified as the maximum viable level of affordable housing and further discussion on any Section 106 agreement to ensure the affordable housing is secured in perpetuity. Early, Mid and Late Stage Viability Review Mechanisms should be secured given the size and timescales for the development. Affordability levels for shared ownership and low cost rent units should be confirmed and secured (paragraphs 49 to 61).

Urban design and heritage: The design, layout, density, height and massing of the proposed scheme is strongly supported and the proposed development would not harm heritage assets. (paragraphs 62 to 76).

Climate change: The applicant's strategies in relation to energy, drainage and urban greening are supported subject to conditions and obligations being secured (paragraphs 77 to 80).

Transport: Car parking and cycle parking would comply with the draft Replacement London Plan. A financial contribution of £900,000 is required to mitigate the impact on bus capacity (via two phased payments). A contribution of £160,000 is required towards improvements to Colindale station to mitigate the impact of the scheme. Conditions

are required in relation to bus stop location and design, construction, deliveries, travel planning and car parking and cycle parking. (paragraph 81 to 89).

Recommendation

That Barnet Council be advised that the application does not yet fully comply with the London Plan and draft Replacement London Plan, for the reasons set out in paragraph 93 of this report; however, the possible remedies set out in that paragraph could address those deficiencies.

Conclusion

London Plan and draft Replacement London Plan policies on estate regeneration, retail and employment uses, social and health care infrastructure, housing and affordable housing, urban design, inclusive design, heritage, climate change, flood risk and sustainable drainage and transport are relevant to this application.

The application does not yet fully comply with the London Plan and draft Replacement London Plan. The below issues should be addressed to ensure the proposal complies with the London Plan and draft Replacement London Plan:

- **Principle of estate regeneration:** The application complies with the requirement for the like for like replacement social rented floorspace and would provide an increase in terms of social rent accommodation by floorspace and habitable rooms.
- **Land use principle:** Further housing intensification of the site is supported, as is the proposed quantum of flexible commercial and employment use. The approach to social infrastructure re-provision is supported, subject to further discussion on the wording of any Section 106 agreement. Amendments to Heybourne Park would result in a net loss of open space; however, this is acceptable given the overall net increase in open space proposed across the site and the comprehensive qualitative landscape improvements proposed to the park itself.
- **Housing and affordable housing:** 50% affordable housing by habitable room, comprising a 38:62 tenure split between social rent/London Affordable Rent and intermediate shared ownership is supported in principle, subject to this being verified as the maximum viable level of affordable housing and further discussion on any Section 106 agreement to ensure the affordable housing is secured in perpetuity. Early, Mid and Late Stage Viability Review Mechanisms should be secured given the size and timescales for the development. Affordability levels for shared ownership and low cost rent units should be confirmed and secured.
- **Urban design and heritage:** The design, layout, density, height and massing of the proposed scheme is strongly supported, and the proposed development would not harm heritage assets.
- **Climate change:** The applicant's strategies in relation to energy, drainage and urban greening are supported subject to conditions and obligations being secured.
- **Transport:** Car parking and cycle parking would comply with the draft Replacement London Plan. A financial contribution of £900,000 is required to mitigate the impact on bus capacity (via two phased payments). A contribution of £160,000 is required towards improvements to Colindale station to mitigate the impact of the scheme. Conditions are required in relation to bus stop location and design, construction management and logistics, deliveries and servicing, travel planning and car parking and cycle parking.

Officer Comment

The broad support of the GLA to the application proposals is welcomed. The

London Borough of Barnet are in agreement with the majority of comments made but have made representations in relation to the proposed station contribution.

Environment Agency (EA)

No objections subject to the attachment of appropriate conditions and informatives.

Highways England

Offer no objection.

National Grid

No objections subject to the attachment of the following informative:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Thames Water (TW)

Waste Comments

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information

to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

With the information provided Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for SURFACE WATER drainage, but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. 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.

Water Comments

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

Supplementary Comments

Wastewater: We expect surface water to be attenuated to Greenfield run-off rates following London Policy 5.13 and achieve 5l/s/ha for all weather conditions. We require the drainage strategy to specify the point(s) of connection and peak discharge rates into the public sewer system for foul and surface water. We require demonstration of how the surface water disposal hierarchy has been implemented for the site and why connection to the combined sewer is the preferred option.

Discharge rates can be readily restricted to well below 5l/s using hydrobrakes or suitably protected orifice plates or proprietary products such as vortex control devices.

The surface water drainage strategy for this development should follow policy 5.13 of the London Plan. Typically greenfield run off rates of 5l/s/ha should be aimed for using the drainage hierarchy.

1. Rainwater harvesting (including a combination of green and blue roofs) 2. Infiltration techniques and green roofs 3. Rainwater attenuation in open water

features for gradual release 4. Rainwater discharged direct to watercourse (unless not appropriate) 5. Rainwater attenuation above ground (including blue roofs) 6. Rainwater attenuation below ground 7. Rainwater discharge to a surface water sewer or drain 8. Rainwater discharge to a combined sewer

London Borough of Brent

No Objections

Metropolitan Police Crime Prevention Design Advisor

I have reviewed the crime rates in the local area of the proposed application on Police.uk and I have noted that the highest recorded issues impacting the local ward of Colindale are anti-social behaviour, violence & sexual offences and vehicle crime.

The London Borough of Barnet as an entirety has a higher than average rate of burglary. Please see appendix for crime statistics.

The architect (Mr Roger Meyer of Patel Taylor Architects) wished to discuss the scheme with the MPS prior to submission to Barnet planning department, therefore myself and a colleague met with them on 01/08/2019. We discussed the overall scheme for the regeneration of GPE and made some recommendations in respect of crime prevention methods and strategies to consider incorporating for the scheme. Some of these recommendations have been incorporated with the Design and Access statement (DAS).

One of the biggest problems of the existing Grahame Park estate is the neighbourhood permeability of the site. A comment has been included by the architects in the Design and Access statement (page 150) regarding a number of alleyways currently within the proposed site. It is accepted that there should be some connectivity between parts of the estate, but I would support the closure of the highlighted alleyways within the DAS in order to reduce the permeability of the site, as previously discussed with the architect. Gating can help if the complete closure of an alleyway is not a permitted option, but it must be noted that from previous experience, once gates are installed, either they are often left open and insecure; they are often accessible by a digi-lock with a code that can quickly become compromised; or due to a lack of a maintenance strategy, gates can be left broken with no one party liable for repairing the gates, therefore leaving them insecure and allowing unrestricted access to an area that could quite clearly be misused.

Widely available research has proven that “neighbourhood permeability... is one of the community level design features most reliably linked to crime rates, and the connections operate consistently in the same direction across studies: more permeability, more crime”. (Taylor R B, 2002 – Crime prevention through environmental design).

The development will be providing a ‘Woodland Walk’ that will run along the length of the entire development. This should be a pleasant place for people to use but can just as easily become an area for crime and disorder and a ‘no-go zone’ for

residents and members of the public alike. The DAS makes reference to ramped cross-overs (section 8.20), which would presumably generate an undercroft or subway for people to pass under. I have a serious concern if any undercroft or subway is proposed and it would not be acceptable from an SBD perspective. This could lead to an area that could be taken over by a group or gang and increase crime and the fear of crime within the estate.

There are various gradient changes seen within the existing Grahame Park Estate, and underpass areas. The underpass leading towards the old shopping parade by Moineau has previously been closed off completely, perhaps due to crime and disorder problems or possibly drainage, due to the impassable depth of surface water upon the approach to the now closed underpass. As above, these underpass areas can produce massive issues of crime and disorder and with the fear of crime connected to an underpass, especially at night-time, could lead to the area becoming a 'no-go' zone to residents. I would not be able to support the introduction of any underpass area within a housing development.

The DAS refers to bridges upon the 'neighbourhood ladder' of the estate (section 8.19) and this is a concern. Bridges connecting blocks greatly increases the permeability of the site and can quickly become a means of escape for an offender. Due to the number of units per block, it is essential that each block is compartmentalised to restrict access in and around each residential block. For example, a person residing in block D must not be able to access the neighbouring block via a bridge or inter-connecting corridor. Compartmentalisation is required to prevent unlawful free movement around the building. This would be achievable by incorporating destination control smart lifts and securing certain corridors and stair-cores by fob in order to prevent illegitimate access. A secure lobby is also required for each residential block to reduce the impact that a tail-gater could potentially have, providing unrestricted access to an entire building. This will also help to protect residents and their immediate neighbours with a further line of defence, to help prevent illegitimate access to their flat door from others and enhance community cohesion.

I have provided my initial observations and comments within Appendix B for reference.

I have not provided any specific advice to the architects regarding each proposed individual block, therefore I would need to provide specific bespoke advice for each separate development, on a block by block, phase by phase basis, prior to submitting any comments through to your planning department.

My advice and recommendations is provided in line with the most recent SBD guide for residential dwellings – Homes 2019. As this application is an outline of the long-term proposal for GPE and as our advice is constantly updated, I would reserve the right to provide any future recommendations to the respective agents in line with the most recent advice and SBD guide available.

Physical security is mentioned within the DAS and it is noted that the development will comply with Approved Document Q (ADQ) of Building Regulations, however, whilst I accept that with the introduction of ADQ, it is no longer appropriate for local authorities to attach planning conditions relating to technical door and window

standards, I would encourage the planning authority to note the experience gained by the UK police service for 25+ years in this specific subject area. That experience has led to the provision of a physical security requirement considered to be more consistent than that set out within ADQ; specifically the recognition of products that have been tested to the relevant security standards but crucially are also fully certificated by an independent third party, accredited by UKAS (notified body). This provides assurance that products have been produced under a controlled manufacturing environment in accordance with the specifiers aims and minimises misrepresentation of the products by unscrupulous manufacturers/suppliers and leads to the delivery, on site, of a more secure product. **An overall planning condition for a development to achieve SBD accreditation, prior to occupation, will ensure that the most appropriate physical security can be recommended for the development.**

I do not object to this proposal but due to the reported issues affecting the ward and past problems within the estate, I would respectfully request that a planning condition is attached to any approval, whereby each development must achieve Secured By Design accreditation, prior to occupation.

English Heritage Archaeology

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

This is a previously developed site outside of an Archaeological Priority Area and with no recorded archaeological interest.

No further assessment or conditions are therefore necessary.

Natural England

No objections raised, reference made to standing advice.

Internal Consultation responses

Urban Design

No objections raised detailed comments incorporated in officer report below.

Transport and Regeneration

Comments provided in relation to the scheme. Final comments to be incorporated in the addendum following further discussions between the applicant and Barnet Transport.

Environmental Health

No Objections raised subject to the attachment of appropriate conditions regarding construction method extraction, noise mitigation, air quality and contamination.

Trees and Landscape

Detailed comments provided regarding tree protection and proposed landscaping. Comments incorporated in officer comments below.

Capita Drainage (Lead Local Flood Authority)

No objections subject to condition requiring additional exploration of SUDS infrastructure including potential for discharging to existing pond in Heybourne Park.

Skills and Enterprise

SPD-SEET Calculation - Non-Financial Contributions- Appendix B

Part 1a - Non-financial obligations	Outputs
a) Progression into Employment (unemployed under 6 mths)	56
b) Progression into Employment (unemployed over 6 mths)	36
c) Apprenticeships (min NQV Level 2)	95
d) Work Experience (min 10 days)	122
e) School/College/ University Site Visits	1113
f) School/College Workshops	612
g) Local Labour	30%
h) Local supplier requirements	10

Table B- Agreed Non- Financial Contributions-

Part 1a - Non-financial obligations	Outputs	30% of Outputs to Commute	70% of Outputs to Discharge
a) Progression into Employment (unemployed under 6 mths)	40	12	28
b) Progression into Employment (unemployed over 6 mths)	45	13.5	31.5
c) Apprenticeships (min NQV Level 2)	50	15	35
d) Work Experience (min 10 days)	122	36.6	85.4
e) School/College/ University Site Visits	1113	1113	1113
f) School/College Workshops	612	612	612
g) Local Labour	10%	10%	10%
h) Local supplier requirements	10	10	10

30% Commute- Above SPD-SEET Agreed Non- Financial Contributions

Table C - Non-financial obligations	30% Non- Financial to Commute	Multiplier- SPD; 2014; Para; 2.8-2.12	Financial Contribution- Total to Commute	Difference of Non- Financial Obligations to Discharge
a) Progression into Employment (unemployed under 6 mths)	12	5,340.00	64,080.00	28
b) Progression into Employment (unemployed over 6 mths)	14	5,340.00	74,760.00	31
c) Apprenticeships (min NQV Level 2)	15	25,000.00	375,000.00	35
d) Work Experience (min 10 days)	37	5,340.00	197,580.00	85
e) School/College/ University Site Visits	1113	0.00	0.00	1113
f) School/College Workshops	612	0.00	0.00	612
g) Local Labour	10%	0.00	0.00	10%
h) Local supplier requirements	10	0.00	0.00	10
TOTAL			711,420.00	

Review for Approval

The Site will provide a maximum of 50% Affordable Housing Scheme, with a GDV of 12.7%.

NottinghillGenesis will require to commute 30% of the Non- Financial Obligations into a Financial Contribution to support and sustain, Employment, Skills, Social Value and Community Investment Initiatives, already established within Grahame Park.

Overall, the site has Marginal Viability, and therefore, the Employment and Skills Obligations have been modified to take into account this Marginal Viability.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

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

In 2003 residents voted in favour of a full regeneration of the estate and in 2004 a new Masterplan secured outline consent for the whole site. Some parts of this masterplan at the southern end have already been built out by Genesis Housing.

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

The immediate site surroundings are mixed in character. To the north and west of Grahame Park Estate are low-density, predominantly 2-3 storey residential estates,

ranging from 1970s to schemes currently under construction or recently completed, as well as the Blessed Dominic School. To the south of the estate are Middlesex University student halls of residence, with blocks ranging between 3 and 4 storeys and the residential development known as Beaufort Park. Immediately to the east of the estate is Colindale Police Station, St James' School and the RAF Museum.

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

2.2 Description of the Proposed Development

The Proposed Development is as follows:

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

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

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

3. PLANNING CONSIDERATIONS

3.1 Environmental Impact Assessment (EIA)

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (hereafter referred to as 'the EIA Regulations') requires that for certain planning applications, an Environmental Impact Assessment (EIA) must be undertaken.

The term EIA is used to describe the procedure that must be followed for certain projects before they can be granted planning consent. The procedure is designed to draw together an assessment of the likely environmental effects (alongside economic and social factors) resulting from a proposed development. These are reported in a document called an Environmental Statement (ES).

The process ensures that the importance of the predicted effects, and the scope for reducing them, are properly understood by the public and the local planning authority before it makes its decision. This allows environmental factors to be given due weight when assessing and determining planning applications.

The Regulations apply to two separate lists of development project. Schedule 1 development for which the carrying out of an Environmental Impact Assessment (EIA) is mandatory and Schedule 2 development which require the carrying out of an EIA if the particular project is considered likely to give rise to significant effects on the environment. The proposed development does not fall within Schedule 1 of the regulations.

The development which is the subject of the application comprises development within column 1 of Schedule 2 of the Regulations. The development is deemed to fall within the description of Infrastructure projects and more specifically urban development projects (paragraph 10(b)).

As a development falling within the description of an urban development project, the relevant threshold and criteria in column 2 of Schedule 2 of the Regulations is that the area of development exceeds 5 hectares or 150 residential units.

Screening and Scoping for EIA development

Given the nature and scale of the development, it was common ground with the applicant that the application would need to be accompanied by an ES in line with the Regulations. On this basis no Screening Opinion was sought from the LPA.

In agreement with the Council it was considered that the scope of the assessment should cover the same grounds as the previous application addressing the following issues:

- Ground Conditions and Contamination
- Noise and Vibration
- Air Quality
- Traffic and Transport

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

Principle of the redevelopment of the existing housing estate

A resident's vote was held in 2003, in which existing residents of Grahame Park voted for the comprehensive redevelopment of Grahame Park Estate. Following this vote an Outline Planning application was submitted under reference W01731JS/04 which was granted Planning Permission in 2007 following the completion of the legal agreement. While only part of this permission has been implemented this permission established the basic principle of the redevelopment of the Estate.

The GLA have confirmed in writing that the estate is exempt from the requirement to undertake any further ballots and have supported the principle of the regeneration of this Estate.

The redevelopment of Grahame Park Estate is also inline Council's Policies contained within Barnet's Core Strategy along with Supplementary Planning Guidance contained within the Colindale Area Action Plan and the Grahame Park SPD.

Housing

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

Policy 3.3 of the London Plan recognises the pressing need for more homes in London and seeks to increase housing supply to in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

Policy CS3 'Distribution of growth in meeting housing aspirations' identifies Colindale as one of the three main areas (the other two being Brent Cross and Mill Hill East) for providing the bulk of the housing requires for the borough, with Colindale providing an anticipated 8,120 homes up to 2025/2026, as part of a borough wide requirement for 28,000 additional homes over a 15 year time period.

It is noted that this housing target was subsequently revised upwards in the Further Alterations to the London Plan in 2014 to an annual target of 2,349 over a ten year period.

The draft Replacement new London Plan (December 2017),when adopted, will replace the existing London Plan 2016. The new London Plan sets out mayoral policies for the period 2019-2041, with housing targets set only for the first ten years of the Plan. The revised housing target for Barnet is to provide a revised "minimum" Borough Housing target of 31,340 homes, on an Annual Monitoring Target of 3,134 homes. The target date ends in 2029.

In relation to Grahame Park itself the supporting text contained within the Core Strategy advises that:

Regeneration proposals for Grahame Park aim to transform the estate into a 3,440-home mixed tenure neighbourhood. The Estate forms part of the Colindale Regeneration Area (Grahame Park Way Corridor of Change) as set out in the Colindale Area Action Plan. Around 1,310 homes will be demolished and 460 retained providing a net increase of 1,670 new homes.

The regeneration is to be taken forward in two stages. Stage A is under way and comprises 962 new homes. Stage B will comprise 2,015 new homes. Stage A is expected to be completed by 2016. Stage B is expected to be delivered between 2015 and 2026.

The Grahame Park Estate SPD which was adopted in May 2016 envisaged the provision of 2161 homes for the area of Stage B which includes the current application site.

The previous application 17/2840/OUT proposed the provision of 1,083 residential units on the site.

The current application proposes 2,088 residential units. While this is greater than the earlier scheme, this level of provision is necessary to provide sufficient viability in the scheme in order to deliver the regeneration of Grahame Park while also fulfilling the Mayor's objective of like for like re-provision of socially rented homes. It is noted that housing targets are minimum rather than maximum and that the basic principle of providing additional units is acceptable in policy.

It is considered that the current redevelopment proposal accords with the abovementioned policies for an intensive, mixed-use proposal which is intended to positively transform the site and the area with its uses including residential, commercial, community facilities and open space provision, as well as its design and the associated improved relationships to and connectivity with the surrounding area.

Specific aspects of the development principles of this proposal are discussed in more detail below.

Housing Density

London Plan policy 3.4 seeks to optimise the housing potential of sites. This provides a guide to appropriate density ranges for particular locations, depending on accessibility and setting.

The Transport Assessment indicates a varying PTAL across the existing site of between Level 1 (Very Poor) and Level 2 (Poor) through the site.

The density matrix of the London Plan 2016 nominates a density range of 150-250 habitable rooms per hectare for PTAL 1 and between 150 to 250 units habitable room per hectare for Suburban PTAL 2.

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150–200 hr/ha	150–250 hr/ha	200–350 hr/ha
3.8–4.6 hr/unit	35–55 u/ha	35–65 u/ha	45–90 u/ha
3.1–3.7 hr/unit	40–65 u/ha	40–80 u/ha	55–115 u/ha
2.7–3.0 hr/unit	50–75 u/ha	50–95 u/ha	70–130 u/ha
Urban	150–250 hr/ha	200–450 hr/ha	200–700 hr/ha
3.8 –4.6 hr/unit	35–65 u/ha	45–120 u/ha	45–185 u/ha
3.1–3.7 hr/unit	40–80 u/ha	55–145 u/ha	55–225 u/ha
2.7–3.0 hr/unit	50–95 u/ha	70–170 u/ha	70–260 u/ha
Central	150–300 hr/ha	300–650 hr/ha	650–1100 hr/ha
3.8–4.6 hr/unit	35–80 u/ha	65–170 u/ha	140–290 u/ha
3.1–3.7 hr/unit	40–100 u/ha	80–210 u/ha	175–355 u/ha
2.7–3.0 hr/unit	50–110 u/hr	100–240 u/ha	215–405 u/ha

The Site has an existing PTAL rating ranging between 2-3. In accordance with Table 3.2 of the London Plan, the Site is located within a urban setting defined as an area “*areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes*”. Given the Site’s PTAL rating and suburban local, the London Plan seeks to provide residential densities of between 200-450 habitable rooms per hectare.

The previously refused scheme proposed an average density of 356 habitable rooms per hectare which was in compliance with the London Plan density matrix. The current application proposes an average density of 238 units and 614 habitable rooms per hectare.

The numerical application of the London Plan density matrix in any event needs to be balanced against design quality and the quality of residential environment created. Account also needs to be taken of the improved connectivity through the site and to the surrounding area including its public transport as well as the provision of social infrastructure on site. This reflects the approach of “*optimising*” housing according to London Plan Policy 3.4, it being noted that the density matrix is not intended to be applied mechanistically (London Plan para 3.28).

In addition, the Mayors housing SPG sets out the exceptional circumstances where densities above the relevant density range may be justified (London Plan para 3.28A). Exceptional circumstances include the following and which are considered relevant in the case of this application:

- “Liveability” as described in section 2.2 – 2.4 of the SPG (E.g. Neighbourhood scale and provision of outdoor spaces, playspace, designing out crime, social infrastructure, dwelling standards and facilities, and sustainability)
- Exemplary design and quality
- Access to services
- Management of communal areas

- Contribution to 'place shaping'

Members attention is also drawn to emerging draft Replacement London Plan, which seeks to move away from the density matrix towards the concept of making the most efficient use of land and be developed at the optimum density.

The emerging policy advises that the optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

1. the site context
2. its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)
3. the capacity of surrounding infrastructure

These comments are reflected in the GLA comments which do not raise any strategic concerns in relation to density and instead, considers that the densities across the site are appropriate.

Community Hub

The Concourse in Grahame Park currently includes a community centre, GP Practice and Nursery. A library was also previously located in this location, however a replacement library has already been constructed within Stage A in the southern part of the site opposite from the new Council offices

Policy DM13 'Community and education uses' advises that:

a: Loss of community or educational use

Loss of community or educational use will only be acceptable in exceptional circumstances where:

i. New community or education use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or ii. There is no demand for continued community or education use, and that the site has been marketed effectively for such use.

The application documents incorporate the provision of a community 'cluster' in the central portion of the site. As this part form part of the outline element of the proposal, the actual location and the detailed design of this element of the proposal will form part of a future reserved matters application and would involve further discussions between the applicant, the Council and the Community to ensure that it meets local needs. The Community 'cluster' will involve a minimum of 1200 sq.m in floorspace for a community centre and nursery on site.

In relation to health the proposals allow for the accommodation of a replacement health centre on site with a maximum of 3,100 sq.m (also including the community centre and nursery) of D1/D2 floorspace as part of the proposals. However the current preference of the Clinical Commissioning Group (CCG) is for a new large facility to be provided as part of the Colindale Gardens development to the south of the site. In the event that this option remains the preferred option, a financial

payment from the applicant towards the delivery of this facility would be made. The proposed heads of terms allow for this either/ or eventuality.

The provision of the new Community 'cluster' is welcomed and is in accordance with Policy DM13 involving the re-provision of a purpose built community facilities which represents a qualitative and quantitative improvement over the existing facilities.

Retail uses

In addition to the Community cluster and residential elements of the proposal, the application also proposes between 600 and 1500 square metres of A1-A3 class A3 (Retail, Professional Services & Restaurants) floorspace along with up to 250 sq.m of A4 (Drinking Establishment) floorspace.

With the exception of the proposed retail store located within Plot 10, the majority of the proposed space is located within the outline element of the proposal and as such the final location of such facilities will be a matter for future reserved matters applications, however the indicative plans show its provision along the central spine road. The purpose of inclusion of this space is to enable active ground floor frontages and to cater for local convenience needs rather than attracting visitors from outside the site. On this basis the proposed retail centre is unlikely to adversely affect any neighbouring shopping centres and is considered acceptable. The location of the proposed retail use is also in accordance with the approved Grahame Park SPD and is supported in planning policy.

Office Uses

The application also includes the provision of up to 1,100 sq.m of flexible B1 office space. All of this floorspace is within the outline element of the proposal with the application envisaging this floorspace being provided at ground floor level along the central spine road. The application supporting documents envisage that this space will be designed to be suitable for micro, small and medium sized enterprises. Full details of any employment floorspace will be provided at reserved matters stage.

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 London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch3 'London's People', and Ch 7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD and CAAP policy 5.2.

Unit mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan Policy 3.8, and Barnet Development

Management Policies DPD policy DM08). The Council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

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

Table 1: Accommodation Schedule

Size	Social Rent/ Affordable Rent	Shared Ownership	Private	Total
	Units	Units	Units	Units
Studio	0	0	75	75
1-Bed	123	417	430	970
2-Bed	147	282	415	844
3-Bed	53	0	123	176
4 Bed	22	0	0	22
5 Bed	1	0	0	1
Total	346	699	1043	2088

In terms of dwellings types which constitute family accommodation provision, the London Housing Design Guide classifies family housing as all units upwards of 2 bedroom 3 person units.

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.

Affordable Housing

London Plan 2016 policy 3.12 advises that the maximum reasonable amount of affordable housing should be sought when negotiating on private residential and mixed use schemes, having regard to local and strategic affordable housing requirements; affordable housing targets; the need to encourage rather than restrain development; the need to promote mixed and balanced communities; the size and type of affordable housing needed in particular locations; the specific site circumstances; the resources available to fund affordable housing; and the priority to be accorded to affordable family housing.

Policy H10 of the draft Replacement London Plan seeks to resist the demolition of affordable housing unless it is replaced by an equivalent amount of affordable housing floorspace, affordable housing floorspace re-provided on a like for like basis and integrated into the development to ensure mixed and inclusive communities. All estate regeneration schemes involving the demolition and

replacement of affordable housing are required to follow the Viability Tested route and should seek to provide a net uplift in affordable housing in addition to minimum requirement for replacement affordable housing floorspace.

Additional guidance is provided in the Mayor’s Good Practice Guide to Estate Regeneration (adopted February 2018) which require regeneration schemes to achieve the following objectives:

- like for like replacement of existing affordable housing floorspace
- an increase in affordable housing
- full rights of return for any social housing tenants
- fair deal for leaseholders/freeholders
- full and transparent consultation and involvement.

In relation to affordable housing split GLA policies allow for a minimum of 30% rented accommodation, 30% intermediate and 40% at the discretion of London Borough’s as such GLA policy would allow up to 70% rented or 70% intermediate at the discretion of the borough.

The Barnet Core Strategy (policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings with a tenure split of 60% social rented and 40% intermediate housing.

The development comprises a total minimum affordable housing provision of 1045 units which equates to just over 50% affordable housing provision as set out in the accommodation schedule above.

In relation to the mayoral position, Members will be aware that the previous scheme was refused predominately due to the reason that the scheme did not allow for 100% like for like re-provision, with the scheme providing 192 socially rented (SR) and London Affordable rented (LAR) properties in comparison with 346 under the current scheme.

This figure should be read in conjunction with the entirety of the Grahame Park redevelopment including housing which has been delivered in earlier phases and the Adastral development (which was used to rehouse Grahame Park tenants). In total including these developments the following SR/LAR units have either been re-provided or will be re-provided as part of the development.

	Units	Floorspace
Social rent/London Affordable Rent in Plots 10-12	346	21,289
Stage A social rent	231	16,962
Adastral	99	8,580
Market houses acquired by Notting Hill Genesis and let as social rent	8	747
Total	684	47,578

In comparison with the existing estate as existed at the start of the estate

regeneration process, the following table illustrates the proposals in comparison to the original position of the Grahame Park Estate.

	Existing	Proposed	Net change
Floorspace (sq.m.)	44,778	47,578	+2,800
Habitable rooms	1,735	2,128	+393
Units	688	684	-4

As can be seen from the above, while there is a marginal reduction in units, there is a significant uplift in both habitable rooms and floorspace in comparison to the existing estate. The GLA accept that the current proposals and advises in their stage 1 comments that they consider that the proposals comply with GLA policy for Estate regeneration.

In relation to Barnet's policies in terms of the quantity of affordable housing provided, the development clearly exceeds the minimum level of 40% required by Barnet Policy. In relation to affordable housing, the split does not strictly accord with Barnet's policies providing approximately 33% affordable rented and 67% intermediate. However, Barnet's housing team have confirmed that the proposed unit mix is acceptable in this instance, due to the like for like re-provision of socially rented units, the provision of over 50% affordable housing, the viability of the scheme and placemaking in developing a mixed and balanced community in Grahame Park.

The overarching aim of redevelopment proposals which date back nearly 20 years is that redevelopment proposals should tackle perceived existing problems with the estate, transforming it into a vibrant, safe and mixed and balanced community, which it is considered that the current proposals achieve. The proposals accord with Local and London Plan Policy and accord with the requirements of the Planning Delivery Agreement and adopted supplementary planning policy including the CAAP and Grahame Park SPD.

Floorspace standards

Housing standards are set out in the Nationally Described Space Standards (NDSS), the London Plan and London Housing SPG and Barnet's Sustainable Design and Construction SPD.

All the dwellings in the detailed element of the development within Plot A meet the minimum standards as demonstrated in the applicant's supporting documents in relation to the unit sizes and also meet the minimum areas for bedrooms, bathrooms w/c's and storage and utility rooms. It is expected that future units within the outline element of the proposal will also accord with these standards and this will be secured as part of the reserved matters process.

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 2016 policy 3.8 (Housing Choice) 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 21 units with the detailed part of the application will be built to wheelchair standards which represents 10% of all units within this phase in accordance with policy. A suitable condition is attached requiring future phases to also meet this standard.

Amenity space

Barnet’s Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sq.m are counted as a habitable room and habitable rooms over 20sq.m are counted as two habitable rooms for the purposes of calculating amenity space requirements.

Table 2.3:Outdoor Amenity Space Requirements	Development Scale
For Flats: •5 m ² of space per habitable room.	Minor, Major and Large scale
For Houses: •40 m ² of space for up to four habitable rooms •55 m ² of space for up to five habitable rooms •70 m ² of space for up to six habitable rooms •85 m ² of space for up to seven or more habitable rooms	Minor, Major and Large scale
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

The

Mayor’s housing SPG sets out a requirement of 5 sq.m of private amenity space for 1 and 2 person dwellings with a further 1 sq.m per additional person.

All of the proposed dwellings within the detailed part of the proposal (Plot A), will have access to outdoor space that complies or exceeds the LBB and Mayoral Standards through the provision of balconies and roof terraces. The application also advise that all future phases will also achieve these standards although these matters will be secured at reserved matters stage.

Playspace and Open Space

Open Space

London Plan Policy 2.18 (e) seeks to integrate green infrastructure with the wider network and improve accessibility for all. Standard 3 of the Mayor's Housing SPG (2016) requires proposals to audit existing open space, and take "*opportunities to help address a deficiency in provision by providing new public open spaces*". Standard 4 then provides additional details on the expected quality of new public open space, saying that proposals should demonstrate that the space:

*"is overlooked by surrounding development;
is accessible to disabled people including people who require level access and wheelchair users;
is designed to take advantage of direct sunlight;
has suitable management arrangements in place."*

The draft replacement London Plan policy D1B requires development to provide conveniently located green and open spaces. Policy G4 (Open Space) also requires that where possible development proposals should create areas of publicly accessible open space. When there is a loss of open space the equivalent or better-quality open space should be provided in the locality.

Barnet's Core Strategy (Map 10), as well as Barnet's Parks and Open Spaces Strategy 2016-2026, identifies areas with a deficiency of open space. The application site does not fall within such an area. Similarly reflecting the existing level of provision, the explanatory text to CAAP Policy 5.5 notes that whilst the provision of recreational open space with the development is supported, the CAAP proposes:

"a lower level of on-site provision which reflects the metropolitan location and the existing provision of open space in the Borough and the surrounding area, particularly the existing local parks such as Montrose Park and Grahame Park and those slightly further afield including significant Green Belt and MOL".

Development Management Policy DM15 protects existing open space from development, except in exceptional circumstances 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."*

The policy goes on to note that "*Any exception will need to ensure that it does not create further public open space deficiency and has no significant impact on biodiversity.*"

As Grahame Park is not an identified area of open space deficiency, the quantity standards for new open space provision do not apply. However, the Colindale Area Action Plan (CAAP) sets out the Colindale-wide open space policy, requiring Stage B of Grahame Park to deliver "new and improved public open space proposed in the Grahame Park Estate". The CAAP included proposes for improvements to Grahame

Park including improving links to the wider network and providing both smaller local parks and new areas of hard landscaped open space as part of the development. The provision of these improvements were part of the legal obligations pursuant to the original masterplan approval.

As previously mentioned, the masterplan is no longer being built out, and has been superseded in part by the Grahame Park SPD adopted in 2016.

The Grahame Park SPD (2016) noted that Heybourne Park is designated as a ‘Site of Local Importance for Nature Conservation’. Barnet’s adopted Parks and Open Spaces Strategy 2016-2026 categorises Heybourne Park as a park of ‘low quality, high value’ and supports proposals to improve the park’s quality in line with its high value. The Grahame Park SPD also sets out further detail on the existing open spaces that should be retained and enhanced and the locations for new open space and public realm. This includes the remodelling of Heybourne Park with the provision of new public realm around the Community Hub and the future St Augustine’s development site.

The application proposals involve the loss of 700 sq.m of open space from Heybourne Park in order to facilitate the delivery of the scheme. However, the application also proposes improvements to Heybourne Park and has produced an illustrative scheme showing potential improvements which could be provided in the park including the provision of new play equipment, MUGA and other facilities. This is the matter of continued discussions between the Council (who will own and manage the approved park) and the applicant, and the detailed design for the park will form part of a future reserved matters application. The S106 heads of terms require either the delivery of improvements to the park up to a value of 2 million pounds or the payment of the equivalent cash sum to the Council to carry out such works. It is anticipated that this money will be combined with other sources of funding in order to maximise the benefits which can be provided.

Other areas of open space to be created within the development include the creation of areas of doorstep play throughout the development along with smaller landscaped areas along the eastern part of the site to the north of St Margaret’s Church. In terms of total provision the proposal would provide an uplift of 982 sq.m as illustrated on the table below.

	Existing green space	Proposed green space	Net change
Public open amenity space	54,160	53,950	- 210
Road side open amenity space	3,880	2,910	- 970
Semi-private/communal open space	3,237	5,399	+ 2,162
Total	61,277	62,259	+ 982

Overall the level of public open space, being delivered and enabled to be delivered as a result of the development is considered appropriate meeting London Plan and Barnet Policy in terms of providing significant improvements to the quality of open space, which compensate for the minor land take of Heybourne Park.

Playspace

London Plan Policy 3.6 requires housing development to make provisions for play and informal recreation based on child yield, referring to the Mayor's SPG Shaping Neighbourhoods: Play and Informal Recreation 2012.

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

Using the Mayor's Play and Informal Recreation SPG calculator, the child yield from the development is estimated to be 915 (0-17). Based on the child yield of 915 the scheme is expected to deliver 9,150 sq.m of playable space, broken down as follows:

- 30% playable space suitable for 0-5 year olds;
- 40% playable space suitable for 5-10 year olds;
- 30% playable space suitable for 11+ year olds.

0-5 Year old provision 2,745 sq.m:

In relation to 0-5 year old provision the provision will be provided in the form of Doorstep Play and Local Areas of Play. These will typically be located within plots in the podium deck gardens

0-10 Year Old Provision 3,660 sq.m:

Locally equipped areas of play (LEAP's) will provided within the Heybourne Park and the Eastern Edge of the development. These will partly be in the form of formally equipped playgrounds and partly in the form of grassed playing fields.

11+ Year Old Provision 2,745 sq.m:

Neighbourhood equipped areas for play will be provided in the form of either formal sports facilities or open areas of Heybourne Park for older children.

Overall the level of play space provision is considered acceptable in quantity and form. The final details of these will be developed as part of future reserved matters applications, particularly in relation to the formal spaces proposed in Heybourne Park. It is also worth noting that Plot A will provide on plot facilities for 0-5 in accordance with policy.

3.4 Design

The National Planning Policy Framework (revised, 2019) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the

architecture of buildings are important factors; securing high quality design goes beyond aesthetic considerations.

The London Plan 2016 also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment. Architectural design criteria are set out at policy 7.6.

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

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

Masterplan Concept

The existing estate which was constructed in the 1970's was designed on the 'Rayburn' model, which separated vehicles from pedestrian routes. This has not been successful in practice and has resulted in the following problems:

- No clear connection between the Estate and the surrounding area;
- No clear relationship between streets or legibility;
- Lack of surveillance; and
- Poorly defined public and private space.

To address these existing problems and also the reasons for the refusal of the previous scheme, a masterplan for the redevelopment and regeneration of Plots 10-12 of the Grahame Park estate has been developed by Patel Taylor Architects through consultation with officers at LBB, the GLA, TfL and other statutory and non-statutory consultees. In preparing the masterplan, Patel Taylor were required to take into account the aspirations of LBB as set out in the Principal Development Agreement between LBB and NHG and 2016 Grahame Park SPD which include:

- The creation of a successful, family friendly neighbourhood, incorporating high standards of design, a good mix of uses, and a layout that will meet the needs of current and future generations;
- An inclusive community of existing and new residents in a safe, accessible environment;
- High quality affordable and private homes;
- An outstanding environment with excellent parks and great streets, accessible to all; and
- The creation of a place with a strong sense of community.

The stated objectives of the proposed masterplan is to *'create an inspiring place for people to live, work and play, and one which will integrate positively with the surrounding area. It seeks to create a place that is inviting, enjoyable, convenient and accessible. Ultimately as part of the wider redevelopment of the area it seeks to create a strong central identity at the heart of an evolving place.'* The masterplan is also underpinned by 10 key principles, which are as follows:

- Site wide legibility;
- Fostering the community;
- Minimal disruption during rehousing;
- The 10 principles of sustainability;
- Encouraging healthy living;
- Living streets;
- Delivering early community benefits;
- A variety of buildings and homes;
- High quality as standard; and
- Lifetime best value.

The proposed masterplan scheme aims to fulfil the above principles through a design-led approach informed by the requirement to deliver a viable scheme which incorporates replacement social rented housing on a like for like basis on-site and the delivery of 50% affordable housing following the refusal of the previous scheme.

The masterplan arranges the development into 8 parameter plots as detailed in the parameter plans and Design Guidelines. There are 12 illustrative building plots arranged either side of a central avenue and to the north and east of Heybourne Park and detailed Plot A to the north of the park. The majority of blocks are arranged on a north-south axis in order to maximise views and daylight to properties. In order to address existing problems with site wide legibility a new central 'spine' is proposed running from south (Grahame Park Way) to north (Field Mead) through the core of the application site in order to create a backbone to the scheme and new connections especially north to Mill Hill Broadway Station. New

east west connections link into the spine from existing neighbourhoods joining up the community where the Concourse once formed a barrier.

The masterplan further divides the development into three distinctive neighbourhoods divided by the two key connecting roads of Lanacre Avenue (Bristol Avenue) and Nighthawk Road. The neighbourhoods will be defined by the character of landscaping and types of planting.

1. The northern neighbourhood comprising Plot A will have traditional roads with street planting and on-street parking.
2. The central neighbourhood seeks to extend the reach of the park through the streets into the woodland open space. A number of buildings interface directly with the park including mansion buildings directly lining the park. Features include wide streets with rain gardens, swales and other sustainable water features.
3. The southern neighbourhood is the most urban of the three neighbourhoods and includes the community buildings. Public spaces are predominantly hard paved for flexible outdoor uses and play within the streets.

A number of different types of buildings are proposed: courtyard homes in linear buildings; mansion blocks; terraced houses and townhouses. The design, massing and layout of the buildings is informed by the landscape space that they are set in and the setting that they intend to create. The majority of the scheme to the east of Bristol Avenue comprises Courtyard Plots with linear blocks on the east and west of single storey landscaped podiums over parking and plant. Between linear blocks, terraced townhouses back onto the podium creating additional front doors on the streets. Mansion plots line the open space to the North and East of Heybourne Park, creating a strong urban edge to the landscape.

Overall it is considered that the masterplan principles which have been drawn up by the project architects have the potential to significantly enhance the character and appearance of the Grahame Park Estate and will help to integrate the development into the surrounding areas which have either already been redevelopment or will be in the future.

Height, bulk, scale and massing

As mentioned above the proposed built form of the site comprises a series of perimeter blocks and development zones organised around a network of streets and public spaces. The bulk, scale and massing of individual blocks varies to account for the proposed uses and the scale of the spaces that they frame or relate to. This provides variation in character, visual interest, identity, place and way-finding across the masterplan.

The proposed buildings are predominately 'mid-rise' ranging from between 7-12 storeys in height with some lower height 3 storey properties on the eastern boundary of the site facing St Margaret's Church and some taller 13-15 storey buildings located either facing Heybourne Park or in the central portion of the north/south spine road opposite the entrance to the park. The distribution of height and massing within the masterplan has been designed to maximise the positive

townscape effects and minimise the negative environmental effects underpinned by the following design objectives:

- Reinforce the major public spaces of the Avenue and Heybourne Park by focusing height in this location;
- Create wayfinding markers by locating taller elements at key masterplan locations;
- Relate to the existing context by scaling down at the edges alongside neighbouring buildings;
- Provide a mix of low-rise, mid-rise and taller buildings in the townscape composition;
- Orientate linear buildings north-south rather than east-west to reduce shadows; and
- Articulate east-west buildings, reducing height to allow views and light to pass between taller elements.

Tall buildings assessment

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

London Plan Policy 7.7 states that tall buildings should not have an unacceptably harmful impact on their surroundings. It states that tall buildings should be part of a plan-led approach to the development of an area and should not have an unacceptably harmful impact on their surroundings. In particular, Para. 7.7 requires tall buildings to “*relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features) particularly at street level*”.

DNLP Policy D8 (Tall buildings) also confirms that tall buildings should only be developed in sustainable locations that are identified in Development Plans and sets out a number of potential impacts development proposals should address. Supporting text in para. 3.8.1 recognises the role that tall buildings play in facilitating regeneration opportunities, contributing towards the provision of new homes and making optimal use of the capacity of sites.

Local Development Plan Policy DM05 ‘Tall Buildings’ further advises that:

‘Tall buildings outside the strategic locations identified in the Core Strategy will not be considered acceptable. Proposals for tall buildings will need to demonstrate:

- i. an active street frontage where appropriate
- ii. successful integration into the existing urban fabric
- iii. a regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- iv. not cause harm to heritage assets and their setting
- v. that the potential microclimatic effect does not adversely affect existing levels of comfort in the public realm.

Proposals for redevelopment or refurbishment of existing tall buildings will be required to make a positive contribution to the townscape.’

The site is within an Opportunity Area where the LP considers the principle of tall buildings to be acceptable. Over the past 10 years there has been an increased focus on delivering new neighbourhoods within Colindale comprising large scale developments with tall buildings. There has been a significant uplift in the height of new buildings, in the surrounding area, with the granting of planning permission for buildings with more than 25 storeys at Colindale Gardens, and including up to 29 storeys at Colindale Underground station. The Colindale Gardens and Beaufort Park schemes to the south of the application site each have a typical height above 10 storeys. Stage A of the regeneration of the estate has seen low rise and terraced housing being replaced with higher rise flatted blocks.

Barnet's Core Strategy identifies the Grahame Park estate as a location where tall buildings are considered to be acceptable. It specifies that buildings ranging from 8 to 11 storeys will form an integral part of the regeneration. However, it must be noted that policy within the Core Strategy in respect of housing targets has been superseded by the housing targets/Opportunity Area policies in the LP and DNLP which require redevelopment and regeneration proposals to optimise the use of previously developed land and build to higher densities. In policy terms the principle of tall buildings on the application site is considered to be acceptable and compliant with the policy direction in the development plan.

Within the masterplan, buildings are typically proposed as mid-rise between 7 and 12 storeys with some lower elements at three storeys, and some taller elements at 13-15 storeys. The principle for the heights across the masterplan area is the careful placement of the tall buildings throughout the development having regard to local context. The tallest buildings are proposed to be located around Heybourne Park and on the park interchange with the scaling down of height at the margins of the development.

A justification has also been provided concerning how the proposal is in broad compliance with both London Plan and Barnet's tall building policies:

London Plan policy considerations

- The proposals are located within an Opportunity Area within the LP and DNLP where strategically tall buildings are directed;
- The proposals form part of a much wider regeneration area which has already seen the introduction of tall buildings as set out above. The redevelopment of Stage B offers the opportunity for a comprehensive redevelopment of the site which will significantly improve the character and appearance of the area as well as respecting the character of surrounding buildings;
- The proposed tall buildings are part of the wider masterplan proposals and would be sited within the confines of the proposed development or facing onto Heybourne Park. Buildings along the edges of the redevelopment step down in height to reflect the scale and character of surrounding buildings. The siting of the proposed tall buildings will therefore relate well to the form, proportion, composition, scale and character of surrounding buildings and public realm;
- The proposed buildings both individually and as a group will improve the legibility of an area, acting as markers emphasising the public area around Heybourne Park and the new community facility on the central avenue;

- With the exception of Plot A, the proposals are in outline. The proposed five blocks that form Plot A, incorporate the highest standards of architecture and materials, including sustainable design and construction practices. Design Guidelines have also been provided that demonstrate the commitment of the applicant to ensure that the buildings in Plots B-Q will also be of a high quality design;
- A number of the buildings will incorporate a mixture of community, retail and employment uses at ground floor level. This includes the potential for a café overlooking Heybourne Park and the community facilities proposed in block H1. These uses will provide a positive relationship to the surrounding streets;
- The careful placement of buildings surrounding Heybourne Park and on the central avenue will act as marker buildings and contribute to improving the legibility and permeability of the site;
- Upper floors of the buildings will be for residential use and as such it is not considered appropriate to provide publicly accessible areas on upper floors;
- The inclusion of tall buildings within Stage B will make a significant contribution towards the regeneration of the estate. As set out in previous sections of this statement, the estate has been suffering from decline and failures in the existing design for a number of years. The incorporation of tall buildings will enable high quality architecture to replace existing substandard buildings, re-provide and increase affordable housing and much improved community facilities whilst delivering a viable scheme; and
- The proposals will not affect their surroundings adversely in terms of, wind, overshadowing, noise, reflective glare, aviation, navigation and telecommunication interference as confirmed in the accompanying technical reports.

Barnet Development Management Policy considerations

- Active ground floor frontages are provided in some units with A1, A2, A3 and D1 uses fronting Heybourne Park and the re-aligned central avenue.
- The tallest buildings are either facing Heybourne Park or within the central part of the site with a reduction in height along the edges of the site, particularly the eastern part of the site adjacent to the new woodland walk, therefore successfully integrating the site into the existing urban fabric;
- There are no adverse impacts identified to Local Viewing Corridors, local views and the skyline;
- The Heritage Assessment confirms that there is no harm to heritage assets and their setting; and
- The Wind Assessment confirms there are no microclimate effects that would adversely affect existing levels of comfort in Heybourne Park or other surrounding public realm.

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 estate along with the requirements to provide a significant quantity of affordable housing while remaining viable as a development. The proposal is therefore considered in broad accordance with London Plan Policy 7.7, Draft Replacement London Plan Policy D8 and Barnet Policy DM05.

Character and appearance

As mentioned above the development is broadly divided into 3 character areas. The neighbourhoods will be defined by the character of landscaping and types of planting. Plot A which is the only detailed portion of the development is located in the Nighthawk character area which is characterised by traditional roads with street planting and on-street parking.

Plot A is designed as a courtyard building typology, unique in the context of the illustrative masterplan by virtue of having three linear blocks separated by two courtyards as opposed to only two blocks and a single courtyard (typical courtyard typology). Two pairs of houses animate the south side of the ground floor podium that connects this block.

In line with the Design Guidelines the character of the buildings on Plot A is predominantly muted. The south facades are designed as the primary facades onto Nighthawk road and are strongly articulated to provide legibility.

The material palette for Plot A has been selected to have a sympathetic relationship with the surrounding context while setting the tone for the wider development. Brick cladding is proposed as the predominant material for its robustness and proximity to context. In contrast with the existing estate, however, in Plot A there will be a range of tones, consisting of red and beige colour brick materials which responds positively to the existing and surrounding context carefully selected to express the building articulation in plinth, bookends, street infills and courtyards. Additional detailing and articulation of the proposed building is achieved by the use of stone balcony bases, bronze metal balconies and brickwork recesses and reveals. This differentiation of colour will provide variety to the building appearance and streetscape, helping to break down the scale of the building mass. The variations in colour will also accentuate each facade as belonging to a distinctive building element, a specific street setting and individual home.

In relation to the outline elements of the proposal, the application is accompanied by a Design Guidelines document which provides a degree of design control for future phases in relation to block typologies, building facades, windows and fenestration and the materials palette to ensure the provision of a visually cohesive and architecturally attractive form of development. The final design details of these elements of the proposal including materials will be considered as part of future reserved matters applications.

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

Due to the nature of the site, surrounded by a heavily built up the proposal would not impact upon views from outside of the immediate site surrounds.

The proposals take into account the application site's designation as an Opportunity Area in the London Plan and draft Replacement London Plan, where higher-density development is encouraged. The site also lies in an area identified by Barnet as one where tall buildings are considered to be appropriate (Core Strategy policy CS5 and para 10.6.6).

The masterplan massing of the proposals has been considered within its context. The taller buildings will be sited within the confines of the proposed development or facing onto Heybourne Park. Buildings along the edges of the redevelopment step down to reflect the scale and character of surrounding existing low-rise buildings.

Visibility from surrounding areas is limited by the built-up nature of the land surrounding the site. Long vistas offering distant views are limited and have been considered within the design of the scheme to enhance wayfinding and visibility of open space.

A Historic Desk Based Assessment (DBA) was submitted with the application. Chapter 8 of this report featured an appraisal of heritage assets in the wider area and the potential impact of the new development on views. The assessment has considered the impacts of the development on the surrounding designated assets including the Watling Estate Architectural Conservation Area and the Royal Air Force Officer's Mess Grade II Listed Building. The assessment noted that taller elements of the new development may be visible in the background of local heritage and conservation settings. However, it is considered that the new development (especially the taller buildings) will be visible in the context of existing tall buildings and will therefore have only a neutral impact on heritage assets and important views.

Overall, the proposed buildings are not considered to materially detract from or impact on the key vistas or heritage assets identified in the heritage and conservation character appraisals. The proposals therefore are in accordance with adopted policy.

Layout and connectivity

As previously mentioned, one of the key design principles of the masterplan is the creation of clear connections and improved legibility around and through this part of the estate, making Grahame Park simpler and easier to navigate especially for pedestrians and cyclists. This is in part a response to the rejection of the Radburn principles used to inform the design of the existing estate which allowed for good pedestrian connectivity through the core of the site but took little account of safety and inclusive access. This replies of multiple flights of steps and underpasses to address level changes.

Central to the masterplan design is a simple hierarchy of streets with a new network of routes following traditional street patterns. The streets will be connected by a strong central north – south spine from Grahame Park Way in the south to Field Mead in the north. This central spine improves the connection to the north, allowing improved pedestrian and cycle links and the redirecting of a bus route through the site towards Mill Hill Broadway Station.

A number of key nodes are proposed along the central spine defined by the types of uses and activities proposed and connections from the east and west. The library square forms a civic area with the Council offices, library and college. Within the central area, key routes from the east and west connect around the area of proposed community facilities. At the northern end outside the application site an existing community garden terminates the central spine.

The woodland walk running north to south provides an alternative neighbourhood north to south route. East – west secondary links integrate Plots 10, 11 and 12 with neighbouring communities and Heybourne Park where the Concourse currently forms a barrier.

The improved connections and legibility though the site will provide new and existing residents better access to community infrastructure (the new civic square in the south and new proposed community facilities), local shops and public transport than the existing site. Existing and new communities will be reconnected with Heybourne Park through the repair of severances caused by the concourse. The circulation routes will benefit from measures in accordance with TfL's 10 Healthy Streets indicators as explained further in the DAS and the TA. This includes the creation of a safer public realm and a safe network of streets with no unobscured spaces, improved lighting and wayfinding which will encourage active travel as detailed below and in the DAS. The overall masterplan seeks to address level differences across the site to assist pedestrians and cyclists.

Overall it is considered that proposals in the masterplan will create a clear and legible development with good connectivity for sustainable modes of transport in line with the principles of lifetime neighbourhoods and fully accord with London Plan policy 7.1 and Draft Replacement London Plan policies DB1A and D2.

Fire Safety

DNLP 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.

An Outline Fire Safety Strategy (OFSS) which was prepared by fds Consult has been submitted in support of the application which establishes the fire strategy principles for Plot A and how these will be applied to subsequent plots. The objective of the fire strategy report is to establish in principle how the new buildings will comply with the fire safety requirements of Building Regulations. LBB Building Control have been consulted as part of producing this document.

The key fire safety measures proposed for Plot A are set out in the OFSS and include details of: suitable vehicle access for a fire engine pump appliance to 100% of the plot perimeter; accesses into the various parts of the plot; the proposed fire hydrant system; detection and alarm systems; evacuation strategies; and construction measures to minimise the risk of fire spread.

As such it is considered that the proposal is in full compliance with the new draft Replacement London Plan Policy D12 in this regard.

Safety, security and crime mitigation

Pursuant to London Plan policy 7.3 and Barnet Core Strategy policy CS12, the scheme is considered to enhance safety and security and mitigate the potential of crime because:

- Pedestrian and cycle routes running parallel to vehicle movements to activate the public realm;
- Well-lit primary routes leading to secondary streets and front doors;
- The elevation of shared amenity space to podium level and enclosed buffer zones around ground floor homes. Minimising the amount of building frontage directly exposed to the public realm;
- Non-residential active uses line key routes. Inactive frontages and routes are minimised through regular spacing of entrances and activity;
- Passive surveillance of the public realm is delivered through active residential or non-residential frontages overlooking public realm front ground and upper storeys of the buildings, with no blank gables or unobserved spaces;
- Parking is located in secured car parks or, where in the public realm, in well observed area at the front of properties rather than in open courts to the rear;
- Buildings and gated parking areas will be designed to comply with Building Regulations Approved Document Q which required security testing to ensure a safe and robust barrier against crime; and
- A robust building and landscape management strategy will be developed in partnership between the applicant and LBB to ensure continued security.

The Metropolitan Police were consulted on this application and made detailed design suggestions both in relation to the detailed Plot A proposals and in relation to the masterplan portions of the development. A condition is attached requiring the applicant to demonstrate compliance with secured by design principles.

Conservation and Archaeology

The preservation and enhancement of heritage assets is one of the 12 core principles of the NPPF. It is a statutory obligation of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the special architectural and historical interest as well as the setting of listed buildings as well as the character and appearance of conservation areas. Saved PPS5 'Planning and the Historic Environment' provides guidance regarding consideration of designated and non-designated heritage assets. In addition, London Plan policy 7.8 and Barnet Core Strategy CS5 and DM06 variously require the consideration of the impact to heritage assets including listed buildings, conservation areas and archaeology.

In respect of archaeology, the application is not located in an area of archaeological interest and involves a previously developed site. English Heritage Archaeology were consulted on the proposal and have advised that the site is unlikely to have a significant effect on heritage assets of archaeological interest and no further investigation is required.

3.5 Amenities of Neighbouring and Future Residents

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

Privacy, overlooking and outlook

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

Privacy and separation to surrounding sites

All of the proposed buildings (both within the detailed phase and in the illustrated masterplan) are located over 11m from site boundaries and in the majority of cases more than 21m from neighbouring properties. In certain places the distance separation from balconies drops down to around 18m. However, given that such instances involve relationships across streets rather than back to back relationships, where anticipations of privacy are less, this is considered acceptable and it is considered that the proposal can be considered broadly compliant with policy.

Privacy and separation within the site

In relation to buildings within the site, all of the proposed apartment buildings have large central amenity areas, resulting in all properties achieving a minimum distance separation of over 19m between windowed elevations, while this is slightly less than the 21m specified in Council policy it is still a reasonable separation distance similar to the levels achieved on other regeneration sites and is considered acceptable in this instance.

Noise and general disturbance

No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. Whilst there is an increase in the intensity of use of the site, the use is consistent with the residential character of the wider area. The commercial and community uses including the

Community cluster are appropriately located and accord with the redevelopment intent of the Grahame Park SPD.

In considering the potential impact to neighbours, conditions are recommended to ensuring that any plant or machinery associated with the development achieves required noise levels for residential environment. The council's environmental health team have recommended appropriately worded conditions for noise reporting and impact mitigation, extract and ventilation equipment and plant noise. It should be noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

Air quality

In respect of air pollution, no significant impacts are identified by the council's environmental Health Team. The applicant has submitted an Air Quality Assessment in support of the application 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.

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 applicant has submitted a wind and microclimate assessment with their application. This assessment shows that the proposal would not result in major impact as a result of the development. There are no safety failings due to wind and all pedestrian areas are suitable for all uses including sitting during summer months. While the assessment showed that some points would not be suitable for siting during winter months, this could be addressed by the incorporation of mitigation measures if required.

Daylight and Sunlight

The application proposals are accompanied by a daylight/sunlight and overshadowing assessment. The Daylight and sunlight assessment assess the impact of both the detailed element of the proposal and also the masterplan outline elements based on the maximum parameters applied for.

In relation to the detailed phase, the main affected properties are Violet Court & 8 & 9 Parklea to the west of the plot along with St Augustine's house to the east. Pixton, Paulham, Partridge and Oxford Court's to the north of the site are unaffected to the orientation of the buildings sideways onto the development site and their position to the north. In relation to the blocks affected. The majority of windows in these blocks would retain VSC compliant levels of daylight (i.e. above 27% VSC). VSC levels drop to a minimum of 18.35% on Violet Court, 11.6% on some bedroom and kitchen windows at 8-9 Parklea and 16.7% on St Augustine.

In relation to Sunlight all of the surrounding properties either achieve or only marginally fail the requirements for 25% APSH (Average Probable Sunlight Hours). In relation to winter targets the majority of surrounding properties either receive or only marginally fail the requirements of 5% APSH, with the exception of St Augustine which achieves a level of 0-3%.

In relation to the outline masterplan elements of the proposal. The following table shows the impact on windows of surrounding properties if the reserved matters phases are built out to the maximum allowable figures allowed for in the applied for outline parameters.

RETAINED VSC SUMMARY							
	No. of Windows	0-5%	5-10%	10-15%	15-20%	20-25%	25%+
Total	665	2 (secondary windows)	2 (secondary windows)	19 (3 are secondary windows)	76	139	427
% of Total	665	<1%	<1%	3%	11%	21%	64%

Table Showing Retained VSC Levels to Properties Surrounding the Site

The table illustrates that the vast majority of windows serving surrounding retain very good daylight levels despite the increase in density. It is also noted that in the case of some of the instances of the lower ratings, these are secondary windows and as such should not significant affect daylight levels to these rooms.

In relation to sunlight all of the surrounding either receive or only marginally fail the requirements for both summer and winter daylight.

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 regeneration of the Grahame Park Estate, the site's location within the wider Colindale regeneration area and the adopted SPD guidelines for the site. As such on balance taking into account the regeneration benefits of the scheme the placemaking improvements, the provision of new and improved community facilities 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. It is noted that any planning decision does not affect any future 'right to light' claim through which the owners of affected properties can seek financial compensation from the developer.

Overshadowing

The submitted daylight/ sunlight and overshadowing report also assess the extent of any overshadowing on surrounding properties. The assessment identified 39 properties as being material for this assessment in relation to Plot A. Of these overshadowing levels are within target levels in relation to a summer equinox assessment. In relation to the march equinox they a third of properties will not achieve the recommended target of 50% of amenity areas received 2 hours of daylight. However, in these properties some of the amenity areas do not currently meet these standards and the rest exactly meet the target meaning any development would be likely to result in a marginal fail. It is not considered that this will be significant particularly as the main use of amenity areas is likely to be in the summer months and overall the scheme is considered acceptable in this regard.

Internal Residents

The applicant has also carried out an assessment of the likely internal daylight levels within the detailed element of the proposal. This shows that 93% of rooms will receive recommended levels of daylight. Of the rooms that do not the meet the standard this is predominately due to the use of balconies which provide an amenity benefit to the units, and in reality the amount of light to the units will be increased beyond this figure by the use of large floor to ceiling windows. Overall it is concluded that the levels of internal daylight are within acceptable levels.

3.6 Transport, highways and parking

TRIP GENERATION & IMPACT

The development is in relation Stage B of the Grahame Park regeneration project. Stage A delivered 685 new homes, commercial uses, a College building and a new Council Office. Stage B relates to the remaining regeneration area. This application (Plots A, B, C, D, E, F, G, H, J, K, L, P and Q) seeks to deliver up to 2,088 residential units and 5,950 (GEA) sq.m of flexible non-residential floorspace.

The detailed application (Plot A) proposes the demolition of 113 existing homes and the provision of 209 affordable residential dwellings (net increase of 96 dwellings)

and 440sq.m (GEA) of non-residential floorspace (Class A1/A2/A3/B1) alongside public open space, public realm and car/cycle parking spaces. Most matters are reserved for future determination and will be subject to further detailed applications excluding access which is being sought as part of this application. The 209 affordable homes shall comprise of 1 bed (x109), 2 bed (x89), 3 bed (x4), 4 bed (x6), 5 (x1) bed flats.

The outline application (Plots B, C, D, E, F, G, H, J, K, L, P and Q) proposes the demolition of 517 existing homes and the provision of up to 1,878 residential dwellings (net increase of 1,361 dwellings) and 5,510sq.m (GEA) of non-residential floorspace (Class A1/A2/A3/A4/B1/D1/D2), including a community centre, nursery, open space, car/cycle spaces and the stopping up and diversion of Lanacre Avenue and associated works. The indicative accommodation schedule for Stage B (Plots A to Q) shall consist of Studio units (x75), 1 bed (x970), 2 bed (x844), 3 bed (176), 4 bed (x22) and 5 bed (x1).

The following breakdown is what is assumed in relation to the 5,950 (GEA) sq.m of non-residential space for this application:

Use Class	Minimum Floor Space (sq.m)	Maximum Floor Space (sq.m)
A1-A3	600	1,500
A4	0	250
B1	0	1,100
D1/D2	1,200	3,100
Total	1,800	5,950

In terms of vehicular trips, the net trip generation for the residential units, based on trip rates agreed with officers of the London Borough of Barnet, is summarised in the following table:

Residential Vehicle Trip Generation (Weekday)

	AM Peak Hour			PM Peak Hour		
	Arrivals	Departures	Total	Arrivals	Departures	Total
2,088 Residential Homes	46	88	133	71	88	159

The proposed development will have a net increase in the region of 93 two-way vehicle trips during the weekday AM peak and 111 two-way vehicle trips during the weekday PM peak.

Traffic has been assigned across the highway network based on traffic survey data collected on key routes and junctions in conjunction with 2011 Census data to predict the direction of travel from the Grahame Park development. In addition, capacity assessments of the network have been undertaken using a microsimulation model (PARAMICS) and local junction models.

Additional information has been requested from the applicant in relation to the impact on Grahame Park Way/ Bunns Lane roundabout. An assessment of this information will be reported in the Addendum to the Committee meeting.

PUBLIC TRANSPORT

The majority of the site currently has a Public Transport Accessibility Level (PTAL) of 2 (poor) with the southern section of Quakers Course and the area to the south of Lanacre Avenue having a PTAL rating of 3 (moderate). The north-eastern corner of the site has a PTAL rating of 1b (very poor).

The site is located in proximity to a number of bus stops with up to six bus services including two school services and one night bus. The buses provide direct access to Colindale London Underground Station (LUL) located approximately 915 metres south of the site and Mill Hill Broadway railway station located approximately 1.2km to the north of the site.

The nearest surface rail station to the development site is Mill Hill Broadway which is on the Thameslink line which provides services from Luton and St Albans in the north through central London stations to Dartford, Bromley and Sutton. Occasional services also go direct to Gatwick Airport via East Croydon.

The nearest underground station to the development site is Colindale which is on the Edgware branch of the Northern Line and provides frequent services to and from central London.

The nearest bus stops to the site are located on Quakers Course and Corner Mead. These bus stops are served by six services which are routes 186, 204, 303 and N5 that stop at Quakers Course and routes 632 and 642, which are school only services, that stop at Corner Mead. Route 303 also passes along Corner Mead and a new route 125 has been extended to Colindale with the nearest bus stop to the site located on Aerodrome Road. A summary of the bus service in the vicinity of the site is contained in the table below.

Service	Bus Stop	Route	Daytime Frequency	Weekend Frequency
125	Peel Centre	Towards Station Road	10-12 mins	10-13 mins
186	Quakers Course	St Marks Hospital – Brent Cross Shopping Centre	Every 11-13 mins	Every 11-20 mins
204	Quakers Course	Sudbury town – Edgware Station	Every 8-12 mins	Every 10-13 mins
303	Quakers Course & Corner Mead	Edgware Station – Colindale Superstore, Edgware	Every 12-15 mins	Every 15-20 mins
632	Corner Mead	South Mead – Kilburn Park Station	School Service	-
642	Corner Mead	West Hendon –	School	-

		London Academy	Service	
N5	Quakers Course	Trafalgar Square – Edgware Station	Every 30 mins	Every 30 mins

As part of the Grahame Park Stage B proposals, a new link road will connect Lanacre Avenue to Corner Mead although not until 2027-28. In consultation with TfL, bus routes 303 (to be merged with route 305) and 186 are proposed to be re-routed through the development. This proposal will result in the removal of two bus stops on Quakers Course and the subsequent provision of the two stops within the central part of the development to support growth in the area and ensure the bus services are within acceptable walking distance to the area with higher densities.

The proposed improvements to bus services / provision is anticipated to improve the PTAL to 3 (moderate) within the central part of the development.

The route change proposed for the 303 service has been discussed with Transport for London and the London Borough of Barnet and agreed in principle. The proposed route change for service 303 is expected to save approximately a kilometre as the proposals will remove the existing double back section within the estate by connecting Corner Mead to Lanacre Avenue.

The revised route 303 would allow for new trips on the network as a result of new link between Colindale and surrounding areas (Colindale ASDA, Colindale Station, Grahame Park, Mill Hill Broadway Station and the western end of Edgware town centre). TfL proposes for route 186 to run with the revised route 303 via the new link road and routes 204 and N5 via the future re-aligned Lanacre Avenue.

Route 186 would run via Grahame Park Way, Field Mead and Bristol Avenue, withdrawing the route from Watling Avenue, Montrose Avenue and a section of Lanacre Avenue west of Bristol Avenue. Route 303 would run via Bristol Avenue and would be withdrawn from Grahame Park Way and Corner Mead.

Routes 186 and 303 would run fully through the new link road providing 9 buses per hour during the daytime on Monday through to Saturday. A 5% and 6% additional bus demand during the AM and PM peak hours have been predicted for the Grahame Park Development across all the bus routes serving the site. This level of demand is not expected to have a significant impact on existing bus capacity however it is expected that TfL will review demand with a view to enhancing the frequency if required for capacity.

These changes will be incorporated into the Wider Sustainable Transport Strategy for Colindale to ensure a comprehensive approach to sustainable transport in the area is progressed.

PARKING (CAR, CYCLE, DISABLED, VISITORS)

Residential Parking

The proposed level of residential car parking provision is summarised below:

- Plot A: 107 spaces (of which 6 are disabled).

- Plots B to Q: 734 spaces (of which 57 are disabled).
- Therefore, Stage B (Plots A to Q) in total is to have 841 spaces for residential use.

A car parking ratio of 0.4 is proposed for the residential element of the development (Plots A to Q). Plot A has a proposed residential parking ratio of 0.51 whilst Plots B to Q has a proposed residential parking ratio of 0.39. The 0.4 overall car parking ratio provided for the residential element (Plots A to Q) complies with the maximum parking standard of 0.5 as set out within the Draft Replacement London Plan.

In line with the Draft Replacement London Plan, 20% of spaces will have active charging facilities with disabled provision at 3% of total dwellings (with ability to go up to 10% as required). Initially one car club space is to be provided for Plot A with a total of 4 across the whole scheme. This level of provision shall be monitored via the Travel Plan with increased provision if warranted.

Furthermore, while Barnet as a borough has a car ownership/availability of 0.71 cars per household, the car ownership/availability per household in the Colindale ward is lower at 0.60 cars per household and is reduced even further for Grahame Park at just 0.55 cars per household.

A parking management strategy for all parking areas will be put in place in order to ensure that there is a comprehensive parking control strategy across the site. A Controlled Parking Zone (CPZ), across the new adopted roads is proposed with residential parking on the adopted highway subject to residential parking permits being issued by LBB.

In relation to parking on non-adopted streets, a private parking permit scheme will be introduced. This adheres to the London Plan guidance in not selling parking spaces to be linked to individual properties. Residents wanting to park off the public highway would be required to apply for and hold a private parking permit. The parking permit management and enforcement will be managed by a parking management plan which will be secured via a planning condition.

Visitor parking will be provided on a long and possibly short stay basis. The long stay visitor parking arrangement would be in line with the existing LBB CPZ management procedures allowing residents within the CPZ to purchase visitor parking permits. To address short-stay parking demand within the area, minimal levels of 30 minute free parking with no return within the hour would be considered subject to the car parking management strategy.

Based on the above and as the parking ratio remains above within the Draft Replacement London Plan requirements across the site, the proposed level of provision is deemed acceptable subject to conditions associated with a car parking management plan, funding for the improved bus provision and the implementation / operation of the CPZ.

The design of the car park layouts and on street spaces on adopted roads have been reviewed and are considered suitable. The location of the on-street visitor

spaces has been clarified and is acceptable, being spread across the development site. A car parking management plan is condition.

Non-residential parking

The proposed level of non-residential car parking provision is summarised below:

- Plot A: No parking provision.
- Plots B to Q: 9 spaces. The retail / commercial / nursery uses will have no car parking provision whilst 6 car parking spaces will be provided for the Community Centre. 2 doctor and 1 patient transport (ambulance) space is proposed on-street for the Health centre.
- Therefore, Stage B (Plots A to Q) in total is anticipated to have 9 spaces are for non-residential use.

The retail element proposed as part of the flexible land use would be arranged around the site at several locations. Given the dispersed nature of retail proposed and the presence of other retail units nearby, it is expected that all trips associated to the retail units will be linked/pass-by trips from occupants of the proposed development and adjacent properties within walking distance, as such no dedicated parking is proposed with this land use. This would be further reinforced with the implementation of a CPZ.

In line with the Draft Replacement London Plan standards, the commercial land uses are proposed to be car-free. The external trips associated with the commercial land uses are expected to be via public transport. A travel plan shall be in place with measures to encourage sustainable modes of transport to the site. Adequate cycle parking is also proposed to encourage active travel in line with Draft London Plan Standards.

The proposed nursery will principally serve the proposed Grahame Park development. It is likely that the nursery will generate internal trips rather than trip-end or new trips to the existing network, as such no dedicated parking is proposed with the nursery use.

The community centre will support the operation of the proposed development. The majority of associated trips are expected to be generated internally rather than new external trips. Six dedicated parking spaces are to be provided for the community use. It is expected that external trips (likely to be employee trips) to the site will be via public transport with the local amenity protected by the CPZ.

It is proposed that all parking spaces on the primary road (Bristol Avenue) will be subject to shared use residential and business parking restrictions to maximise use of the parking spaces during peak demand for commercial parking (which is outside peak residential parking demand). This will release parking spaces to accommodate demand from the non-residential elements proposed. This will be subject to the parking management strategy.

It is envisaged that a minimal provision of 30 minutes (no return within one hour) free parking is to be considered as part of the parking management strategy / CPZ

in order to cater for the anticipated short stay demand from the flexible non-residential land uses, including drop-offs/pick-ups for the nursery, community centre visitor parking and retail customers.

Cycle Parking

A total of 3,664 (secured and covered) long stay and 116 short stay (secure stands at street level) cycle parking spaces are proposed across Phases 1 to 3 of the development. Within this provision, the detailed application (Phase 1, Plot A) shall consist of 367 long stay and 18 short stay cycle spaces.

The development proposals therefore conform to the cycle parking requirement of the Draft 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.

ACCESS

A new street network will create a more legible place and include the provision of a new primary, secondary roads, tertiary streets and shared-surface residential streets. It is proposed for majority of the streets within the development to be offered for adoption by London Borough of Barnet as the local Highway Authority. This generally includes the primary and secondary routes, while the remaining streets and will remain private.

The primary route / central link road will be designed to accommodate buses with integrated cyclist uses. Parking spaces will be accommodated along the road in a parallel form. There are raised platforms to assist pedestrians to cross alongside a 'Low Speed Environment' where speed will be limited to 20 mph. There is a proposed raised platform at the central junction of the primary road with a tertiary road to help assist pedestrians crossing between the proposed development and Grahame Park.

The secondary road will be designed to maintain a low speed environment with a degree of horizontal traffic calming. The low speed environment will be achieved mainly by reducing the road width, introducing bends and pinch points with build-out pedestrian crossings.

The minor roads, located between the primary and secondary route will be private estate roads. They will be mostly provided on a shared surface basis with some delineated carriageway. There will be different materials used for those roads and a large variety of planting and street furniture to discourage any parking outside of designated spaces. The general approach leading the internal road design was to create active frontages and provide some local meeting points.

The road network surrounding Plot A is proposed to change. Great Field Road is to be converted to a one-way eastbound movement from its junction with Heybourne Crescent, past Saint Augustine's Church to its junction with the access road directly south of Plot A. The southern access road shall form a new priority controlled junction with Heybourne Crescent south of Plot A.

In terms of highways, stopping up and land ownership plans will need to be formalised by the Local Authority and the applicant. The final details of the proposed works to be undertaken to the existing public highways and adopted highways will be secured via a s278 agreement. Whilst the remainder of the estate road network will remain private, they will be constructed, where possible, to adoptable standards.

PEDESTRIANS & CYCLISTS

The existing pedestrian network, with all streets and roads having footways on one or both sides of their carriageway, creates a web of paths that connect the buildings and the central Concourse area, as well as connecting to the external footways, however, it can be confusing.

The proposal will have a positive impact on the footway network within the site area. The proposed new footway network will be a lot easier to navigate and will have a more intuitive layout.

The site will provide easy and well defined north-south routes across the site along the new primary and secondary roads. In addition, the minor / non-adopted roads will provide clear east-west connections across the development site. This will allow for much better pedestrian permeability in all directions.

The proposed cycle strategy follows the principles outlined within the Grahame Park Supplementary Planning Document. The primary road is expected to be used by more experienced cyclists, as the road will be used by buses, whilst the secondary road will be designed to enforce a lower speed limit and will offer an alternative route for less experienced cyclists.

A 3m wide off-road shared pedestrian-cycle way will provide a north-south connection through the green corridor of the development. The off-road shared surface cycle lane is expected to be used mostly as a leisure ride route or for people who are not confident cyclists, or children.

An Active Travel Zone (ATZ) assessment has been undertaken and is a key focus of current TfL transport assessment and Healthy Streets guidance. The ATZ covers a 20-minute cycling catchment around the site and includes an audit of routes (where people are likely to travel actively) to key destinations. The ATZ assessment assesses how people of all abilities can make key journeys within the zone that support car-free lifestyles within the development.

The routes to key destinations have been audited. The improvement proposals have focussed on the route to Mill Hill Broadway Railway station and the district town centre which follows a north/south alignment and is approximately 1.3km long (16 minutes' walk and 4 minutes cycle). A summary of off-site improvements proposed for the walking environment along the pedestrian desire line to Mill Hill Broadway Station and Mill Hill district town centre is summarised in the table below.

Route	Location	Improvement Measure
North Route	Mini Roundabout Junction of Lyndhurst Avenue /	An informal crossing (in line with pedestrian desire

	Bunns Lane	lines) with refuge to allow pedestrians to cross the road in two stages is recommended. Including dropped kerbs and tactile paving.
North Route	Junction of Woodcroft Avenue / Bunns Lane	An informal crossing (in line with pedestrian desire lines) with refuge to allow pedestrians to cross the road in two stages is recommended. Including dropped kerbs and tactile paving.
North Route	North of Lyndhurst Avenue / Bunns Lane Junction	A zebra crossing is recommended to replace the informal crossing]to provide priority crossing for pedestrians.

MANAGEMENT PLANS / STRATEGIES

A CPZ strategy involving review and implementation prior to opening of the development is to be secured by condition.

A Car and Cycle Parking Management Plan (CCPMP) is to be secured by conditioned.

A Parking Management Strategy (PMS) is to be secured by condition.

A Delivery and Service Management Plan (DSMP) and the monitoring and review process for this plan is to be secured by condition.

Waste collection is to be controlled via Refuse and Recycling Collection Strategy which is also conditioned. This will ensure the provision of adequate waste and recycling facilities in accordance with current standards.

A Residential Travel Plan will be introduced to cover all residential units and will include measures aimed at making people aware of the alternatives to car travel and the benefits of sustainable travel choices. The proposal will include travel voucher incentives to new residents to spend according to their preferred alternative to private car-based commuting. The applicant should enter into an agreement with a Car Club operator for the purposes of operating a Car Club facility.

The Framework Workplace Travel Plan will cover non-residential uses across the site. As there are a number of lessees expected to lease the units a Framework Travel Plan will set out the main guidelines and measures for individual Travel Plans, which in turn will be prepared by the larger individual occupiers and will feed into the framework plan. It is envisaged that occupiers of smaller units or areas will

sign up to the Framework by producing Travel Plan Statements as part of their lease agreement.

A Construction Traffic Management Plan is to be secured by condition. This would be used to control and minimise any impact of construction and delivery services. Construction staff parking will be provided within the site and managed with controls to ensure that overspill parking at non-restricted parking areas is avoided.

A Construction Worker Travel Plan (CWTP) is to be conditioned.

A Construction Logistics Plan (CLP) is to be secured by condition.

S106

The applicant shall submit plans showing details of highway works to the Council for approval prior to the commencement of construction works. The final details of the proposed works to be undertaken to the existing public highways and adopted highways will be secured via a s278 agreement. These works include but is not limited to the following

Northern Route (a contribution of up to £50,000 is sought) for:

- vi. Bunns Lane / Lyndhurst Avenue mini roundabout – provision of informal crossing with refuge, in line with pedestrian desire line, including dropped kerbs and tactile paving
- vii. Bunns Lane / Woodcroft Avenue – provision of informal crossing with refuge, in line with pedestrian desire line, including dropped kerbs and tactile paving
- viii. Bunns Lane – replacement of informal crossing with zebra crossing

New and amended roads surrounding Plot A (a contribution of up to £150,000 is sought) for:

- ix. The southern access road shall form a new priority controlled junction with Heybourne Crescent south of Plot A.
- x. Great Field Road is to be converted to a one-way eastbound movement from its junction with Heybourne Crescent, past Saint Augustine's Church to its junction with the access road directly south of Plot A.

Enter into a Highways Agreement with the Council in respect of detailed design / highway works and adoption. This relates to all new roads and the new junction of Heybourne Crescent and site access road (south of Plot A).

(n) Pedestrian and Cycling improvements

S106 funding for the following schemes:

- iii. Northern pedestrian route to Mill Hill Broadway Railway Station and the district town centre; and
- iv. Martlesham Walk pedestrian and cycling route improvement works (525 metre route). A part contribution of up to £150,000 is sought

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 2011 Chapter 5 'London's Response to Climate Change' policy 5.17 seeks suitable waste and 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 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

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

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve zero carbon on new residential developments post 2016. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further Draft London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy. Proposals are also expected to comply with the guidance set out in the council's Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes.

An Energy Report has been submitted in support of the application. The energy statement outlines a series of measures which will be incorporated into the proposal to improve sustainability and reduce carbon emissions, including the use of air sourced heat pumps from three energy centres, Photovoltaics and fabric efficiency. Additional heating will be provided by high specification gas boilers. These measures will result in an on-site reduction in CO₂ emissions of 36% beyond 2013 Building Regulations compliant development is expected on the domestic element

of the scheme and 35% on the non-domestic element (this is the case for both detailed and outline elements of the hybrid application). This exceeds the minimum on-site requirement for reductions in CO2 emissions as set out in Policy SI2 of the emerging draft London Plan. The energy strategy also allows for a future connection to a wider districting heating network should this emerge in the future.

In order to achieve zero carbon the developer will need to make a carbon offset contribution to bridge this gap. It is not possible to provide a definitive figure at this stage as that will be dependent on the actual energy saving measures delivered in future reserved matters applications. The GLA have confirmed in their stage 1 response that the energy strategy is considered acceptable subject to the payment of this contribution.

3.9 Landscaping, Trees and biodiversity

The 'sustainable development' imperative of NPPF 2019 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2016 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

Landscape and Open Space

As previously mentioned, the application proposes the creation and improvement of several areas of open space, including the proposed improvements to Heybourne Park and new open space to the east of 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 7.21 (Trees and woodlands) requires the retention of existing trees of value. Any loss as the result of development should be replaced following the principle of 'right place, right tree'. Wherever appropriate, the planting of additional trees should be included in new developments, particularly large-canopied species.

Draft New 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.

Within Plot A (the detailed portion of the application) the submitted Arboricultural report identifies 38 trees, groups and hedges within the area. Of these only 6 are shown as retained along Great Field where they are growing in the soft landscape verge. The strategy for replacement tree planting is Category A & B trees 2:1 min and C/U 1:1 min. Therefore 48 trees are required to replace those that have been removed.

Across the entire proposal site (detailed and outline elements), 196 trees are proposed to be removed consisting of 91 Category A and B; and 105 C/U. The strategy for replacement tree planting is Category A & B trees 2:1 min and C/U 1:1 min. Therefore 287 trees are required to replace those that have been removed.

While the loss of this number of trees is clearly regrettable, unfortunately it is necessary due to the need to rebuild Grahame Park with a logical street pattern according to modern urban design principals.

Replacement planting is proposed along the proposed roads and in areas of open space, the final details of species and maturity of the proposed planting will be agreed as part of future landscape proposals.

Overall it is considered that the proposed tree removal is considered acceptable in this instance in order to allow for the development of the estate, suitable landscaping and tree protection measures are included as suggested conditions.

Biodiversity

London Plan policy 7.19 (Biodiversity and access to nature) requires development proposals to: wherever possible make a positive contribution to the protection, enhancement, creation and management of biodiversity. Development proposals should give sites of borough and local importance for nature conservation the level of protection commensurate with their importance. When considering proposals that would affect a site of recognised nature conservation interest, the following hierarchy will apply:

- i. avoid adverse impact to the biodiversity interest; and

ii. minimise impact and seek mitigation and only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

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. Table 17.2 of the LBB Development Management Policies document also identifies Heybourne Park as a Site of Local Importance for Nature Conservation in Barnet.

DNLP 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) 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
- 3) 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.

As mentioned above Heybourne Park is a Local Wildlife Site (Site of Importance for Nature Conservation (SINC)). ADAS ecology services undertook a number of ecological surveys in 2015 and 2016 to inform the proposals for the previous planning application which did not include Heybourne Park, as at that stage it did not lie within the application boundary.

Surveys included a Preliminary Ecological Appraisal (PEA), bat building emergence and re-entry surveys, bat activity transects, tree climbing inspections for bat roosts and great crested newt surveys. These surveys determined the site to have low potential to support protected species. The main ecological constraints identified on site were four areas of trees which were recommended to be inspected prior to felling, in the event that bats could roost within them before construction begins, and nesting birds, evidence of which had been recorded across the site.

ADAS undertook a further site visit on 6th September 2018 to establish whether conditions on site had changed from those previously identified, warranting further survey or assessment. This included re-surveying the pond in Heybourne Park to assess the potential suitability for Great Crested Newts. There were no signs of protected species found during the updated 2018 survey, with the exception of

breeding birds for which two nests in trees and nesting evidence on buildings were recorded.

Based on the results of the 2018 ecological walkover survey, no additional updated surveys are required as conditions on site have not significantly altered. The site is still considered to be suitable for supporting common breeding bird species, low numbers of foraging and commuting bat species, and low numbers of roosting bats in four of the trees on site. The recommendations provided in the biodiversity report for the previous scheme are still applicable to the proposed redevelopment of the site.

Heybourne Park was not included within the planning application site boundary for the refused scheme therefore the applicant commissioned the same ecologists to undertake a PEA of the park itself, the survey of which took place in September 2019.

The field survey identified features of interest as detailed in the citation of Heybourne Park a Tier 3 SINIC including the pond, swamp and trees and species that included breeding wetland birds and the potential for frogs and newts (not great crested newts). The site held potential for nesting birds, invertebrate species and a habitat for foraging and sheltering hedgehogs.

The PEA concluded that due to the location of the proposed development, the features of interest associated with Heybourne Park are unlikely to be impacted. Details of suggested mitigation and enhancement measures were set out in the report.

The application supporting documents advise that a number of biodiversity enhancement measures will be carried out as part of the development including the introduction of bird/bat boxes, proposed tree, shrub and groundcover planting and insect hotel. Details of these matters are condition and will if implemented result in biodiversity net gain across the application site. It is therefore considered that the proposal accords with London Plan and Banet Adopted Policy.

Flood risk, Water Resources, Drainage and SUDs

In support these considerations Flood Risk is considered within the submitted Environmental Statement

In respect of flood risk, the site is within Flood Zone 1 which is classified as being of low risk of flooding. The proposed development is acceptable in this zone and there is no requirement for exception and sequential testing of the acceptability of the scheme.

In line with policy requirements the surface water drainage scheme the proposed development proposes to restrict surface water discharge rates to greenfield rates to cater for a 100 year flooding event plus 40% for climate change. This is achieved through a variety of methods including the use of permeable paving, rainwater harvesting and use on podium gardens along with underground attenuation tanks. Capita Drainage as LLFA have asked the applicant to explore the potential for

discharging to the existing balancing pond in Heybourne Park. Due to timescales it is not possible to produce a technical evaluation regarding whether this is possible and as such further exploratory work of this option will be secured by condition.

Foul water drainage has also been considered as part of this strategy. Thames Water have advised that more information is required regarding the capacity of existing infrastructure can accommodate any increase in peak foul water discharge rates or whether any reinforcement of the foul sewer network is required.

The Environment Agency, Thames Water and Capita Drainage (Lead Local Flood Authority) have been consulted on the application. No in principle objection has been raised, however both Thames Water and Capita Drainage have requested the imposition of Grampian Style Conditions which are included in the list of suggested conditions.

3.10 Other matters

Utilities

In support of the application a Utilities report has been submitted in support of the application. The utility report advises that existing below ground utilities will be removed on demolition and site clearance with new infrastructure being installed during the construction of the new blocks.

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.

In relation to gas infrastructure Cadent have advised that there are gas pipelines in the vicinity of the site and that the developer should contact them prior to development affecting any such pipes but do not raise any objections. In regards to sewer infrastructure, Thames Water have requested a Grampian style condition is imposed requiring the drainage strategy to be agreed which is included in the list of suggested conditions.

Ground conditions and Contamination

In regards to potential contamination, the submitted Environmental Statement recommends that a site investigation is carried out which has been secured by condition. Subject to the attachment of this condition scientific services raise no objections to the proposal.

Impact upon Services

The application includes an obligation to either re provide or make a contribution towards a new enlarged health facility serving the wider Colindale Area. In relation to schools, the new Orion School has recently been constructed to the north of the site. The St James's secondary school site (which also includes the relocated St Dominic school) to the east has also recently been expanded. A new Saracens

secondary school is also under construction, to the north of St James's school. A new Saracens Primary school is also proposed to be constructed as part of the Colindale Gardens development to the south.

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 provision of the new Community Cluster, provision or contribution towards new Colindale Health Centre, the remodelled Heybourne Park improvements, carbon offset payments along with the requirements to address the transport impacts of the proposal in the form of securing the highway and public transport improvements.

Barnet Community Infrastructure Levy

The Community Infrastructure Levy (CIL) potentially applies to all 'chargeable development'. This is defined as development of one or more additional units or development seeking an increase to existing floor space greater than 100 square metres.

Barnet Council is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in The London Borough of Barnet. Barnet Council adopted a CIL charge on 1st May 2013. This set a rate of £135 per square metre on residential and retail development within the borough. All other uses and undercroft car parking areas are exempt from this charge.

The calculation of the Barnet CIL payment is based on the floor areas of the residential elements of the development (except for any potential undercroft car parking areas).

Mayoral Community Infrastructure Levy

The Community Infrastructure Levy (CIL) potentially applies to all 'chargeable development'. This is defined as development of one or more additional units or development seeking an increase to existing floor space greater than 100 square metres.

The Mayor of London is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in Greater London. The Mayor of London adopted a CIL charge on 1st April 2012. This set a rate of £35 per square metre on all forms of

development in Barnet, except that which is for education and health purposes (which are exempt from this charge).

The calculation of the Mayoral CIL payment is carried out on the basis of the floor areas of the residential and other elements of the development (except for potential education and health uses).

4. EQUALITY AND DIVERSITY ISSUES

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

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

For the purposes of this obligation the term “protected characteristic” includes:

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

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council’s statutory duty under this important legislation. The applicant has also submitted a detailed Equalities Impact Assessment post submission of the planning application, the content of which have been assessed in reaching this conclusion.

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

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

The development includes level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.

Dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

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

7. CONCLUSION

In conclusion, the scheme is considered acceptable on balance having regard to relevant national, regional and local planning policies and guidance. The principle of the redevelopment of the Grahame Park Estate is considered acceptable and accords with national, regional and local plan policy guidance.

The proposal adequately addresses the previous GLA directed reasons for refusal providing like for like replacement social housing, along with 50% affordable housing in total. The application has also agreed a contribution towards bus services addressing this reason for refusal.

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 proposal would also provide purpose built Community buildings along with improvements to Heybourne Park.

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

The potential transport impacts of the scheme have been considered and appropriate mitigation proposed in the form of the amendments to the bus network, provision of a detailed travel plan as well as improvements to access and connectivity as part of the proposal.

The scheme deals with its waste and recycling requirements and in terms of energy and sustainability, a range of measures are proposed including a carbon offset payment to achieve mayoral standards for a reduction in CO2 emissions.

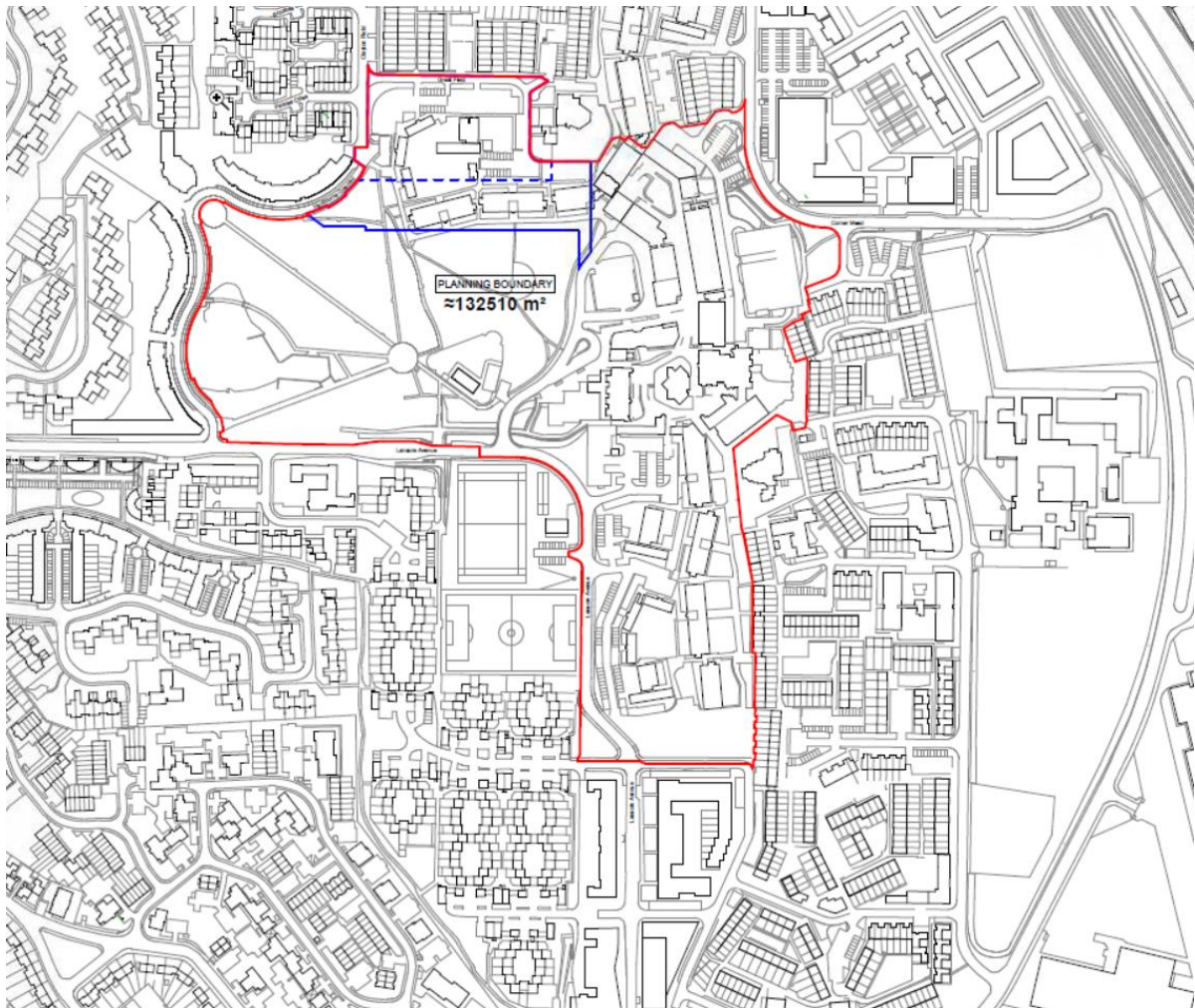
A suitable approach is taken to landscaping and biodiversity with retention of trees where possible as well as enhancement of the biodiversity values within the site with appropriate treatments and species and mitigation.

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: Grahame Park, London NW9

REFERENCE: 19/5493/OUT



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LOCATION: Phase 6b, Millbrook Park (Former Inglis Barracks) NW7 1PX

REFERENCE: 19/5827/FUL

Received: 30 October 2019

AGENDA ITEM 8

Accepted: 30 October 2019

WARD(S): Mill Hill

Expiry: 29 January 2020

APPLICANT: Poly UK

PROPOSAL: Full Planning Permission for Phase 6B, associated with the Millbrook Park development, for the erection of 2 linked buildings 6 storeys in height comprising 82 residential units (Use Class C3), 615sqm (GIA) of employment space (Use Class B1), together with associated plant, car parking, cycle parking, refuse stores, servicing areas and associated hard and soft landscaping

APPLICATION SUMMARY

Agenda Item 8 (Millbrook Park Phase 6b) of the Planning Committee meeting of the 14th January 2020 was deferred by members for the applicant to provide additional information in relation to the root zone of the adjacent trees in the scout camp and to provide a construction method statement demonstrating how the proposed basement would be constructed while safeguarding the adjoining trees.,

The original officer planning report to the 14th January 2020 is included as Appendix A, along with the Addendum to this Committee which is included as Appendix B. Together these reports set out the full officer assessment of the proposal.

The applicant has subsequently submitted the following documents on the 7th February to address the issues covered in the Committee deferral:

- A Survey of the Tree Roots utilising ground penetrating radar; and
- A Statement on the Construction Methodology for the Basement.

The Council's Arboricultural Officer was consulted on these documents who has provided the following comments:

'The tree root investigation by Peter Barton Associates appended (Appendix 7) to the Thompson Ecology Millbrook Park Phase 6B , Arboricultural Survey, Arboricultural Impact Assessment and Arboricultural Method Statement For BuroHappold Engineering Project No.: VBHE107/006 February 2020. Found two tree roots over 20mm in diameter associated with a G1 a group of elm trees, which will succumb to Dutch Elm Disease in due course.

No other tree roots over 20mm in diameter where located along the proposed pile line that was scanned by the radar system. The report reasons that tree roots would not flourish in compacted heavy clay soils. The top soil (30 to 40mm) has already been removed from the area during the site clearance works, prior to the making of

the TPO. It is likely that most of the tree roots growing in this area were located in the top soil.

With regard to the suggestion that finer roots at depth may be impacted, I suspect that if there are any roots they will be marginal to the overall tree support system. If there were tree roots found at frequency or an abundance of roots greater than 20mm diameter found at depth along the boundary, further investigations would need to be undertaken. This was not the case, even close to the larger ash trees, therefore no further ground works studies are necessary.

Tree protection shows T14 and G1 category U trees, to be removed to facilitate the development. This is not the case, removal is required for risk management reasons, the plans need to be amended to avoid confusion.

6.7.1 The ground protection proposed between the pile line and boundary needs further consideration, scaffolding boards over woodchip, may not meet current safety standards. A more robust system must be considered such as interlocking ground mats.

An ivy fence is proposed for the boundary treatments, this must be incorporated into the method statement.

Subject to the above amendments being incorporated into the method statement, no further comments.'

The applicant has subsequently submitted an updated Method Statement on the 13th February containing the following amendments in line with the arboricultural officer's comments.

1. Clarification that the tree category U trees are recommended for removal for risk management reasons. The plans have been amended to avoid confusion as per corresponding text in 5.3.1.
2. Clarification for alternatives system for ground protection at 6.7.1
3. Incorporation of the method of installation of the Ivy fence at 6.9.

The additional comments appear to demonstrate that the installation of the Ivy fence would not further affect the retained trees on the scout camp. Amended updated comments from the Council's Arboricultural Officer will be provided in the Addendum.

Additional Correspondence

Copies of the submitted documents have been shared with the Barnet Borough District Scout Council. They have submitted additional correspondence raising the following issues:

1. *The Planning Condition 30 requires a 'no excavation zone' of 1.2m between the boundary fence and any building work carried out. The temporary or permanent sheet piling works to enable the 6.5m basement walls to be built, as shown in the Bennett report will encroach at the very least, half a metre into that prohibited zone.*

2. Only brief and non-specific reference is made to the machinery and other equipment necessary to install the sheet piling, which will need to be positioned in the approximately 700mm gap between the sheet piling and the boundary fence. The ground surface in this area and the tree roots below are likely to be hugely impacted during the Phase 6b works.

3. The ground Radar investigation not only avoided recording any tree roots under 20mm diameter but further avoided the main issue by surveying the ground 1.5 to 2m away from the boundary fence i.e. well inside the permanent works scheduled as part of Phase 6b. This seems in direct conflict to the requirement outlined in your email to Clive Hailey dated 22.01.2020.

Officer Comment

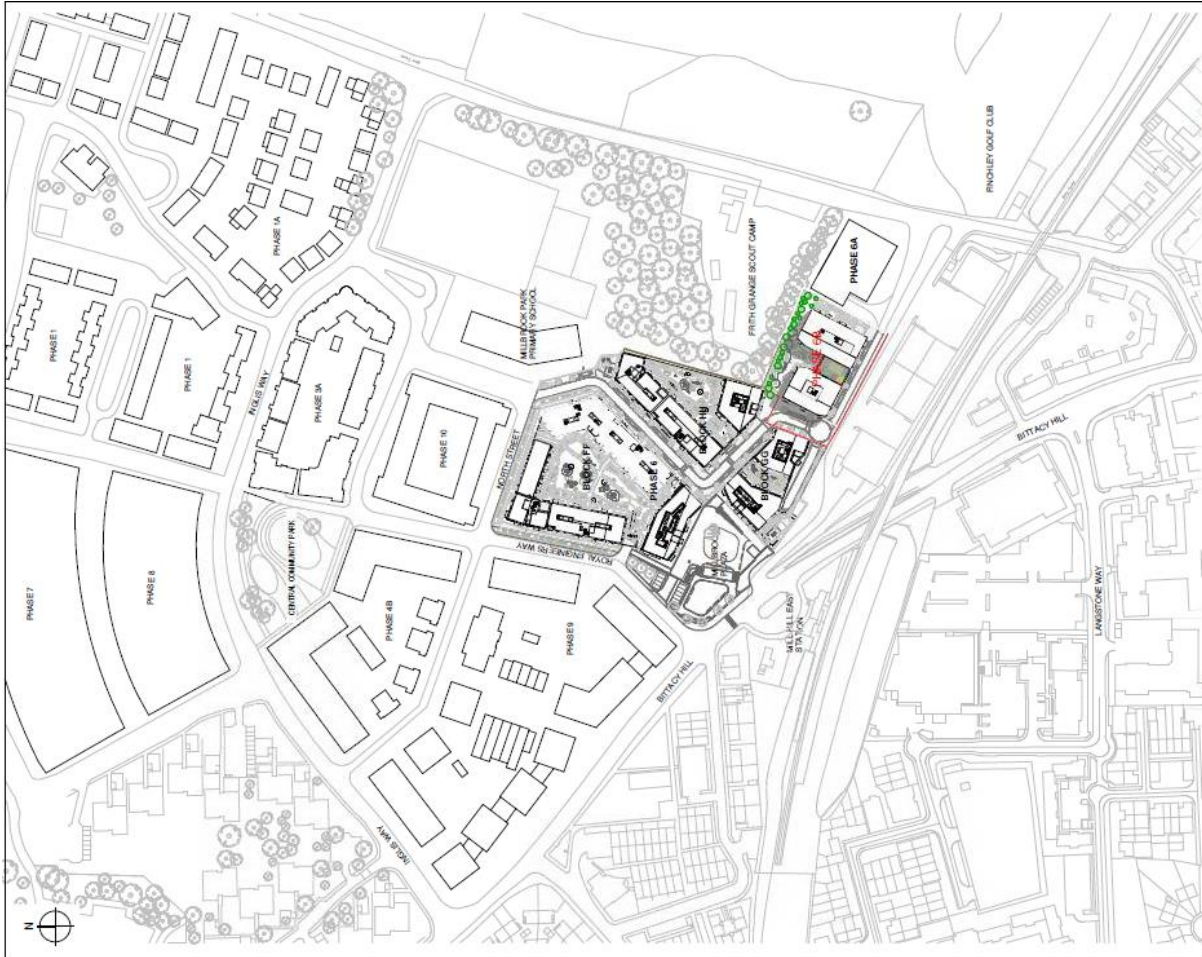
The Council's Arboricultural Officer agreed the scope of the investigation and assessed the proposal and advised that they are satisfied with the additional information provided and consider that the proposal can be adequately constructed without damaging trees in the adjoining scout camp. Additional comments from the Council's arboricultural officer in relation to the scout comments will be reported in the addendum.

Conclusion

It is considered that the reason for deferral has now been satisfied and that the information which has been submitted in relation to both the root survey and the basement construction method statement demonstrate to the Council's satisfaction that the proposal would not adversely affect trees on the adjoining scout camp. As such the Officer Recommendation is that the application is Approved subject to the Heads of Terms and Conditions as recommended in the original Committee Report included as Appendix A.

**SITE LOCATION PLAN: Phase 6b, Millbrook Park (former Inglis Barracks),
Mill Hill East, London, NW7 1SJ**

REFERENCE: 19/5827/FUL



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LOCATION: Phase 6b, Millbrook Park (Former Inglis Barracks) NW7 1PX

REFERENCE: 19/5827/FUL

Received: 30 October 2019

WARD(S): Mill Hill

Accepted: 30 October 2019

Expiry: 29 January 2020

APPLICANT: Poly UK

PROPOSAL: Full Planning Permission for Phase 6B, associated with the Millbrook Park development, for the erection of 2 linked buildings 6 storeys in height comprising 82 residential units (Use Class C3), 615sqm (GIA) of employment space (Use Class B1), together with associated plant, car parking, cycle parking, refuse stores, servicing areas and associated hard and soft landscaping

Recommendation 1

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:

i. Legal Professional Costs Recovery

Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.

ii. Enforceability

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

iii. Affordable Housing

Provision of 27 affordable housing units (including full nomination rights on these units) on the site in accordance with the following mix:-

Affordable Rented

10 x 2 bed flats

4 x 3 bed flats

Intermediate Housing

6 x 1 bed flats

7 x 2 bed flats

iv. Carbon Off Set Payment

Payment of the sum of Thirty Nine Thousand Five Hundred and Thirty Two Pounds (£39,531) index-linked as a contribution to ensure that the residential component of the Development achieves net zero carbon dioxide emissions;

Recommendation 2:

That subject to the completion of the agreement specified in Recommendation 1, the Committee grants delegated authority to the Service Director Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions as set out in this report and addendum

provided this authority shall be exercised after consultation with the Chairman (or in his/her absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

Conditions

Time Limit

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.

Approved Plans

2. No development shall take place unless in accordance with the following Approved Parameter Plans and substantially in accordance with the supporting documents:

Application Drawings

Block JJ General Arrangement - Ground Floor – C413MPJ-CTA-JJ-00DR-A-07001-P1

Block JJ Tenure Plans 6B Tenure Plan - Ground Level – C413MPJ-CTA-JJ-00-DR-A-07081-P1

Block JJ General Arrangement Level - 01 – C413MPJ-CTA-JJ-01-DR-A-07002-P2

Block JJ Tenure Plans 6B Tenure Plan Level - 01 – C413MPJ-CTA-JJ-01-DR-A-07082-P1

Block JJ General Arrangement - Level 01 – C413MPJ-CTA-JJ-02-DR-A-07003-P1

Block JJ Tenure Plans 6B Tenure Plan - Level 01 – C413MPJ-CTA-JJ-02-DR-A-07083-P1

Block JJ General Arrangement - Level 03 – C413MPJ-CTA-JJ-03-DR-A-07004-P1

Block JJ Tenure Plans 6B Tenure Plan - Level 03 – C413MPJ-CTA-JJ-03-DR-A-07084-P1

Block JJ General Arrangement - Level 04 – C413MPJ-CTA-JJ-04-DR-A-07005-P1

Block JJ Tenure Plans 6B Tenure Plan - Level 04 – C413MPJ-CTA-JJ-04-DR-A-07085-P1

Block JJ General Arrangement - Level 05 – C413MPJ-CTA-JJ-05-DR-A-07006-P2

Block JJ Tenure Plans 6B Tenure Plan - Level 05 – C413MPJ-CTA-JJ-05-DR-A-07086-P1

Block JJ General Arrangement - Roof Level – C413MPJ-CTA-JJ-07-DR-A-07007-P1

Block JJ General Arrangement - Lower Ground Level - C413MPJ-CTA-JJ-LG-DR-A-07000-P1

Block JJ Tenure Plans 6B Tenure Plan - Lower Ground Level - C413MPJ-CTA-JJ-LG-DR-A-07080-P1

Block JJ General Arrangement Elevation - AA', BB', CC' – C413MPJ-CTA-JJ-ZZ-DR-A-07030-P1

Block JJ General Arrangement Elevation - DD', EE', FF' – C413MPJ-CTA-JJ-ZZ-DR-A-07031-P1

Block JJ General Arrangement Section - AA BB CC – C413MPJ-CTA-JJ-ZZ-DR-A-07050-P1

Block JJ Bay Studies Typical Bay Study 01 – C413MPJ-CTA-JJ-ZZ-DR-A-07051-P1

Block JJ Bay Studies Typical Bay Study 02 – C413MPJ-CTA-JJ-ZZ-DR-A-07052-P1
Block JJ Bay Studies Typical Bay Study 03 – C413MPJ-CTA-JJ-ZZ-DR-A-07053-P1
Block JJ1 General Arrangement Typical Apt Layout – C413MPJ-CTA-JJ-ZZ-DR-A-07060-P2
Block JJ2 General Arrangement Typical Apt Layouts – C413MPJ-CTA-JJ-ZZ-DR-A-07061-P1
Block JJ3 General Arrangement Typical Apt Layouts – C413MPJ-CTA-JJ-ZZ-DR-A-07062-P1
Phase 6B Site Plan – C413MPJ-CTA-XX-ZZ-DR-A-07100-P1
Phase 6B Site Sections – C413MPJ-CTA-XX-ZZ-DR-A-07150-P1
Landscape Tree Planting Plan Phase 6B – TOWN686(08)5002-R05
Courtyard Section Block JJ Phase 6B – TOWN686(08)7004-R04
Courtyard Section Block JJ Phase 6B Sheet 2 – TOWN686(08)7005-R00

Application Documents

Design & Access Statement (including Landscape), prepared by CT;
Landscape Statement (Incl. within DAS), prepared by TLA;
Comparative Document, prepared by CT;
Ecological Appraisal, prepared by Buro Happold Engineering (BH);
Sustainability Statement Prepared by BH;
Energy Statement, prepared by BH;
Drainage Statement , prepared by BH;
Operational Waste Management Strategy, prepared by BH;
Transport Assessment, prepared by BH;
Acoustics Report, prepared by BH;
Air Quality Assessment Technical Note, prepared by BH;
Geoenvironmental & Geotechnical Desk Study, prepared by BH;
Ground Engineering Interpretive Report & Remediation Method Strategy, prepared by BH;
Overshadowing Statement, prepared by Avison Young (AY);
Letter from Thomson Environmental Consultants dated 19th December 2019;
Thomson Ecology Arboricultural report and method statement ref: V-BHE-107-005-001 dated November 2018;
Letter from Avison Young dated 19 December 2019.

Reason: For the avoidance of doubt and to ensure the development accords with the outline permission and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

Internal Space Standards

3. All 82 residential units (use class C3) within the development hereby permitted shall all be constructed to achieve the minimum internal space standards set out in Table 3.3 of the London Plan (2016).

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.5 of the London Plan (2016).

Wheelchair Homes

4. A minimum of 10% of the residential dwellings within the development hereby approved shall be built to wheelchair housing standards or easily adaptable for residents who are wheelchair users.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2016).

Hours of Construction

5. No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days unless in accordance with previously agreed emergency procedures for deviation.

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

Street Lighting

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

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

Materials for External Surfaces of Buildings

7. Prior to the commencement of above ground works, details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved and maintained 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 1.1, 7.4, 7.5 and 7.6 of the London Plan.

Levels

8. Prior to the commencement of development, other than for ground works, site preparation or remediation, details of the levels of the proposed buildings, roads, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan 2016.

Contaminated Land – Method Statement

9. Prior to the commencement of any development:
- (a) A contaminated land desktop study 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 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 these details are 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 prior to the commencement of the development.

- (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 to be carried out shall be submitted to and

approved in writing by the Local Planning Authority prior to that remediation being carried out on site.

The Method Statement should contain a detailed breakdown of the proposed remediation strategy and the anticipated timescales for completion. The method statement should identify the timing and sequence of the required remediation works and where relevant, set out in consultation with the Local Planning Authority, at what stages any verification report(s) will be submitted to the Local Planning Authority for their approval.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety and to comply with policy DM04 of the Barnet Local Plan.

Contaminated Land – Remediation

10. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement approved under condition 9 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. The verification report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. No dwelling shall be occupied until the relevant land has been remediated in accordance with the approved method statement, and this has been approved by the Local Planning Authority.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety and to comply with policy DM04 of the Barnet Local Plan.

BREEAM Standard for Non Residential

11. The B1 Building hereby approved shall achieve BREEAM 'Very Good' level of environmental performance. Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan

Crime Prevention Strategy

12. A crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The strategy shall demonstrate how the development meets 'Secured by Design' standards. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that satisfactory attention is given to security and community safety in accordance with policy DM02 of the Development Management Policies (2012).

Detailed Surface Water Drainage Scheme

13. No above ground works shall be undertaken until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity. in line with Barnet Local Plan policies CS13 and DM04 and policies 5.3, 5.11. 5.13 and 5.14 of the London Plan. The inclusion of green roofs and dry ponds will improve habitat and amenity in line with policies CS7, DM01, DM16 of the Barnet Local Plan policy 7.19 of the London Plan.

Off Site Drainage Works

14. No above ground works shall be undertaken until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

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

Petrol/Oil Inceptors

15. Notwithstanding the submitted plans, no development shall commence unless and until details of petrol/oil interceptor(s) in all car parks located within the development 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.

Impact Piling

16. No impact 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 and water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be

undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

Car Parking

17. Before the relevant plot of the development hereby permitted is occupied the associated car parking space(s) shown on the plans hereby approved 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.

Electric Charging Points

18. Before the development hereby permitted is occupied 20% Active Electric Vehicle Charging Points (ECVP) 20% Passive ECVPs shall be provided in accordance with the London Plan Parking Standards. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

Cycle Parking

19. Before the relevant plot of the development hereby permitted is occupied the associated cycle parking and cycle storage facilities shall be installed in accordance with the approved plans and such 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 Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Refuse Storage

20. Details of proposed refuse collection facilities and arrangements must be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development.

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.

Demolition and Construction Management Plan

21. No site works or works on this development including demolition or construction work shall commence until 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 proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan 2015.

Delivery and Servicing Plan

22. Before the commercial development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.
Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Residential Travel Plan

23. Before the occupation of the residential development a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This should include the appointment of a Travel Plan coordinator. The Residential Travel Plan should be in accordance with the latest TfL Guidance and reviewed annually against the Residential Travel Plan targets.

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.

Workplace Travel Plan

24. Before the commercial development is occupied the Workplace Travel Plan shall be submitted to and approved by the Local Planning Authority. This should include the appointment of a Travel Plan coordinator. The Workplace Travel Plan should be in accordance with the latest TfL guidance and reviewed annually against the Workplace Travel Plan targets.

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.

Hard and Soft Landscaping

25. a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

Tree Protection Plan

26. a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement

detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

Excavation and Underground Servies

27. Prior to the any works taking place within the root protection areas of any retained trees, plans showing the extent and depth of all excavations for drainage and other services in relation to trees shall be submitted to and approved in writing by the Local Planning Authority and the development carried out in accordance with the details as approved.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2016.

Tree Works Specification

28. a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority.

b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

Landscape Management Plan

29. a) Prior to the occupation of the hereby approved development, details of a Landscape Management Plan for all landscaped areas (including the proposed living fence) 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 7.21 of the London Plan 2016.

- No Excavation Northern Boundary**
30. Notwithstanding the plans hereby approved, no excavations or installations other than the boundary fence shall be carried out within 1.2m of the boundary with the scout camp on the north edge of the development.

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.

Boundary Treatment

31. a) The site shall not be brought into use or first occupied until details of the means of enclosure, including proposed levels and boundary treatments on the interface of Plot and the Scout camp, 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).

Biodiversity Enhancements

32. 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 represent high quality design and meets the objectives of development plan policy as it relates to biodiversity in accordance with policies DM01 and DM16 of the Barnet Local Plan and policies 5.11 and 7.19 of the London Plan.

Balcony Screening

33. Before development hereby permitted is occupied, details of the proposed balconies including details of privacy panels where considered necessary by the Local Planning Authority shall be submitted and approved by the Local Planning Authority. The panels shall be provided in accordance with the approved details prior to the occupation of the development and retained as such thereafter.

Reason: In the interest of residential amenity in accordance with Policies CS5 of the Core Strategy (2012) and DM01 of the Development Management Policies (2012).

Air Quality Neutral

34. Prior to the commencement of any above ground works, 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 Policies 3.2, 5.3 and 7.14 of the London Plan 2016.

Acoustic Mitigation measures

35. The measures as detailed within Millbrook Park Phase 6B Full Planning Application Stage 2 Acoustics Report dated 25 October 2019 Revision P02 by Buro Happold Engineering shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2016.

RESTRICT NOISE FROM PLANT

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

IMPACT OF NOISE FROM VENTILATION AND EXTRACTION PLANT ON DEVELOPMENT

37. a) No ventilation or extraction plant shall be installed until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the *residential and/or commercial* ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2016.

INFORMATIVEs:

1. The costs of any associated works to public highway, including reinstatement works, will be borne by the applicants and may require the Applicant to enter into a 278 Agreement under the Highways Act 1980.
2. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
3. Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

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

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

residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an air quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance : 1) Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, Jan 2017); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007); 5) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014); 6) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions' 7) The control of dust and emissions from construction and demolition, Best Practice Guidance London Councils, 2006; 8) The Control of Dust and Emissions during construction and demolition supplementary planning guidance July 2014; 9) Air Quality Neutral Planning Support Update April 2014 and 10) Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014

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

4. In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
 - 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

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

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

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

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

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

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

6. 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. 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 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.

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. Your planning application has been assessed at this time as liable for payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has been assessed at this time as liable for payment under Barnet CIL.

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 Community Infrastructure Levy 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: cil@barnet.gov.uk.

Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can potentially apply for relief or exemption under the following categories:

1. Charity

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

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extension

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

3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Visit

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

1. Material Considerations

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan is The London Plan (published 2016) the Barnet Local Plan which comprises the Core Strategy and Development Management Policies DPD (adopted 2012); and the Mill Hill East Area Action Plan (adopted January 2009). 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.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in the subsequent sections of this report dealing with specific policy and topic areas.

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 (including reserved matters) and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan.

National Planning Policy Framework (February 2019)

The 2019 NPPF was adopted in February 2019 replacing the 2012 NPPF and includes minor clarifications to the revised version published in July 2018. The NPPF sets out the Government's planning policies for England and how these should be applied¹. 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.

The Mayor's London Plan 2016 (Jan 2017 fix)

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing Standards Minor Alterations to the London Plan published in March 2016 and the Parking Standards Minor Alterations to the London Plan published in March 2016.

The London Plan policies most relevant to the determination of this application are as follows:

2.13 (Opportunity Areas and Intensification Areas), 3.3 (Increasing Housing Supply), 3.4 (Optimising housing potential), 3.5 (Quality and design of housing developments), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.7 (Large Residential Development), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities), 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), 5.2 (Minimising carbon dioxide

emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.11 (Green roofs and development site environs), 5.12 (Flood risk management), 5.13 (Sustainable drainage), 5.14 (Water quality and wastewater infrastructure), 5.21 (Contaminated land), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's neighbourhoods and communities), 7.2 (An inclusive environment), 7.3 (Designing out crime), 7.4 (Local character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Heritage Assets and Archaeology), 7.15 (Reducing noise and enhancing soundscapes), 7.19 (Biodiversity and Access to Nature), 7.21 (Trees and Woodlands).

Draft Replacement London Plan 2017

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

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

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

Core Strategy (Adoption version) 2012

Development Management Policies (Adoption version) 2012

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

Relevant Core Strategy Policies: CS NPPF (National Planning Policy Framework – Presumption in Favour of Sustainable Development), CS4 (Providing Quality Homes and Housing Choice in Barnet), CS5 (Protecting and Enhancing Barnet's Character to Create High Quality Places), CS7 (Enhancing and Protecting Barnet's Open Spaces), CS9 (Providing safe, effective and efficient travel), CS12 (Making Barnet a Safer Place), CS13 (Ensuring the Efficient Use of Natural Resources), CS14 (Dealing with Waste).

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

Relevant Development Management DPD Policies: DM01 (Protecting Barnet's Character and Amenity), DM02 (Development Standards), DM03 (Accessibility and Inclusive Design), DM04 (Environmental Considerations), DM06 (Barnet's Heritage and Conservation), DM08 (Ensuring a variety of sizes of new homes to meet housing Need), DM16 (Biodiversity), DM17 (Travel Impact and Parking Standards).

Mill Hill East Area Action Plan (AAP) 2009

The Mill Hill East Area Action Plan (AAP) was adopted by the Council in 2009 and forms part of Barnet's Local Plan containing policies relevant to the determination of planning applications in the area. The AAP forms a material consideration in the determination of Planning Applications in this area.

The relevant policies for the consideration of this application are: MHE2 (Housing), MHE6, MHE10 (Making the Right Connections), MHE12 (Sustainable Transport), MHE13 (Parking), MHE14 (Creating a Sustainable Development), MHE15 (Design), MHE16 (Delivering Design Quality), MHE17 (Conserving Built Heritage), MHE18 (Delivering the AAP).

1.2 Relevant Planning History and the Outline Planning Permission

The London Borough of Barnet (LBB) and the Mayor of London have designated the Mill Hill East area as an Area of Intensification in the London Plan and Barnet Local Plan respectively. The area covered by this designation includes the former Inglis Barracks; Mill Hill East station; IBSA house; the Council Depot and recycling centre; Bittacy Court; the Scout Camp; and former Mill Hill Gas Works (the area now centred around Lidbury Square).

The site was first highlighted as an area appropriate for redevelopment in the London Plan in 2004. This was primarily the result of Project MoDEL (Ministry of Defence Estates London) which involved the consolidation and sale of surplus MoD properties around London. The activities from Inglis Barracks were transferred to RAF Northolt and the base vacated in 2008. To support the redevelopment of the area the Mill Hill East Area Action Plan (AAP), focusing primarily on the former Inglis Barracks site, was produced. The aim of the APP was to ensure that development would take place in a balanced and coordinated manner. To achieve this the AAP set out a comprehensive framework to guide the delivery of housing covering employment, community facilities, infrastructure, transport initiatives and environmental protection and enhancement.

Policy MHE1 and MHE2 of the AAP identifies that 2,660 homes are to be provided at Mill Hill East, in addition to Policy MHE3 which requires employment space to support 500 jobs. This is to be achieved via a number of means including the designation of 1ha of land adjacent to Bittacy Hill Business Park for employment use.

Of particular significance is the approval of outline planning permission for residential-led mixed use development on part of the land covered by the current application. This was granted consent in September 2011, as part of the proposals approved under the application (ref: H/04017/09) for the comprehensive redevelopment of the wider site.

Also of relevance is the subsequent Reserved Matters application covering the adjacent Phase 6a site (ref: 15/03305/RMA), the adjoining Reserved Matters Approval for the Phase 6 site, the earlier drop in outline application for the development of this phase (15/06417/OUT) as well as the previous application for the development of this phase (18/6640/FUL) which was refused by members in June 2019.

Application Site

Application Reference	H/04017/09
Case Officer	Jo Dowling
Proposal	Outline application for the comprehensive redevelopment of the site for residential led mixed use development involving the demolition of all existing buildings (excluding the former officers mess) and ground re-profiling works, to provide 2,174 dwellings, a primary school, GP Surgery, 1,100sqm of 'High Street' (A1/2/3/4/5) uses, 3,470sqm of employment (B1) uses, a district energy centre (Sui Generis) and associated open space, means of access, car parking and infrastructure (with all matters reserved other than access). Full application for the change of use of former officers' mess to residential (C3) and health (D1) uses.
Stat Start Date	30/10/2009
Application Type	Outline Application
Decision	Granted
Decision Date	22/09/2011

Application Reference	15/06417/OUT
Case Officer	Andrew Dillon
Proposal	Outline planning application for up to 66 residential units, 700 sqm of B1 floorspace, 630 sqm energy centre (CHP) and associated car parking and landscaping.
Stat Start Date	10/10/2015
Application Type	Outline Application
Decision	Granted
Decision Date	13/05/2016

Application Reference	18/6640/FUL
Case Officer	Andrew Dillon
Proposal	Full Planning Permission for the erection of 2 linked buildings ranging from 5-6 storeys in height comprising 87 residential units (Use Class C3), 700 sqm (GIA) of employment space (Use Class B1), together with associated plant, car parking,

	cycle parking, refuse stores, servicing areas and associated hard and soft landscaping
Stat Start Date	7/11/2019
Application Type	Full Application
Decision	Refused
Decision Date	23/07/2019

Adjacent to the Application Site

Application Reference	15/03305/RMA
Case Officer	Andrew Dillon
Proposal	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 6a of the Mill Hill East development pursuant to Outline planning permission reference H/04017/09 dated 22/9/11, involving the erection of a three storey B1 light industrial building providing 2,935m ² of gross internal floor area together with associated access, car parking and landscaping together with details to discharge the requirements of: Condition 5 (Reserved matter details), 5b (Advanced infrastructure works), 26 (Access points), 27 (Details of estate roads), 30 (Existing adopted highway), 35 (Petrol/oil interceptors), 83 (Grey water/rainwater recycling) and 85 (Green/brown roofs).
Stat Start Date	29/05/2015
Application Type	Reserved Matters Application
Decision	Granted
Decision Date	24/09/2015

Application Reference	18/6352/RMA
Case Officer	Andrew Dillon
Proposal	Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phase 6 of the Millbrook Park development pursuant to Outline planning permission reference H/04017/09 dated: 22/9/2011, involving the erection of 310 units in the form of 11 x 1 bedroom flats, 184 x 2 bedroom flats and 15 x 3 bedroom flats, the provision of 700 sq.m of Commercial Space, together with details to discharge the requirements of conditions 5, 8, 26, 27, 29, 32, 35, 48, 52, 70, 80, 83, and 85
Stat Start Date	06/11/2018
Application Type	Reserved Matters Application
Decision	Granted
Decision Date	13/03/2019

1.3 Consultation and Views Expressed

Public Consultation

Neighbours Consulted: 358

Replies: 239

Correspondence has been received from 239 members of the public of which 239 are in objection. Objections concern the following reasons:

Impact on Scout Camp

Camp site has been used for many years (since 1934) by beavers, cubs, explorers, rainbows, brownies, guides etc. The proposed development poses a fundamental risk to its continued use.

Proposed 6 storey building is built up to the boundary and will dominate and destroy rural setting of camp site.

Proposals do not address previous reason for refusal

Plans do not address objections to the previous scheme, namely too tall and overlooking of scout camp.

Proposals increase number of windows overlooking the camp.

No increase in units over the previous outline approval should be allowed.

The number of windows and balconies facing the camp site will result in significant overlooking of the field which is used for camping and games.

Proximity of proposed houses would prejudice the annual firework display which brings significant income to local groups

Safeguarding issues regarding having so many residential properties on the boundary with the scout camp, making it difficult to ensure secure boundary of site.

Future conflict between new proposed residential flats and noisy scout activities leading to potential ceasing of scouting activity.

Misleading plans showing trees further from the boundary than they are, and more trees going into the scout camp which don't exist

Impact upon boundary trees due to close proximity of development to the trees.

Highways

Highway danger due to extra traffic in Mill hill, particularly in relation to the scout camp

Highway congestion due to increase in residential units.

Barnet Borough District Scout Council

As Chair and on behalf of the Barnet Borough District Scout Council I write regarding the above Planning Application and wish to lodge our objections.

For the sake of clarity and for the avoidance of any doubt, Barnet Borough District Scout Council is the electoral body which supports Scouting in the District. It is the body to which the District Executive Committee is accountable and is elected by the members of Barnet Borough Scouts, in accordance with the requirements of the Charity Commission and of The Scout Association. Members of the Executive Committee must act collectively as **Charity Trustees of the Scout District**, and in the best interests of its members to:

Protect and maintain any property and equipment owned by and/or used by the District

Promote and support the development of Scouting in the local area and Manage and implement the **Safety Policy locally**.

This new application represents the developer's response to an earlier application (18/6640/FUL), which was refused on the grounds that the proposed development, by virtue of its excessive height, scale, massing and proximity to the boundary would represent an over development of the site resulting in a discordant and visually obtrusive form of development which would be detrimental to the amenities and future operations of the adjoining scout camp. The proposal would therefore be contrary to policy DM01 of the Barnet Local Plan Development Management Policies 2012.

We wish to object to the proposal, first on the basis that the proposed height of the two buildings comprising block JJ remains at 6 storeys and which are around 22m in height plus the PV units on the roof. This clearly fails to address point one of the grounds for refusal!

This proposal has moved the building line back about 8metres from our boundary but this makes no significant difference whatsoever to the perceived scale and massing, when viewed from our camp site.

It cannot be emphasised enough that we have a legal obligation in respect of Safeguarding – something that the Council is well engaged with and has had a relationship with us in respect of its implementation.

We take all aspects of Safeguarding extremely seriously and every adult involved in Scouting has to hold a valid Disclosure & Barring Service clearance. Frith Grange Camp Site hosts activities that involve children as young as 6 years, hosts a Special Needs facility for Vulnerable Young Adults and certainly during the summer months we regularly have, at any one time, several hundred young people on the site.

Concerns in respect of being overlooked by occupants of the new apartments and thus breaching the Safeguarding protocols were, to some extent eventually addressed by the developers in their previous (refused) application. We are therefore totally amazed and astounded that this new application is showing a total of 12 opening windows in the wall that faces directly toward our camping field! Ten of these windows have an unobstructed view! In addition, there are also unobstructed side view from 10 balconies overlook the camping site. When we discussed this with the Consultants working for Poly UK, the Project Manager claimed more than once that the views out of these windows on to our site were acceptable, as it was considered "Natural Surveillance"! Surely a gross mis-use of

the legal attribution designed to provide a safer environment in a PUBLIC SPACE – not in respect of a PRIVATE property.

To be overlooked and in plain view of any resident from these two tower blocks which will surround this green field site is totally unacceptable! It should be noted that two of our buildings are a dormitory and a large toilet block – these will be directly viewable by residents of the new properties and from those openable windows they will have the opportunity of watching the children 24/7 as they go about their tasks and play whilst camping in tents or sleeping out under the stars at night.

In the context of the concerns raised regarding Safeguarding, Security and Safety we would remind the Officers of the statement contained in the Council's Policy Plan DM01 and also referred to later in this submission, that "Development proposals should create safe & secure environments and reduce opportunities for crime and minimise the fear of crime."

We further object to the proposed Landscaping and Tree Planting scheme in as much as the portion that abuts our boundary is inappropriate and inadequate to provide any screening of the buildings, when viewed from our site. The scheme as described to us by the Project Manager during a meeting, is solely for the benefit of residents and not to screen their building from the camping site users. Indeed, the trees are not there to either prevent residents looking in to our site nor our users from viewing the flats. According to our advisers, the trees might survive but will be stunted and will certainly not thrive when planted in just 300mm of top soil over a sand bed on top of a concrete slab! With the amount of planting shown on the drawings (large bushes and trees), the roots will be so compacted and matted that the trees will fail to mature properly; the heights portrayed on the drawings are outrageously optimistic. The developers have so far failed to submit an Arboricultural Impact Assessment to demonstrate the impact of their excavations on the adjacent woodland and trees. It has been calculated that there will be significant, if not total loss of the Ash and Oak trees on our boundary, largely as a result of root destruction during the construction of the foundations for the 'green wall' and retaining wall to be built above the concrete basement car parking for Phase 6b and Phase 6. The loss of these trees will ensure that there is no visual protection or separation between us and the flats. The Applicant has failed to demonstrate how the loss of this tree belt will not occur and they stated in a meeting that they do not have any mitigation intention for such a loss. Furthermore, the developer's drawings are misleading and inaccurate; the plans showing the line of trees on our site are dimensionally incorrect, our measured topographical survey shows four or five of the trees in this line of trees to be within 300mm or closer to the boundary with the developer's site.

We have commissioned a detailed professional report in respect of the potential risk to and damage of our trees (around 22 in number) which are growing on/along the boundary line and which will be impacted by the proximity of the underground car

park and other the retaining structures to the developer's garden above their basement car park, which together with the foundation of the green wall will abut our boundary. The excavations required to build these permanent works will further intrude closer to our boundary and the draining and backfilling behind the permanent works may breach our boundary. Sketches of the proposed temporary works to enable the permanent works should, in this particular case, be included as part of the Planning Application

This Planning Application impinges upon and has devastating consequences for our premises. Frith Grange Camp Site is the Headquarters of Barnet Borough Scout District and has been in continual use by them (or their predecessors Finchley Boy Scout Association and Finchley & Golder Green Scout District) for a period of 85 years (lease granted 1934) and has a further 67 years of its current lease still to run. The Scout District currently has in excess of 2000 members, of which over 1600 are Youth members. The facilities at Frith Grange are in almost continual use throughout the year and provides the only facility of its type where outdoor Scouting in the entire Borough of Barnet can be implemented. Frith Grange is a heavily used site, popular with our 28 Scout Group and 4 Explorer Units and also attracts a large number of visitors from the UK and from overseas, especially in the summer period, when camping is at its peak. During this summer we again hosted 120 Scouts from Israel for 2 weeks – the largest single camping group we welcome and a great opportunity for us to foster International relations. Frith Grange's unique features for a site in London – open and airy, with no neighbours to worry about, unrestricted, safe & secure is all ABOUT TO BE RUINED BY OVERLOOKING FROM SIX STORIED BLOCKS OF FLATS and the site made far less enticing and attractive to use!

Paragraph 124 of the National Planning Policy Framework (2018) makes it clear that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. It goes on to state 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. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. The proposed scale and massing of development accepted on the outline planning application (i.e. 4 storeys) was presumably considered to represent good design and result in a scale of development broadly acceptable to neighbouring sites and communities. The 4-storey proposal was probably just about acceptable. The outline permission was clear about design expectations and set a clear and detailed context for future development. The height, mass and bulk of the proposed buildings is wholly and totally unacceptable, still does not represent good design and fundamentally does not meet the expectations and aspirations of good design as set out in the NPPF. Indeed, Paragraph 130 of this document specifically states that permission should be refused for development of poor design that fails to take the opportunities available for IMPROVING the character and quality of an area and the way it functions. Clearly this Application for Planning Approval, does not address the reasons given for the refusal of the first plan (18/6640/FUL). Attached are two

images which show the views to and from the windows of phase 6B overlooking the camp site.

This application is contrary to Policy DM01 of the Barnet Local Plan Development Management Policies 2012: In terms of DM01 we believe that clauses b, d, j and k are not satisfied.

- Clause b is not met because the scheme does not present high quality design that is based on an understanding of the local character of our camp site, and does not respect the scale, mass and height of the surroundings.
- Clause d is not met because the overlooking of our camp site does not contribute to its safeguarding and leaves it open to the fear of crime.
- Clause j is not met as the basement car parking is not well laid out, and the proximity of the buildings will detract from the existing wildlife habitat of our camp site.
- Clause k is not met as trees will be lost as a result of building up to the boundary. There is no acknowledgement of this impact and no mitigation proposed. This will also impact on ecology and is not considered within the supporting Ecology Report.

The height of the proposed development must be considered to directly conflict with Policy DM01 of the Local Plan, it would still create an unacceptable development in respect of mass, scale and height, would not afford adequate privacy and outlook for our campsite as an adjoining occupier and by virtue of the increased overlooking, would not create a safe or secure environment, increasing the potential for fear of crime and perception of crime. Natural Surveillance can not possibly be cited as an acceptable excuse for having windows or balconies overlooking the site.

The proposed development still represents overdevelopment of the site with the proposed unit numbers and the height will impact significantly on the amenities for us as adjoining neighbours, creating an unacceptable development, which is too dense and directly impacts upon our amenity through increased overlooking and a significant reduction in privacy.

It has been noted previously that since the first part of the Millbrook Park development and the school were open for business, the traffic flow along Frith Lane had increased considerably and could be described as being extremely busy indeed during the rush hours. In the last 12 months the amount of traffic has continued to increase and the road is now busy at all times. The evening rush hour coincides with the time our Scout Groups start to use the Frith Grange site! Advices by the developers that their road layout for Phase 6 & 6B will ensure that traffic does not use Frith Lane is inaccurate and misleading as well as being unenforceable! It can be guaranteed that as occupancy of Millbrook Park increases the traffic flow along Frith will also increase. The road is already a "rat run" to avoid Nether Street in particular. It is already dangerous for users of Frith Grange Camp Site to enter & exit the grounds when Frith Lane is busy – drivers are impatient when held up by our Members trying to turn in across the traffic, drive too fast to see what is happening on the brow of the hill and generally behave badly. To permit development of the Millbrook Park estate above the previously intended levels would be to place even

more vehicles on the road past our site and increase the potential of a very serious accident quite considerably.

Further, we wish to place on record the fact that we have legal advice in respect of the typical campsite activities that take place frequently and year around such as, fire lighting, cooking, camp fires, fund raising events, large gatherings, musical events & parties etc – all of which can be noisy, create smells (cooking) and can start as early as 6:00 a.m. and continue until late at night! Occupiers (and their successors) of the properties that may be built must be made aware of our existence, the breadth and extent of our activities and accept that they cannot initiate legal action of any type whatsoever to limit or prevent the continuance of our scouting activities. We would expect that these facts will be included in the Head Leases granted by the Freeholder, a partner in which is, we understand, the London Borough of Barnet.

We **strongly object** to the proposed development which clearly conflicts with policies of the NPPF, Barnet Local Plan and fails to address the reasons cited for the refusal of application 18/6640/FUL and would respectfully request that the application is refused.

Officer Comment

All comments have been taken into account in the determination of the planning application and are addressed in the officer report below. The issues in relation to the scout camp is discussed in greater detail below.

Elected Representatives.

None Received.

Residents Associations and Amenity Groups.

Mill Hill Preservation Society

SITE: Millbrook Park (Former Inglis Barracks) Mill Hill East NW7

PROPOSAL: Full Planning Permission for Phase 6B, associated with the Millbrook Park development, for the erection of 2 linked buildings 6 storeys in height comprising 82 residential units (Use Class C3), 615 sq m (GIA) of employment space (Use Class B1), together with associated plant, car parking, cycle parking, refuse stores, servicing areas and associated hard and soft landscaping

PLANNING REFERENCE: 19/5827/FUL

We have viewed this application on the LBB planning portal following a presentation by the development team at The Studio earlier this month. We appreciate that the time limit on the previous outline application has now expired and that this new application relates more in planning terms to application 18/6640/FUL registered in November 2018 and refused for the following reasons:

The proposed development, by virtue of its excessive height, scale, massing and proximity to the boundary would represent an over development of the site resulting in a discordant and visually obtrusive form of development which would be detrimental to the amenities and future operations of the

adjoining scout camp. The proposal would therefore be contrary to policy DM01 of the Barnet Local Plan Development Management Policies 2012.

From this description we have isolated the following items in order to evaluate the new scheme:

- a. Excessive height, scale and massing
- b. Proximity to the boundary
- c. Discordant and visually obtrusive form of development
- d. Detriment to the amenities and future operations of the adjoining scout camp
- e. Contrary to Policy DM01 of the Barnet Local Plan Development Management Policies 2012

a. Excessive height, scale and massing: In our opinion not much has changed in the new design to ameliorate the excessive scale of the development. The scheme design follows that of the adjoining phases and to a large extent the original design that was considered inappropriate.

The massing has changed slightly as block JJ3 has been brought back from the boundary by circa 8 metres. Whilst there is the loss of a few units, in our opinion the massing is still excessive. The most disappointing aspect is that of the height, which does not seem to have changed. The architect explained that the eaves line had been changed, but the overall building height is the same with the same number of floors; it remains higher than adjacent developments and will continue to dominate the neighbouring scout camp. We still find the proposal to be an overdevelopment of the site.

b. Proximity to the boundary: There is no discernible change in the position of block JJ1 in relation to the north boundary with the scout camp site. The above ground part of block JJ3 has been altered to be clear of the boundary, but at basement level the car park is still as large as before and close to the boundary. The Applicant has also failed to submit an Arboricultural Impact Assessment to demonstrate the impact of such excavation on the adjacent woodland and trees. We have examined the site on Google Maps to see the effects of this construction and we calculate that there will be significant, if not total loss of trees on the northern boundary with the scout camp, largely as a result of root destruction through the construction of the basement. The continued loss of these trees will ensure that there is no visual protection or separation distance between the scout camp and the residential properties. The Applicant has failed to demonstrate how the loss of this tree belt will not occur or how they will mitigate against its loss.

Part of this issue, we have been told, is that the basement area of phase 6B is providing car parking spaces for the adjacent phases to which it is now physically linked, otherwise the phase 6B basement need not be as large as shown. It therefore seems apparent that as the need to provide car parking for the adjacent development is fixed, that the scale of phase 6B should be reduced to reduce the parking demand created by the proposal, thus enabling the basement to be reduced in size.

The resultant impact on safety and child safeguarding is significant and must be considered in detail before any development is approved on this particular site.

c. Discordant and visually obtrusive form of development: The history of this site as part of the Millbrook Park development, and later as an approved outline

planning design, is of a scheme that blended in with the massing of the adjoining buildings and created a step change in design massing to allow a nod to the lower density site to the north. This current scheme exhibits buildings that are as large as most on Millbrook Park and taller than the adjacent approval site, without the subtlety of the overall massing stepping down to the surrounding properties. Given the massing is fundamentally unchanged and the height the same, the scheme is still discordant and visually obtrusive.

d. Detriment to the amenities and future operations of the adjoining scout camp:

We believe the amenity of the scout camp, in respect of the use of the site by young children in a country environment, is diminished due to the overlooking of the site and therefore operation of the scout camp is compromised. The windows and balconies in block JJ1 will overlook the site unless the visual screening by trees is perfect, and given the lack of evidence by the Applicant to demonstrate that there will be no harm to this retained tree belt, or that any impact will be adequately mitigated against, it can only be assumed that the entire block will directly overlook the scout camp to its detriment. The windows and balconies in block JJ3 also compromise the use and working of the scout camp site and our comments on block JJ1 apply here to JJ3 as well. Unless the height and massing of the entire development is reduced, the loss of the tree belt is guaranteed and there will always be significant detrimental impact on the future operation and amenity of the scout camp site.

We draw your attention to paragraph 91 and 92 of the NPPF which seek to promote and preserve healthy, inclusive and safe places that benefit the local community.

The extent of impact likely to result, as a consequence of this proposal, will undermine the safe and healthy environment created by this community facility, and is likely to undermine its long-term attractiveness and potential retention.

e. Contrary to Policy DM01 of the Barnet Local Plan Development Management Policies 2012: In terms of DM01 we believe that clauses b, d, j and k are not satisfied.

Clause b is not met because the scheme does not present high quality design that is based on an understanding of the local character of the adjoining scout site, and does not respect the scale, mass and height of the surroundings.

Clause d is not met because the overlooking of the scout site does not contribute to its safeguarding and leaves it open to the fear of crime.

Clause j is not met as the basement car parking is not well laid out, and the proximity of the buildings will detract from the existing wildlife habitat of the scout site.

Clause k is not met as trees will be lost as a result of building up to the boundary. There is no acknowledgement of this impact and no mitigation proposed. This will also impact on ecology and is not considered within the supporting Ecology Report.

For these reasons we request that you refuse planning permission for this overdeveloped site.

MHPS are of the opinion that the scheme needs to be significantly revised with further improvements in massing, with a reduction in height to elements alongside the scout camp site, a significant reduction in basement area to enable the retention of existing trees and to ensure adequate mitigation planting can also be incorporated.

We believe that the issue of child safeguarding on the scout camp site is a very important consideration and overlooking is part of this. If this means a further reduction in units so be it – it is more important to end up with a scheme that is right for the location. After all, the site will still be providing ‘windfall’ housing in the Borough.

Officer Comment

All comments have been taken into account in the determination of the planning application and are addressed in the officer report below. The issues in relation to the scout camp is discussed in greater detail below.

Internal /external and Other Consultations:

Metropolitan Police

Detailed design advice provided. No objection in principle raised subject to a secured by design condition being attached to the approval.

London Underground Infrastructure Protection

No Objections raised.

Transport for London

With regards to the above mentioned site, TfL offers the following comments:

- It is noted from the submitted TA that the applicant states that ‘*Parking for residents has been agreed at pre-application stage with LBB officers agreed at a ratio of 0.75 spaces per unit for Phase 6B and 0.85 for Phase 6 (the latter granted under separate reserved matters approval). The number of spaces provided within the Phase 6B boundary exceeds this level in order to supplement the limited space within the Block GG footprint, which would otherwise be underproviding. This allows the requisite number of spaces to be provided when taken across the two applications. In this way, 62 spaces of the 89 provided within the Block JJ lower ground floor boundary are allotted to Phase 6B and the remainder to Phase 6.*’ In light of this a Car Parking Design and Management Plan must be secured to ensure that parking allocation will be undertaken as described. In line with the Draft London Plan car parking standards, 20% of the spaces should be provided with electric vehicle charging points and passive provision for the rest, the applicant needs to increase passive provision to meet this standards, which shall also be secured by s106/ condition as well as set out within the Car Parking Design and Management Plan.
- For the commercial element, the current and Draft London Plan car parking standards do not prescribed visitor car parking, therefore this ground level visitor car parking should be removed from the proposal.
- A legal restriction for parking permit should be imposed to exclude future resident’s eligibility for local parking permits.

- It is currently understood from the TA that '*Cyclists will share the access route with cars accessing the car park, via the Phase 6 Block GG car park access*', TfL is concerned this would compromise safety of cyclists by sharing the same route as vehicular traffic, and therefore a separate mean of access to street should also be provided for cyclists between the Lower Ground Floor cycle storage and street.
- In line with the latest Draft London Plan cycle parking standards, it requires that each 1bed 2 person residential unit be provided with a ratio 1.5 cycle parking spaces, 2 spaces for all units with 2 beds or more, therefore, the proposal would requires at least 150 residential long stay cycle parking spaces for 29 1bed 2 person units and 53 units with 2 or more beds. The applicant must therefore improve the provision with high quality design adhering Chapter 8 of the London Cycle Design Standards (LCDS) and demonstrate in the plans the planning cycle storage would provide sufficient room to accommodate the spaces with at least 5% of them for wider/ adopted cycles.
- A Way-finding strategy should be provided for this part of the proposal to improve the site's legibility which promote the use of walking and cycling.
- All landscaping and public realm should be designed to high quality and meet the Mayor's Healthy Street and Vision Zero objectives.
- A Residential Travel Plan for the residential units and Work Place Travel Plan for the commercial units should be secured by the Council.
- A Delivery Servicing Plan (DSP) for the site should be secured condition.
- The submission, and implementation of a Construction Logistics Plan (CLP) produced in line with the current TfL guidance for CLP should be secured by condition.

As such, the applicant is required to address the issues raised above satisfactorily ensuring the amended proposal would be London Plan policy compliance.

Highways

No objections subject to conditions. Detailed comments incorporated into officer report.

Tree Officer

Detailed comments provided in relation to proposed planting and tree protection.

Scientific Services

No objections subject to conditions.

Officer Comment

All comments have been taken into account in the determination of the planning application and are addressed in the officer report below. The issues in relation to the scout camp is discussed in greater detail below.

1.4 Description of the Application Site

The application site referred to as Phase 6B forms part of a significant new residential settlement on the former Inglis Barracks site known as Millbrook Park. The site measures 0.42 ha and is located on in the south east corner of the Millbrook Park site. The site is bound to the north by the Frith Lane Scout Camp and an area of retained woodland, which is accessed from Frith Lane. This campsite and adjacent public woodland is designated green belt land; to the south by Bittacy Hill Business Park; to the east by Phase 6a (Barry M Cosmetics development); and to the west by the Phase 6 development which was recently granted reserved matters approval.

Vehicular access is directly from Frith Lane (existing), however the plans approved under the OPP allow for future vehicle access to be provided from the west (via the Millbrook Park site through Phase 6 via Inglis Way).

The site was formerly occupied by Barnet Council forming part of a waste transfer/recycling facility (use class: Sui Generis). This facility has subsequently closed and the site is in the process of being made available for development. Existing operations (and jobs) are to be relocated to a new facility.

The application site falls within the area covered by the Mill Hill East Area Action Plan. Where relevant the policies of this document are discussed in greater detail in subsequent sections of the report. Other key planning policy designations include the land on the southern part of the site which is identified as Green Belt. The site is located within Flood Risk Zone 1 and has a low risk or less than 1 in 1000 annual probability of river or sea flooding.

Outline Planning Permission was granted in September 2011 for the comprehensive redevelopment of 33.6ha of land at Mill Hill East for residential-led mixed use development (ref: H/04017/09). The planning permission was in 'hybrid' form and approves the following development:

- Outline Planning Permission for the demolition of all existing buildings (excluding the former Officer's Mess) and ground re-profiling works to provide 2,174 dwellings, a primary school, GP Surgery, 1,100 sqm of 'high street' (A1/2/3/4/5) uses, 3,470 sqm of employment (B1) uses, a district energy centre and associated open space, means of access, car parking and infrastructure (with all matters reserved for future determination except access).
- Full planning permission was granted for the change of use of the Officer's Mess building to residential (C3) and health (D1).

Under the proposals approved as part of the outline consent (reference H/04017/09) The application site falls within land identified as Phase 6b of the wider Millbrook Park site (plot CHP and the western part of plot EMP). The Outline Planning

Permission allowed for these plots to be developed for B1 (business) use and for an energy centre, at building heights of up to 4 storeys.

A subsequent drop in outline application was approved in February 2016 for the development of Phase 6b under planning reference 15/06417/OUT. This development provided for Outline planning application for up to 66 residential units, 700 sqm of B1 floorspace, 630 sqm energy centre (CHP) and associated car parking and landscaping. The approved building heights for this phase varied between 4 and 6 storeys. This permission was not implemented and has now lapsed.

Planning consent for the provision of the energy centre within the Millbrook Park plaza fronting Bittacy Hill was granted in 2016 under planning reference 16/4389/RMA. As such this energy centre does not need to be provided within this plot.

An application was submitted in November 2018 under planning application reference 18/6640/FUL for the following development.

'Full Planning Permission for the erection of 2 linked buildings ranging from 5-6 storeys in height comprising 87 residential units (Use Class C3), 700 sqm (GIA) of employment space (Use Class B1), together with associated plant, car parking, cycle parking, refuse stores, servicing areas and associated hard and soft landscaping'

The application was subsequently refused by Planning Committee in June 2019 (decision issued in July 2019) for the following reason:

'The proposed development, by virtue of its excessive height, scale, massing and proximity to the boundary would represent an over development of the site resulting in a discordant and visually obtrusive form of development which would be detrimental to the amenities and future operations of the adjoining scout camp. The proposal would therefore be contrary to policy DM01 of the Barnet Local Plan Development Management Policies 2012.'

1.5 Description of Proposed Development

In summary the application seeks full planning permission for the following development.

'Erection of 2 linked buildings 6 storeys in height comprising 82 residential units (Use Class C3), 615sqm (GIA) of employment space (Use Class B1), together with associated plant, car parking, cycle parking, refuse stores, servicing areas and associated hard and soft landscaping.'

1.6 Main Changes from previous scheme (18/6640/FUL)

The current application involves the following changes from the previously refused scheme 18/6640/FUL:

- Reduction of 5 residential units (1 x 1 bedroom flat and 4 x 2 bedroom flats) from 87 units to 82 units;

- Reduction of 85 sqm of commercial (Use Class B1) floorspace, from 700 sqm to up to 615 sqm to respond to market demand and improve fire fighting access and residential lobby arrangement;
- Altered layout and massing to increase the distance to the northern boundary with the Scout Camp boundary from 2.3m to 8.3 – 9.8m;
- Reduction of building footprint from 1,803 sqm to 1,664 sqm;
- Reduction of residential parking spaces from 65 spaces to 62 spaces, and an increase of on street employment parking from 4 spaces to 6 spaces; and
- Reduction of cycle parking spaces from 144 spaces to 135 spaces, with the reduction of on street commercial cycle spaces from 3 spaces to 2 spaces.

1.7 Procedural Considerations

The proposed development is not in accordance with the outline consent in terms of land uses and development parameters and therefore cannot be taken forward pursuant to the original outline consent or in accordance with the earlier drop in outline application for this phase (19/0859/OUT). Therefore, the appropriate procedure is to apply for a new standalone 'drop-in' planning permission. The principle of such an application is considered acceptable and appropriate in procedural terms.

However, whilst this application is independent of the outline planning permission (ref: H/04017/09) consideration must be given to this application in context of the outline planning permission of the outline permission adjoining the development site.

2. Planning Appraisal

2.1 Principle of Development

The principle of the development of this site has already been established under the previous planning approvals H/04017/09 and 15/06417/OUT, as such the basic principle of development is considered acceptable.

Proposed Residential Use

Site Suitability, Availability and Viability

There are no obvious infrastructure capacity constraints or physical constraints to development. Key development management issues include the relationship with the adjacent Green Belt (including the Scout camp) and the need to ensure a satisfactory level of residential amenity for future occupiers (bearing in mind the adjacent industrial uses and the Scout camp).

Policy 3.3 of the London Plan recognises the pressing need for more homes in London and seeks to increase housing supply to in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

Policy CS3 'Distribution of growth in meeting housing aspirations' identifies Mill Hill East as one of the three main areas (the other two being Brent Cross and Colindale) for providing the bulk of the housing requires for the borough, as part of a borough wide requirement for 28000 additional homes over a 15 year time period.. It is noted that this housing target was subsequently revised upwards in the Further Alterations to the London Plan in 2014 to an annual target of 2349 over a ten year period.

The draft new London Plan (December 2017) will when adopted replace the existing London Plan 2016. The new London Plan sets out mayoral policies for the period 2019-2041, with housing targets set only for the first ten years of the Plan. The revised housing target for Barnet is to provide a revised "minimum" Borough Housing target of 31,340 homes, on an Annual Monitoring Target of 3,134 homes. The target date ends in 2029.

Accordingly, the principle of exceeding the quantity of residential dwellings at Mill Hill East through the mixed-use residential development of this site is acceptable in planning terms subject to the detailed consideration below.

2.2 Amount of Development

Residential Amount (Density) and Mix

As part of a mixed use development, this planning application seeks planning permission for up to 82 new units (in comparison to 87 units in the earlier refused scheme and 66 units in the earlier drop in application), comprising a mix of 29 x 1-bed, 49 x 2-bed and 4 x 3 bed units. The proposed mix is considered to make efficient use of the site and is appropriate for the location (south of the wider Millbrook Park site) in close proximity to Mill Hill East London Underground station.

In terms of density the proposal results in a density of approximately 524 habitable rooms per hectare.

Housing Mix

The proposed development proposes a mix of 1, 2 and 3 bed units. While the proposal does not strictly comply with Policy CS4 and DM08, which identifies 4 beds as the highest priority and 3 beds as a medium priority the application represents an improvement over the previous drop in outline application which proposed only 1 and 2 bed units, while the current scheme also proposes four 3 bedroom units. The previously refused scheme also proposed four 3 bedroom units, and no objections were raised in the reason for refusal in relation to the proposed housing mix.

Account needs to be taken of the wider Outline Planning Permission for Millbrook Park Site. This consent envisages the provision of 240 three bed units, 239 four bed units and 38 five bed units. The layout of the development maximises the provision of the majority of houses and hence larger units within the northern part of the site, with an increase in density and linked decrease in habitable rooms numbers towards the southern part of the site including the station. In this context the balance of accommodation provided in this site is considered acceptable.

Affordable Housing

The scheme proposes 33% affordable housing by unit and 36% by habitable room on the basis of a 52% affordable rented and 48% intermediate split by unit (58% socially rented and 52% intermediate by habitable room). A full breakdown of the proposed housing mix is outlined in the table below.

	Private	Intermediate	Rent	Total
1 bed flat	23	6		29
2 bed flat	32	7	10	49
3 bed flats	0	0	4	4
Total	54	13	14	82

In comparison with the previous outline approval, in quantitative terms, the proposal represents an uplift of 1 unit but a decrease in the approved percentage, however this scheme did not include any three bedroom units and as such the proposals represent a qualitative improvement over this previous scheme.

In comparison to the previously refused scheme, the application represents a increase of 1 private unit and a decrease of 6 affordable units. A full comparison is set out below.

Table 6.2 – Refused Housing Amount and Mix

	Private	Intermediate	Social Rent	Total
1 bed flat	21 (24%) +2	6 (7%) -	3 (4%) -3	30 (34%) -1
2 bed flat	33 (38%) -1	11 (13%) -4	9 (10%) +1	53 (61%) -4
3 bed flat	0 (0%) -	0 (0%) -	4 (4%) -	4 (5%) -
Total	54 (62%) +1	17 (20%) -4	16 (18%) -2	87 (100%) -5

It is noted however that this previous scheme was refused and as such can not be used for benchmarking purposes. The finances of the scheme have changed to the reduction in the number of units forming part of the development and given that this is not a buildable scheme (except in the event of an appeal being granted), the affordable housing needs to be considered on its own individual merits.

In this regard it is noted that the scheme complies with the mayoral target of 35% affordable housing by habitable room along with emerging local plan policy as set out in the replacement Local Plan (although currently of limited weight), the scheme maintains the quantity of larger socially rented units and is considered acceptable providing an appropriate quantity of affordable housing.

Employment

The application proposes 615 sq.m of employment space, which represents a 85 sq.m reduction on both the previous outline approval for the phase (Planning reference 15/06417/OUT) and the previously refused scheme (planning reference 18/6640/FUL).

The predominate reason for the reduction in floorspace is the reduction in the portion of the development containing the employment space in order to improve the relationship with the scout camp. Nevertheless the employment space still represents additionality over and above the original outline approval. The employment floorspace will result in direct/indirect job creation which is supported by the strategic policies of the NPPF, Barnet Core Strategy and MHE AAP.

2.3 Scale

Whilst regard should be had to the outline planning permission, and the previous drop in outline approval as a material consideration, as a standalone application, the scale is not controlled by the parameters set by the outline planning permission or the previous drop in application on the site.

It is noted that the parameter plans approved by the outline planning permission permitted development up to 3-4 storeys (12-15m) in height across Plots EMP and CHP. The remainder of Plot EMP which falls under Phase 6a to the east allows development up to 3 storeys (15m noting its commercial nature). The adjacent Phase 6a Reserved Matters planning permission permitted 3 commercial storeys of 13m in height along the front of the building, with a setback stacking area increasing to 15m in height. The reserved matters approval for Phase 6 (located adjacent to

the application site to the west allowed for development up to 6 storeys in height (20m).

The drop in outline approval, approved in 2016, allowed for a split development of 6 storeys along the rear of the plot and a 4 storey building adjacent to the scout camp boundary.

The previously refused scheme proposed two linked buildings of six storeys in height located approximately 2.4m from the boundary of the scout camp at the closest point (as submitted the scheme extended to the boundary).

The scale and massing of the current have been altered following the refusal of the previous scheme to respond the reasons for refusal. As a result of this the building footprint has been reduced from 1,803 sqm to 1,664 sqm. The reduction in the building footprint has allowed the building line to be pulled back from the northern boundary away from the Scout Camp. The distance between the building and this boundary has been increased from 2.354m to 8.3-9.8m, which is further than the distance previously approved and the distance for the approved Phase 6 scheme, which is 1.370m from the Scout Camp boundary.

The relationship of the proposed development to the scout camp is discussed in greater detail below, nevertheless in townscape terms the relationship is considered acceptable due to the difference in height between the plots (the application site is effectively a storey lower) and the design amendments which have been made to the scheme pulling the scheme back from the boundary, and the introduction of a wider landscaped area adjoining the scout camp allowing additional screening to be planted on the application side of the boundary.

In relation to other portions of the site, the proposed scale matches that of the adjoining development within Phase 6 and accords with the general character of the 'southern hub' portion of the wider Millbrook Park development and it is considered that the scale proposed under this development is appropriate in this context.

2.4 Layout

The siting and plan form of the buildings ensures that there is good demarcation between the public and semi-private realm and a strong frontage to the proposed vehicular and pedestrian access street, to the south of the plot.

In terms of pedestrian and vehicle access, pedestrians and cycles will access the site from the South East (Frith Lane), North West (Short Street) and the South West (from Millbrook Plaza). Trips from to and from the South East are likely to be limited, with the majority of routes coming to and from Mill Hill East Station and the retail offer to the west within Millbrook Plaza.

Vehicle Access

For residents, vehicular access to the site will be from the west, through Phase 6, with access to the basement to the south of Block GG. Vehicular access for the employment spaces will be from the east along frith lane to the south of Barry M. The access route to the south of Phase 6 will be one way once users have crossed into

the site boundary, and as a result will leave the site through Phase 6. There will be no access to the employment unit from the west.

The existing belt of mature trees along the north boundary will be preserved and reinforced on the application side of the boundary to maintain privacy to the north. This is discussed further below.

2.5 Appearance

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment. Architectural design criteria are set out at Policy 7.6.

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.

Scale, massing and detailed design

The current application proposes two blocks of six storeys in height connected by a single storey link building. The buildings form an open courtyard to the north-west corner of the site enclosed by the private and shared ownership ground floor units. The building position has been arranged to allow light and views to pass through the site from the south providing daylight for the internal courtyard and fenestration as well as the scout camp to the north.

The roof form of the two main buildings has been simplified over the previous scheme with a singular parallel ridge being provided north to south through the two main blocks providing a more satisfactory visual appearance to the previous refused scheme. The balcony and fenestration pattern has also been simplified from the previous scheme appearing more harmonious in visual appearance.

In relation to other portions of the site, the proposed scale matches that of the adjoining development within Phase 6 and accords with the general character of the 'southern hub' portion of the wider Millbrook Park development and it is considered that the scale proposed under this development is appropriate in this context.

In relation to materials the application proposes the same material palette as approved on the adjoining Phase 6 development, consisting of a simple material palette consisting of red stock bricks, standing seam roofs, semi solid metal balconies and recessed timber windows. While the final details will be secured by condition the overall material approach is considered acceptable, in keeping with the character of Millbrook Park, while providing suitable variety between phases.

Conclusion for External Appearance

Overall, the proposal successfully incorporates various architectural elements within a coherent design and is considered acceptable in principle resulting in a high-quality development in accordance with Policies CS5 and DM01.

2.6 Amenities of Future Occupants

Development plan policy requires that new dwellings are provided with adequate outlook.

The layout proposed for Phase 6 avoids any single aspect north facing units through orientating the development on an east-west axis. The majority of units in all blocks are dual aspect, with single aspect units limited where possible. All apartments were designed with generous floor to ceiling windows in order to maximise the amount of light entering rooms. The only exception to this are the bedroom windows on the flank facing the scout camp, in this location, the openings provided in the north-facing bedrooms are raised-sill windows (+0.825 above FFL), in order to minimize the visual connection with the adjacent Scout Camp.

In comparison the previous refused scheme proposed angled louvres facing the scout camp, however these were significantly closer to the boundary than the current scheme and were also not ideal from a living quality perspective.

Privacy

The layout of the development has been designed to ensure the protection of residential privacy and the avoidance of overlooking between units, with good separation between elevations and use of level changes and landscaping. through staggered window placement and utilising level changes and landscaping to maximise privacy and to ensure an appropriate level of privacy for new residential units.

Dwelling size

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. The Mayor's Housing SPG November 2012 includes a wider ranging Minimum Floorspace Table based upon the same standards.

All of the units proposed would have a gross internal floor area which would exceed the requirements of the London Plan for a dwelling of that type. The proposal is therefore considered to be acceptable in this regard.

Amenity space

The Council's adopted Supplementary Planning Document entitled Residential Design Guidance as well as the Millbrook Park Design Code requires the provision of 5 sq.m of amenity space for each habitable room for flats, and between 40 and 85 sq.m for houses depending on the number of habitable rooms.

Every dwelling has access to some form of private amenity space in the form of balconies with access to the shared communal gardens proposed in the centre of the blocks. All of the proposed units meet or exceed the minimum standards outlined in the as stated and the proposal is acceptable on grounds of private and communal amenity space provision.

2.7 Impacts on amenities of neighbouring and surrounding occupiers and users

Properties on Frith Lane

The closest properties are located either 400m to the north or 137m to the south on the opposite side of the railway track, due to this distance separation it is not considered that the proposal would adversely affect the amenities of neighbouring residents in these locations.

Phase 6

Reserved Matters approval has been granted for the development of Phase 6 under planning reference 18/6352/RMA. This phase is being developed by the same developer and the plans have been designed to ensure a satisfactory interface

between the two phases. As such is not considered that the proposal would adversely affect future occupiers of this phase.

Phase 6a

Reserved Matters planning permission for Phase 6a has been granted to allow Barry M Cosmetics future relocation to new premises. As part of the determination of that planning permission, Barry M Cosmetics hours of operation were identified as Monday to Friday 9 – 5, which would not conflict with the proposed employment or residential uses.

Bittacy Hill Business Park

Other commercial uses, including the current site used by Barry M are located immediately to the south of the site, due to the nature of the use of these buildings which is in part similar to that proposed under this planning application. Therefore, it is not considered that the proposal would adversely impact upon the occupiers of these premises.

Scout Camp

The main sensitive adjoining use is the scout camp to the north of the application site. In relation to the interface with the development and the scout camp, the development of this phase directly adjoins the scout camp to the north, in particular the main central field located to the south of the existing accommodation and toilet blocks. Substantial levels of public comments have been received in regards to the proposed buildings and the scout camp and the potential impact on the future operation of the scout camp as a result of introducing noise sensitive uses (i.e. residential) in close proximity to a field used for camping.

In planning policy terms there are no specific standards or requirements in relation to residential uses and scout camps in relation to issues such as overlooking. Notwithstanding this the Council acknowledges the importance of this facility in providing leisure opportunities to the growing young population within the borough including from the Millbrook Park development.

The basic principle of development on this portion of the development has been established under the previous outline planning approvals, however the previous planning application was refused planning permission for the following reason:

'The proposed development, by virtue of its excessive height, scale, massing and proximity to the boundary would represent an over development of the site resulting in a discordant and visually obtrusive form of development which would be detrimental to the amenities and future operations of the adjoining scout camp. The proposal would therefore be contrary to policy DM01 of the Barnet Local Plan Development Management Policies 2012.'

The current application has sought to address the previous reason for refusal by making several design changes to the proposal.

- Altered layout and massing to increase the distance to the northern boundary with the Scout Camp boundary from 2.3m to 8.3 – 9.8m;

- Reduction of building footprint from 1,803 sqm to 1,664 sqm;

The increase in the separation distance from the scout camp is welcomed reducing the massing of the proposal on the scout land. Account also needs to be taken of the change in levels between the two sites, with the application site being located a minimum of 1.5m below the height of the scout land. Additionally a 1.8m living fence is proposed along the top of the retaining wall, effectively preventing any direct overlooking from ground floor level. While it is acknowledged that the building will still be visible and the scout camp will be visible from the proposed properties, the relationship (with 8.3-9.8m separation as opposed to 2.3m is now more similar to the relationship which would exist between a dwelling house and a neighbouring residential property and is considered to represent a significant improvement over the previously refused scheme.

Another significant change from the previous refused scheme concerns the proposed landscaping. Under the previous scheme a financial contribution of £45,164.00 was secured to provide additional screening on the scout side of the common boundary. This contribution attracted criticism on the grounds that any planting would impinge upon the area of field used by the scouts for various activities including camping.

The current scheme does not propose any off site planting, rather it is proposed to utilise the new 8.3m wide landscape area to provide additional planting, which previously would have been provided on the scout side of the boundary. While the landscaping will be over the proposed basement car park deck. The applicant has provided the following additional clarification.

‘The proposed scheme includes an irrigation system that will prevent drought stress. Furthermore, with regards to the growing medium and subsoil, we are providing approx. 240sq metres of soft landscape area where the trees can grow with an average depth of approximately 800mm. This amounts to 96 cubic metres topsoil plus a further 96 cubic metres of subsoil.

There are 8 semi-mature trees proposed for the area between the building and the Scout Camp Boundary which allows for 12 cubic metres of topsoil per tree, in addition to 12 cubic metres of subsoil per tree. Therefore, when coupled with the irrigation system there is ample growing medium to ensure the trees will thrive and achieve their optimum growth. ‘

Advice from the Council’s arboricultural officer is that this growing medium should be sufficient to provide long term growing medium for the proposed planting. The Council’s tree officer has also suggested conditions regarding protecting the (scout) trees on the boundary of the site and requiring approval of any pruning works.

Overall it is considered that the proposal would represent a satisfactory relationship with the adjoining scout land, representing a marked improvement over the previously refused scheme.

2.8 Transport, parking and highways matters

Access

Pedestrians and cycles will access the site from the South East (Frith Lane), North West (Short Street) and the South West (from Millbrook Plaza). Trips from to and from the South East are likely to be limited, with the majority of routes coming to and from Mill Hill East Station and the retail offer to the west within Millbrook Plaza.

For residents, vehicular access to the site will be from the west, through Phase 6, with access to the basement to the south of Block GG. Vehicular access for the employment spaces will be from the east along Frith Lane to the south of Barry M. The access route to the south of Phase 6 will be one way once users have crossed into the site boundary, and as a result will leave the site through Phase 6. There will be no access to the employment unit from the west.

Parking provision:

Parking for the residential portion of the development is provided in the form of a basement underground car park. The basement for Phase 6B proposes to provide 89 spaces. This will provide 62 parking spaces at a ratio of 0.75 spaces per unit for the Phase 6B development, as per Draft London Plan Policy. The surplus of 27 spaces within this basement enables Phase 6 to provide a car parking ratio of 0.85 spaces per unit.

At street level, four parking spaces, accessed from Frith Lane, are provided for Phase 6B for employment use and servicing.

This level of car parking is considered acceptable in this instance due to the location of the site in close proximity to Mill Hill East Station.

Trip Generation:

The addition of these residential units and the intensification of commercial land use will result in an additional 22 AM Peak Hour trips and 17 additional PM Peak Hour trips. The net additional trips to the consented scheme equate to 8 AM Peak Hour trips and 4 PM Peak Hour increase in traffic flows on roads in the immediate vicinity of the site. Therefore the proposed intensification is unlikely to have any significant detrimental impact on the surrounding highway network.

Sustainable Travel

The application supporting documents advise that electrical charging will be provided in the form 20% Active and 20% Passive ECVPs in accordance with adopted London Plan Parking Standards. 10% of the parking spaces (9 spaces) will be provided for disabled users. This is considered acceptable in accordance with adopted Policy Requirements.

The site is also located a short distance from Mill Hill East Underground Station 250m and local bus services running along Bittacy Hill and Frith Lane and as such is accessible by means other than private motor vehicle.

Cycle parking Provision:

Cycle parking will be provided in accordance with adopted (2016) London Plan cycle parking requirements with 135 long-stay spaces provided for residents in secure cycle stores on-plot, either at ground floor or basement levels. Office units will be required to provide cycle parking for staff within their demise as part of their tenant fit out, in accordance with London Plan requirements as a minimum (five spaces). Additionally, five short-stay (visitor) spaces provided at ground floor as part of the public realm proposals.

Travel plan:

The submitted transport statement advises that the residential and commercial elements of the scheme will connect to and feed into the relevant residential and commercial travel plans developed pursuant to the Outline Planning Permission.

While this approach is supported, as this is a stand alone application, it is necessary to reattach conditions requiring the applicant to resubmit a residential and commercial travel plan for the Council's Approval. It is anticipated that the submitted travel plans will confirm that the scheme will operate in conjunction with the Travel Plans for the wider Millbrook Park Site.

Construction Management Plan (CMP):

A Construction Management Plan (CMP) will need to be submitted as condition.

Delivery and Servicing Plan (DSP):

A Delivery and Servicing Plan has been submitted with this application. This sets out the number of trips and types of vehicles being used to service the site. The plan describes routes accessible for smaller and larger vehicles to the site and on-street loading areas. For deliveries a concierge services is provided for residents for small parcels and should be pre-arranged.

Waste Management Strategy:

A Waste Management Strategy has been submitted with this application. Waste storage rooms are provided at the ground floor. The drag distance is 10-12 metres to the collection point and slightly over the 10 metres limit set out in LBB guidelines. This would seem to be acceptable following confirmation by the Waste Dept. The waste storage room at Core JJ3 is beyond the drag distance and the site management team will assist with moving bins to a collection point.

Street lighting

The provision of adequate and well designed lighting will influence potential criminal behaviour and should help to reduce the risk of crime and fear of crime for those people living and visiting within this latest phase of the Mill Hill East development. A condition is suggested requiring the provision of a detailed lighting plan including lux lines prior to the commencement of development for this phase. Similar Conditions were attached in relation to other phases of development within the Millbrook Park Development.

2.9 Landscaping/Trees

The application site is currently cleared and contains no trees or other soft landscaping. However a line of mature Ash trees is located immediately to the north on the adjoining scout camp.

The proposed buildings are set away from the boundary with the Scout camp by 8m and 15m. This is an improvement from the previous submission where the proposal was initially proposed up to the boundary of the site, before being amended to a position 2m from the common boundary. However the submitted plans appear to suggest that the proposed basement has been positioned closer (1.2m to 3m) to the boundary compared with the previous application 18/6640/FUL.

The main potential issues with this concern, firstly any impact upon the trees located in the adjoining scout camp and secondly, the ability of the soil above the basement deck to support the proposed landscaping.

The applicant has provided further justification in relation to these two issues which has been assessed by the Council's Arboricultural Officer.

In relation to the first point the applicant has advised that the proposed basement will not be any closer (1.2m increasing to 3.54m to the east of the site) than the previous refused scheme and that tree roots have already been severed 1m from the boundary pursuant to earlier advanced infrastructure consents and therefore should not adversely affect retained trees on the scout camp providing that suitable tree protection measures are put in place.

'The proposed scheme includes an irrigation system that will prevent drought stress. Furthermore, with regards to the growing medium and subsoil, we are providing approx. 240sq metres of soft landscape area where the trees can grow with an average depth of approximately 800mm. This amounts to 96 cubic metres topsoil plus a further 96 cubic metres of subsoil.

There are 8 semi-mature trees proposed for the area between the building and the Scout Camp Boundary which allows for 12 cubic metres of topsoil per tree, in addition to 12 cubic metres of subsoil per tree. Therefore, when coupled with the irrigation system there is ample growing medium to ensure the trees will thrive and achieve their optimum growth. '

Advice from the Council's arboricultural officer is that this growing medium should be sufficient to provide long term growing medium for the proposed planting. The Council's tree officer has also suggested conditions regarding protecting the (scout) trees on the boundary of the site and requiring approval of any pruning works. The final details of the proposed landscaping will also be secured by condition.

2.10 Environmental Issues (Air Quality and Noise and Energy)

Air Quality

The application is accompanied by an air quality assessment. The assessment identifies that the main potential impact concerns the proposed energy centre which

is required under the parameters of the Outline Planning Consent. Following comments received from the Council's Environmental Health Officer, conditions are attached requiring the achievement of air quality neutral targets.

Noise

The application is accompanied by a noise assessment which demonstrates that the development would not result in any significant increase in traffic noise levels when measured from adjoining residential properties. The application proposes various measures to ensure that the internal ambient noise levels are at an appropriate level including through the use of wall ventilation rather than trickle vents and through restrictions on plant noise. All of these matters are also covered by condition as detailed measures will be a matter for a future reserved matters application.

Energy

A low-carbon strategy has been implemented across the development. Through the application of the energy hierarchy the development as a whole achieves a carbon dioxide emissions reduction of 73% on site against Part L 2013. This is a significant reduction and exceeds the 35% on-site requirement. A further one off carbon off-set payment of £39,531 is proposed in order to achieve the Zero Carbon Homes target.

A BREEAM (2018) pre-assessment which accompanies the application identifies the proposed B1 element of the development can achieve the required "Very Good" rating which is a requirement of the Barnet Borough's local plan.

2.11 Planning Obligations and CIL

S106

As the application includes the provision of affordable housing it is necessary for the applicant to enter into a S106 agreement covering the cost of preparing the agreement and in order to ensure the delivery of the following affordable housing units and the secured off site contribution for tree planting as well as carbon offset payments.

Affordable Rented

10 x 2 bed flats

4 x 3 bed flats

Intermediate Housing

6 x 1 bed flats

7 x 2 bed flats

Carbon offset payments of £39,531

As the application will sit alongside the wider consent for the remainder of Millbrook Park, no additional monitoring fees are required as it is considered that the payments in connection with this agreement are sufficient for on-going monitoring costs.

Barnet Community Infrastructure Levy

The Community Infrastructure Levy (CIL) potentially applies to all 'chargeable development'. This is defined as development of one or more additional units or

development seeking an increase to existing floor space greater than 100 square metres.

Barnet Council is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in The London Borough of Barnet. Barnet Council adopted a CIL charge on 1st May 2013. This set a rate of £135 per square metre on residential and retail development within the borough. All other uses and undercroft car parking areas are exempt from this charge.

The calculation of the Barnet CIL payment is based on the floor areas of the residential elements of the development (except for any potential undercroft car parking areas).

Mayoral Community Infrastructure Levy

The Community Infrastructure Levy (CIL) potentially applies to all 'chargeable development'. This is defined as development of one or more additional units or development seeking an increase to existing floor space greater than 100 square metres.

The Mayor of London is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge a Community Infrastructure Levy in respect of development in Greater London. The Mayor of London adopted a CIL charge on 1st April 2012. This set a rate of £35 per square metre on all forms of development in Barnet, except that which is for education and health purposes (which are exempt from this charge).

The calculation of the Mayoral CIL payment is carried out on the basis of the floor areas of the residential and other elements of the development (except for potential education and health uses).

3. EQUALITIES 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;
- sexual orientation.

The above duties require an authority to demonstrate that any decision it makes is reached “in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application.

As set out above, objections have been raised by a number of objectors (and in particular the Barnet Borough District Scout Council) that the increased height of the scheme will have a material and adverse impact upon the campsite which is used by children and vulnerable young adults resulting in a significant loss of privacy.

Officers acknowledge that young persons, as well as persons with learning and physical disabilities use the adjoining campsite and there is the potential for the development to impact on the camp site in terms of overlooking and loss of privacy for the users of the site especially the identified protected groups. Members are required to take into account the potential impact on the specified protected groups when considering the merits of the application

Officers consider that the main issue from an equalities perspective is to ensure that the proposed development safeguards the existing use of the scout camp and does not prejudice the scout’s continued operation in providing a safe and secure environment for the identified protected groups. To this end, officers have worked with the applicant to mitigate, as far as possible, the impact on the scout camp. As indicated above, the applicant has pulled the proposed buildings back from the boundary of the scout camp allowing for a clear separation between the buildings and the camp site (an improvement from the previously submitted and refused scheme). In addition, extra planting is proposed on the application side of the boundary along with the introduction of a living fence along the boundary.

Officers have weighed the mitigation proposed by the applicant in the balance and consider that a fair balance has been struck between the needs of the camp and the proposed development. In making the recommendation in respect of the planning application therefore, officers have given weight to the impact that the proposal would have on the identified protected groups and consider that the harm is outweighed by the other considerations and the mitigation set out in this report. It should be noted that the duty under the Equalities Act is to have due regard to the specified matters and not a duty to achieve a specific result.

4. CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within The Mayor’s London Plan and the Barnet Local Plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

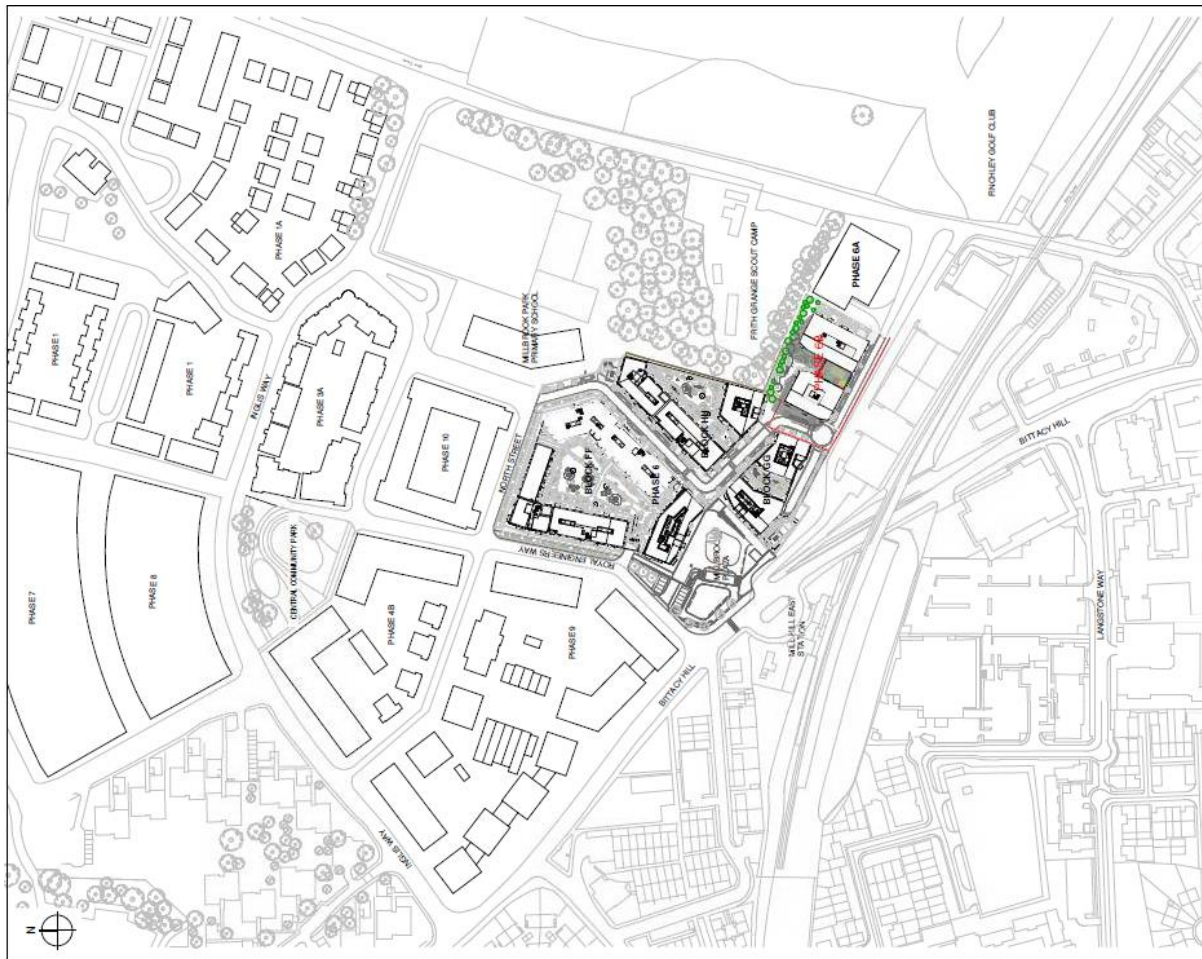
The proposal is acceptable on visual amenity, access, highways, biodiversity, and drainage grounds. The proposal would not significantly affect the amenities of neighbouring residential properties. It would provide for much needed quality housing, including affordable housing, that would have a good standard of accommodation including outlook, privacy and access to daylight.

It is considered that the application has adequately addressed the previous reasons for refusal pursuant to planning application 18/6640/FUL, by means of reducing the footprint of the proposal and pulling back the application from the common boundary with the scout camp.

The application is therefore recommended for approval subject to the applicant entering into a S106 agreement and compliance with the attached conditions.

**SITE LOCATION PLAN: Phase 6b, Millbrook Park (former Inglis Barracks),
Mill Hill East, London, NW7 1SJ**

REFERENCE: 19/5827/FUL



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PLANNING COMMITTEE

14th January 2020

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

**19/5827/FUL– Phase 6b, Millbrook Park (Former Inglis Barracks) NW7 1PX
Pages 143 – 196**

Members are advised that subsequent to the publication of the agenda. An area Tree Preservation Order (TPO) has been issued on the 9th January 2020 covering the trees on the adjoining scout camp land to the north.

There are no changes to the officer recommendation as a result of the TPO as the advice from the Council's Arboricultural Officer is that the proposal would not adversely affect the trees on the adjoining land. A TPO does however provide extra statutory protection to these trees, and it is an offence to wilfully cause damage to trees protected by such an order.

An additional supplementary objection letter has been submitted by the Barnet and District Scout Council. A summary of the comments are as follows:

Impact on Safeguarding. Proposal would result in significant overdevelopment and overlooking. Site is used intensively by young people for scouting and also by Oakbridge Special Education Needs Facility.

Impact upon trees. Concerns expressed in relation to applicants supporting documents. Ecology and Arboricultural reports maintain that roots were severed 1m from boundary but no proof provided, proposal involves significant ground excavation adjacent to the boundary to create basement, retaining wall and vent, which would affect adjoining trees. The Scouts have commissioned their own tree survey which advises that the proposed roots could protrude further than this.

Officer Comment:

Advice from the Council's Arboricultural Officer is that the photos submitted by the applicant are consistent with the applicant's statement about the roots being severed at 1m from the boundary, however it is not possible to categorically prove this without either excavating the soil or conducting a radar scan of the root area. The Council's Arboricultural Officer does not consider that a condition is necessary although one could be attached should members consider it necessary.

**19/4171/FUL – 27 Woodside Avenue, N12 8AT
Item No.9: Pages 199 – 220**

Members are advised that there was an error in the formatting of the published report. The committee report should appear as below. Please note the content of the report remains unchanged.

Location **27 Woodside Avenue London N12 8AT**

Reference:	19/4171/FUL	Received:	29th July 2019
		Accepted:	31st July 2019
Ward:	Totteridge	Expiry	25th September 2019

Applicant: Ms Brigette Jordan

Proposal: Demolition of existing property and erection of a part single, part two and part four storey building to provide a residential children's home and intervention centre (Class C2 use) with associated amenity space, refuse, storage, cycle parking and off-street car parking

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the 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)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Drawing Number 1726-SBA- XX-01 -DR-A -001Rev B Site Plan;
 - Drawing Number 1726-SBA- XX-LG-DR-A -010 Rev D Proposed Lower Ground Floor Hub Plan;
 - Drawing Number 1726-SBA- XX-LG-DR-A -011 Rev D Proposed Ground Floor Plan;
 - Drawing Number 1726-SBA- XX-ZZ-DR-A -012 Rev D Proposed Ground, First, Second Floor Plans & Roof Plan;
 - Drawing Number 1726-SBA- XX-ZZ-DR-A -013 Rev D Proposed Sections A & D;
 - Drawing Number 1726-SBA- XX-ZZ-DR-A -014 Rev D Proposed Sections B & C;
 - Drawing Number 1726-SBA- XX-ZZ-DR-A -015 Rev D Proposed Elevations;
 - Drawing Number 1726-SBA- XX-ZZ-DR-A -016 Rev D Proposed Greenbank Elevation;
 - Drawing Number 1726-SBA- XX-ZZ-DR-A -017 Rev D Proposed Woodside Avenue Elevation;
 - Drawing Number 1726-SBA- XX-ZZ-DR-A -018 Rev D Proposed Rear Elevation;
 - Preliminary Roost Assessment Survey, Arbtech Consulting Ltd, July 2019;
 - Bat Emergence and Re-entry Surveys, Arbtech Consulting Ltd, 6th August 2019;
 - Construction Management Plan & Demolition Plan, Graham Construction, no date;
 - Design and Access Statement, Saunders Boston Architects, July 2019;
 - Drawing Number WSA-TRI-ZZ-ZZ-PL-L-1001 Rev P00 General Arrangement - External Landscape (Planning Issue);

- Drawing Number WSA-TRI-ZZ-ZZ-PL-L-1071 Rev P00 General Arrangement - Tree Planting Plan (Planning Issue);
- Drawing Number MCCH-CAP-00-XX-DR-C-0010 Rev P01 Swept path analysis Vehicle manoeuvring assessment;
- Drawing Number MCCH-CAP-00-XX-DR-C-0010A Rev P01 Swept path analysis Vehicle manoeuvring assessment;
- Planning Statement, Saunders Boston Architects, July 2019;
- Revised Transport Statement, Capita, July 2019;
- Pre-Development Tree Survey and Constraints, Tree maintenance Limited, no date;
- Arboricultural Implications Assessment and Tree Protection Plan Method Statement Rev A; Tree Maintenance Ltd, Revised October 2019;
- Drawing Number 14480/60707 – Tree Removal and Protection Plan
- Sustainable Drainage System (SuDS) Report, Design ID, July 2019.
- Materials Schedule, Saunders Boston Architects, 9th December 2019;

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

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

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

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 4 Notwithstanding the details within the submitted Construction Management Plan & Demolition Plan (Graham Construction), construction work resulting from the planning permission shall not 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 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday; or before 10.00 am or after 12.00 pm on Saturdays; or before 09.00

am or after 2.30pm pm on other days. Unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

- 6 The C2 premises hereby approved shall be used as a children's care home for a maximum of 6 residents plus 1 member of staff in residence and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, 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.

- 7 The development shall be implemented in full accordance with the details approved in the submitted Construction Management Plan & Demolition Plan (Graham Construction).

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 8 a) 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.

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

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

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation 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).

- 10 The proposed window(s) in the side elevation facing Teynham Court shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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

- 11 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.

b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.

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

- 12 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 proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

- 13 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

14 a) No development other than demolition works shall take place until a detailed assessment for the kitchen extraction unit, which assesses the likely impacts of odour and smoke on the neighbouring properties is carried out by an approved consultant. This fully detailed assessment shall indicate the measures to be used to control and minimise odour and smoke to address its findings and should include some or all of the following: grease filters, carbon filters, odour neutralization and electrostatic precipitators (ESP). The equipment shall be installed using anti-vibration mounts. It should clearly show the scheme in a scale diagram and shall be submitted to and approved in writing by the Local Planning Authority.

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

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

15 No development shall take place until the applicant has secured measures for the provision of a scheme of replacement tree planting off site that reflects the amenity value of the trees lost to facilitate the development.

Reason: To ensure appropriate tree planting to mitigate for the loss of special amenity value on site in accordance with Policy CS of the Local Plan Core Strategy (adopted September 2012) and Policy DM01 of the Development Management Policies DPD (adopted September 2012).

16 A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Reason: In the interests of safeguarding the existing road corridor.

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

The applicant will be expected to enter into with the Highways Authority under Section 278 Agreement of the Highways Act, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses and

consequential damage to public highway as a result of the proposed development.

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

- 18 The use of the land for vehicle parking shall not be commenced until the area has been laid out, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority and shall be permanently maintained thereafter to the Authority's satisfaction.

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.

- 19 Prior to commencement of the development details of the vehicular sight line to the either side of the proposed site access with the Public highway shall be submitted to and approved in writing by the Local planning Authority. The access is thereafter is to be constructed in accordance with the approved details and be maintained free of all obstructions over a height of 0.6 metre above the level of the adjoining highway.

Reason: 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.

- 20 Prior to commencement of the development details of the vehicular sight line to the either side of the proposed site access with the Public highway shall be submitted to and approved in writing by the Local planning Authority. The access is thereafter is to be constructed in accordance with the approved details and be maintained free of all obstructions over a height of 0.6 metre above the level of the adjoining highway.

Reason: 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.

- 21 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

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

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

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The applicant is advised to engage a qualified kitchen extraction consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory smoke and odour control. Please note that:
 - Flue(s) must be 1.5 m* above eaves or any open able windows in the vicinity (within 20 metres of the flue) if there are sensitive premises in the vicinity. The final discharge must be vertically upwards. There should be no hat or cowl on the top of the flue. If flues are to be attached to neighbouring noise/vibration sensitive premises they must incorporate anti-vibration mounts, flexible couplings and silencers. *If the flue is in a Conservation area then this height may be reduced to 1m above eaves.

- 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: DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA, January 2005); DEFRA Odour Guidance for Local Authorities (DEFRA, March 2010). 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.

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

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

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

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

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

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

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

- 4 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 noninfection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."

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

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

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

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

Officer's Assessment

1. Site Description

The application site relates to the property known as 27 Woodside Avenue, which is located in the Totteridge ward. The site consists of a large detached dwelling house, finished in red brick, with a large garden area to the rear. The building is understood to date from the late 19th Century. Access is from Woodside Avenue. The last known use is believed to have been as a hostel; however there is no planning history to confirm when it was converted to such a use. The site is located at the corner of Woodside Avenue and Green Bank. Green Bank is characterised by two storey terraced residential buildings. The site backs onto lock up garages serving Green Bank.

Woodside Avenue consists largely of detached dwellings, although there is a mix of styles in the immediate area, including on cul-de-sac roads off the Avenue. The adjoining site to the north is occupied by a block of flats (Teynham Court).

The application site is not within a conservation area, nor does it contain a locally or statutory listed building.

The application site and immediate area has a verdant setting and some of the on-site trees are statutorily protected. There is relatively good access to surrounding services and facilities, including local public transport links.

2. Site History

Reference: 18/2032/FUL

Address: 27 Woodside Avenue, London, N12 8AT

Decision: Approved subject to conditions

Decision Date: 8 November 2018

Description: Change of use from hostel (sui generis) to residential children's home (C2 use), including roof extension to create a side dormer and alterations to existing fenestrations. Demolition of existing single storey outbuilding to side elevation and erection of a single storey side extension with new access steps and railing to rear elevation. Extension and excavation of existing basement to create lower level basement area. Erection of a single storey building to the rear for use as an ancillary intervention centre; creation of two separate access with gates and new boundary fences. Associated hard and soft landscaping

3. Proposal

This application seeks planning permission for the demolition of existing property on the site and erection of a part single, part two and part four storey building to provide a residential children's home and intervention centre and education hub.

The home would be for six children and associated support staff. The home would be on the ground, first and second floors or of the property. It would have a terrace on the western side of the property, leading out to a garden with hard and soft landscape features. Boundary treatments would be provided through new trees, hedges and fencing. A parking area for the home with two parking spaces would be provided at the front (east side) of the property.

The Family Intervention Centre/Education Hub would provide space for family support, counselling and family learning. The Hub would be within the lower ground semi basement area, below the Children's home. The two facilities would have independent access, with

the Hub accessed from Green Lane. This would require the installation of a path on the existing green verge. The Hub would have a garden area separate from the home's garden.

The proposed building's wall materials would be red facing brick, painted render and projecting brick string courses. The roof would use brown plain concrete tiles. Windows and doors would be in aluminium, with the colour to be confirmed.

Following consultation with relevant stakeholders and comments received from members of the public, the proposed front (east) elevation has been amended and redesigned to better reflect the existing residential character and appearance of the street scene. The changes include, exposed roof truss to the front gable; the addition of 2 mock brick GRP chimneys along the roof ridge; a more symmetrical rationale to the fenestration and window openings to appear more in keeping with a residential frontage, including the removal of 2 windows on the side (south) elevation fronting Green Bank; and the removal of the front entrance canopy.

4. Public Consultation

Consultation letters were sent to 183 neighbouring properties. 67 letters of objection were received, with the main points summarised as follows:

- o Objection to the demolition of beautiful and characterful Victorian house.
- o There are enough modern developments along Woodside Avenue.
- o Proposed house would not be of architectural merit or aesthetically pleasing.
- o Why can't the money used to build a new house be used to refurbish the existing property?
- o Object to loss of mature trees in this leafy area.
- o It would be possible to keep the façade.
- o Not an appropriate location for the development at the double junctions of Green Bank and St. Andrew's Close, both of which adjoin Woodside Avenue within 50 metres.
- o Proposed parking is inadequate.
- o There is no additional on-street parking available in the area to accommodate parking overspill.
- o The Council should sell this property and develop the proposed home in another location.
- o The Council have a responsibility to value the history and architecture in the area.
- o Four storeys of modern build is out of keeping with the area.
- o Concerns on the Council's approach to public consultation.
- o There are multiple brown sites on the High Road that could be converted to provide such housing.
- o Increase congestion and traffic.
- o Will generally cause aggravation to those who moved to the area for its reasonable serenity.
- o So called 'residential avenues' will be a thing of the past.
- o Concern that the building may exacerbate on-going structural problems at 29 Woodside Avenue.
- o Loss of light to neighbouring properties caused by the construction of a larger building.
- o The proposed demolition raises urgent waste and environmental issues - incredible amount of material will be wasted through the demolition.
- o Disruption and inconvenience to the residents during construction stage.
- o Reduction in resale value of Teynham Court.
- o Possible damage to utility connections to Teynham Court.
- o The existing property is in basically good repair.

- o Impact on privacy at Teynham Court.
- o Increase in the noise level.
- o Large block properties spoil neighbourly character.
- o Impact of dust.

Two letters of support were received. Support noted that the proposed use is well suited to the location and in most respects would be an improvement on the existing site. It was suggested that the proposed car parking provision would be too low but more could be accommodated on site.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

Barnet's Local Plan (2012)

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

Local Plan Core Strategy (Adopted September 2012): Policies NPPF CS NPPF, CS1, CS4, CS5, CS9, CS10, CS11

- Local Plan Development Management Policies Development Plan Document (Adopted September 2012): Policies. DM01, DM02, DM03, DM04, DM08, DM13, DM16, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Policy DM03 requires that development proposals meet the highest standards of accessible and inclusive design.

The Council requires new development to avoid unacceptable levels of noise and must not increase flood risk, as set out in policy DM04.

Policy DM08 supports a mix of dwelling types and sizes in order to provide choice for a growing and diverse population in the borough.

Policy DM13 acknowledges the positive contribution community and educational facilities can have. It requires new community and educational uses to be located in areas accessible by public transport, walking and cycling. New community and educational uses should ensure that there is no significant impact on the free flow of traffic and road safety, or on the amenity of residential properties.

Policy DM16 seeks the retention and enhancement, or the creation of biodiversity.

Policy DM17 sets out the considerations in ensuring that new development contributes to a safe, effective and efficient transport system. This includes parking standards that development should accord with.

Supplementary Planning Documents

Affordable Housing SPD (Adopted 2007)

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of the development;
- Whether harm would be caused to the character and appearance of the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Provision of adequate accommodation for future occupiers;

- Highways issues;
- Trees and Landscaping considerations;
- Effect on biodiversity;
- Drainage.

5.3 Assessment of proposals

The site benefits an extant planning permission (18/2032/FUL) for the change of use from an established hostel to a proposed Children's Home (C2 use). This new application is principally the same as that consented but involves the demolition of the existing building and re-build with a purpose built building.

Principle of redevelopment

The principle of the development

The proposed development is for a children's care home, which includes an element of education/training ancillary to the care home element. The proposed use falls most comfortably within use class C2 as a residential care home.

National guidance within the NPPF at para 162 outlines a desire for local authorities to work with other providers to assess the quality and capacity of infrastructure for inter alia social care, and its ability to meet forecast demand.

Policy 3.17 outlines that the Mayor of London will support the delivery of high quality health and social care facilities in areas of under provision or where there is an identified particular need.

Policy CS4 of the Core Strategy aims to create successful communities by "seeking a variety of housing related support options that maximise the independence of vulnerable residents including young people, people with disabilities, older people, homeless people and other vulnerable adults". This includes promoting independence but recognising the need for accommodation to provide support services.

Policy CS11 also aims to, where local need exists, to help ensure choice in the housing market for vulnerable groups. The planning system should where possible support the aims of the relevant social services bodies.

Therefore national, regional and local guidance pays attention to the desire to meet demand for, and provide choice, in local housing need for all sections of society.

The proposed aim of Children's Services is to transfer an existing use from the site at 68A Meadow Close, Totteridge, EN5 2UF to the application site. Whilst physically upgrading the existing facility has been considered, it is deemed that the new centre will offer a more realistic opportunity of achieving the Council's strategic objective of providing an 'outstanding' standard of care quality across all of its children service facilities. In terms of demand, this already exists in that existing facilities meeting a need would transfer to this site.

Woodside Avenue is a residential road containing a mix of residential uses, including multi-unit properties. The application site is able to accommodate the proposed new build home and hub, with its proposed associated facilities. The site benefits from being a corner plot and having a heavy vegetative screen. There are no residential neighbours on the Green Bank flank or rear boundary and there is a detached block of flats on the northern boundary.

Good access exists to the range of facilities available on the High Road, including access to public transport links.

The proposed development has the potential to provide a quality facility for a vulnerable group. The use of this site meets a local need and addresses a core planning principle of the NPPF of making the best and most versatile use of a brownfield or previously developed site. The proposed use would be no more intensive than previous uses and is located in area that includes flatted developments on plots of similar sizes.

The application site has no land use allocation or designation within the Local Plan.

The principle of the proposed use was established as part of approved planning application 18/2032/FUL.

Subject to material planning considerations and the proposal's general compliance with these, the principle of children's home and educational hub is acceptable.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

Development proposals must respect the character and appearance of the local area, relate appropriately to the site's context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies DM01 and CS05 of the Barnet Local Plan, and 7.4 and 7.6 of the London Plan. Policy DM01 states that all proposals should preserve and enhance the local character of the area.

The overwhelming objection to the proposal is the proposed loss of the site's existing building. The building dates from the late 19th Century and is one of the last remnants of the area's original development. It is a two storey brick property with a steeply pitched roof that accommodates an additional floor. The front elevation is enlivened by a double height bay window, timbered gable feature, arched doorway and several stone string courses. It makes a positive contribution to the street. However, the building is not listed, locally listed or located within a conservation area. Whilst an attractive building, it does not display particularly high quality or uniqueness in its architecture. It could only be described as a non-designated heritage asset of low significance.

It should be noted that the property has been subject to an application to Historic England for listing. Historic England rejected this request as they did not consider the existing building to be worthy of Statutory designation.

As advised under paragraph 197 of the NPPF, when making a decision on the loss of a non-designated heritage asset, Local Planning Authorities must make a balanced judgement based upon the scale of loss and the significance of the asset. The Local Planning Authority should consider the public benefits that would be achieved from the loss. The applicant has explained the reasoning for proposing the use of this site for the children's home and Hub. Barnet Council has the strategic objective of providing an 'outstanding' standard of care quality across all of its children service facilities. The existing Meadow Close facility would not be able to achieve that level. A site review was undertaken across a range of both Council-owned and private sites that could successfully accommodate a new children's care facility, including the option of upgrading the existing Meadow Close facility. The physical limitations of the Meadow Close site and the required major remedial works would be economically unviable, and would also compromise the wellbeing of the existing residents. The application site was assessed as the most appropriate site that could accommodate the facility to the necessary standards.

Planning permission was granted under application 18/2032/FUL to accommodate the facility within the site's existing building. Subsequent detailed investigations and feasibility studies have been carried out and it has been concluded that the existing building is beyond reasonable economic repair. The erection of a purpose-built building would be most appropriate to meet the required standards.

Whilst the demolition of the original Victorian building is regrettable, given its low level significance, the costs associated with its restoration and the ability for it to be refurbished into a care facility of the required high standards, alongside the benefits of providing a high quality purpose-built facility, its loss can be justified. The planning balance is considered that the loss of the property to be replaced with a children's home is a suitable justification for the loss of the non-designated asset of low significance. It should also be noted that the LPA have undertaken a review of its local listing and 27 Woodside Avenue was not identified as of local interest.

Woodside Avenue has no particular architectural style. Most properties date from the mid-20th Century, and range from traditional pitched roof single dwellings to flat roofed apartment blocks with little detailing.

The proposed new building would have a traditional architectural style, with a pitched, hipped roof, gable feature and bay window. The proposed materials would be red brick, red tiles and render. The proposed building would include several design elements to enliven its appearance, including the proposed bay window, stair tower with clerestory windows and gable. The general approach to the building's appearance in terms of style and materials is reflective of a suburban area and is acceptable.

Furthermore, the proposed front (east) elevation has now been amended and redesigned to better reflect the existing residential character and appearance of the street scene. The changes include, exposed roof truss to the front gable and a more symmetrical layout to the fenestration and window openings to appear more in keeping with a residential frontage. This rationale also includes the removal of 2 windows on the side (south) elevation fronting Green Bank; and the removal of the front entrance canopy. It is considered that these are sensitive changes which would improve the appearance of the new building and would better reflect the established residential character and appearance of the immediate and wider street scene.

The application site is a large plot. Although the proposal will extend deeper into the site and create a lower ground floor level which is apparent when viewed from the rear of the property. There is no visual manifestation of the lower ground level from the front of the site, it is not considered that this would be harmful to the site and does not result in a cramped form of development. It is considered that with adequate landscaping and screening the proposal will be softened in appearance. The proposed building would be located in the same location within the plot as existing building. Although the proposal will extend marginally closer to the neighbouring property, this reduced separation is not considered to be harmful to the character of the area, there is still sufficient distance to ensure the two buildings appear as detached and separate from one another. It should be acknowledged that these two properties are distinct in their design and character as existing and the reduced separation will not change this.

The height of the proposed building would be, when viewed from Woodside Avenue, 7.9m to the eaves and 12.4m to the roof ridge. At the rear of the property, to accommodate the additional floor within the sloping rear garden, the height would be 10.7m to the eaves and 15.2m to the ridge. The overall height would be marginally taller than the height of the

existing building's chimney and approximately 1.0m taller than its roof ridge. The overall effect would be of a slightly bulkier appearance than the existing building at roof level but the large plot is considered able to accommodate this increase in size and the impact upon the appearance of the site and street scene would not be significant or unacceptable.

The submitted plans propose timber fencing to the boundaries, along with hedges and trees. The principle of this is acceptable but further details are needed to understand their appearance. This can be managed by condition.

In having regard to Local Plan policy DM01, the proposed development would be acceptable in terms of its design.

Whether harm would be caused to the amenity of neighbouring occupiers

It is important that any scheme addresses the relevant development plan policies (namely policy DM01 of Barnet's Development Management Policies and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers with regards to privacy, overshadowing, over bearing and impact upon outlook. This will include taking a full account of all neighbouring sites.

Teynham Court sits to the north of the application site. The proposed building would be approximately 0.5m closer to this apartment block than the existing building and there would be an increase in bulk in roof level. In considering the effect the site's existing building has upon outlook, over bearing and overshadowing, it is not considered that the proposed building would result in a significant difference. The impact is considered acceptable.

There are two windows proposed on the first floor level on the building's north elevation. These would serve bathrooms. The amended drawings now illustrate that these would be obscured glazing. It is also considered that these windows should not fully open in order to protect the privacy of Teynham Court's residents. A condition to this effect is therefore recommended. An additional condition is recommended to ensure that no further windows or doors would be added to the building's north elevation in the future.

It is not considered that neighbours in any other direction would be affected by the proposal with regards to privacy, overshadowing, over bearing and impact upon outlook.

Some third party representations have raised concern about potential noise and disturbance in relation to the use. However there is no substantive evidence to suggest that the facility would be anything other than a well-managed facility, including the provision of an on-site supervisory presence. There will be movement to and from the proposed Hub facility, however given the limited numbers involved and general layout of the site, adjacent to lock up garages and the entry to Green Bank, it is not considered that the impact would be excessive. The building would also retain a gap to all property boundaries. The Council's Environmental Health team have had an opportunity to consider the proposals. To ensure the avoidance of excessive noise, they have advised conditions relating to traffic noise, noise from the plant room and noise from kitchen extraction equipment.

Some third party representations have raised concern about the potential for disturbance during the construction period. The Environmental Health team have advised the submitted Construction Method Statement is adhered to throughout the construction period.

The Council's Environmental Health team have also advised conditions relating to the proposed kitchen extraction equipment to ensure there would be no unacceptable impact arising from fumes and smell.

For the reasons highlighted above, it is considered that the proposal would have an acceptable impact on the residential amenity of neighbouring occupiers.

Provision of adequate accommodation for future occupiers

Commentary around this proposal from professionals in the care field points to a facility for a vulnerable group of local people that would provide high quality accommodation. Officers have no reason to form a contrary view and the plans indicate a spacious and well serviced-modern care facility would result.

Highways issues

A Transport Statement has been submitted as part of the application.

The PTAL is 2 (poor) with bus and tube the only public transport mode available within the PTAL area. The development is located in a controlled parking zone (CPZ) which is operational for one hour during the day.

Two off street parking spaces have been provided in association with the proposed use. There are no specific parking standards for children's care homes and therefore the applicants have used the Local Plan's parking provision associated with a 4+ bedroom house, which is 1.5 to 2 car parking spaces. The applicant has advised that only one staff member (home staff) will require a parking space at all times. With regards to the Hub, which would fall under the D1 use class, there are no specified requirements for such a use. Based on the staff numbers, minimal traffic generation is envisaged and therefore only one parking space is proposed. The applicant has identified a number of on-street parking spaces that could be used if needed.

It should be noted that the use of the building remains as per previously approved under application 18/2032/FUL with no objections to highways matters raised at this time by our highways team. The parking provision required would not change as a result of this new proposal. There are no changes proposed to staffing or children numbers accordingly the scheme will be as per approved in respect of highways, no objection is raised.

There are a number of residential objections which relate to the construction process. To fully mitigate this, the details set out in the construction management plan will be conditioned to ensure the impact during the construction phase on surrounding residents is reduced and to ensure accesses and the public highway are kept clear.

Trees and Landscaping considerations

A number of TPO trees are present on site and contribute positively to the verdant setting of Woodside Avenue. The application has been supported by a Tree Survey and proposed landscaping scheme that indicates the removal of some trees on site, and the proposal to plant new trees on site, along with some maintenance and protective approaches to ensure the health of those trees to be retained.

There is a concern that the proposal would result in loss of trees of public amenity value, to the detriment of the street scape. Whilst acknowledging this point, the proposed development is seen as vitally important in providing high quality social care for vulnerable young adults within the Borough. Officers accept that for the development to proceed there will be a loss of established trees that will impact on the character of the area. However, it is also considered that a good quality landscaping scheme would be implemented and that a public interest element exists in terms of the importance of this type of accommodation being provided in the Borough. As a result, it is considered that although the loss of trees is regrettable it can, on balance, be justified when making a complete assessment as to the appropriateness of the proposed development. In addition the provision of a CAVAT value to compensate for the loss of the tree has been suggested by the Council's greenspaces team and the tree officer. The CAVAT value will cover the replacement of the tree to provide a suitable solution.

Effect on biodiversity

The application site has no designation relating to biodiversity.

A Preliminary Roost Assessment Survey has been submitted as part of the application. The Survey sets out the findings with regards to signs of bats on the site and to consider the value and suitability of the structures for roosting bats, plus the likelihood of presence or signs of breeding birds, and the suitability of the site for barn owls.

The Survey recommends that the site's existing building has low habitat value for bats due to the limited number of suitable features present on the building. However, the surrounding habitat provides good foraging and commuting resources, which increases the likelihood of bats roosting within the building. For this reason, it is recommended that a further bat survey is carried out during mid-May to September by three surveyors to provide full coverage of the building. This can be secured via condition.

A tree on the site was identified as having moderate habitat value for roosting bats. This is an oak tree on the southern boundary of the site. The tree is proposed to be retained but some works to reduce the crown of this tree are planned. A climbing survey is recommended prior to this work to inspect the potential roosting features present, with further recommendations for further dusk emergence/dawn re-entry surveys if necessary.

The site and surrounding trees and vegetation provide suitable habitat for nesting birds. Vegetation removal should not be carried out during the nesting season of March to August. It is recommended that bird boxes be installed on the proposed building to enhance biodiversity in line with the NPPF and Local Plan.

Drainage

A Sustainable Drainage System (SuDS) Report has been submitted. It explains that the surface water would be managed via a soakaway in the rear garden and provides confirmation from Thames Water that there will be sufficient sewerage capacity in the adjacent foul water sewer network to serve your development. The submitted details are considered acceptable.

5.4 Response to Public Consultation

Some third party representations raised concerns about the effect the proposal would have on the structural integrity of the adjacent Teynham Court. The proposal will be subject to full scrutiny under Building Regulations and it is advised that any such concerns would be identified and addressed through that process.

An objection was received regarding a concern that the proposed development would affect utility supply to adjacent Teynham Court. There is no evidence before the Local Planning Authority that would raise concerns in this regard and in any case is a matter beyond the scope of planning control.

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

In light of the above appraisal it is considered that the proposed development is acceptable in policy terms and has many positive attributes including providing a potentially high class facility for a local disadvantaged group. The proposed demolition of the existing building and erection of a new building is considered acceptable with regards to design, amenity, highways, landscaping, drainage and biodiversity. It is therefore recommended that consent is granted subject to conditions.

19/4661/FUL

Unit 4, Hyde Estate Road, London, NW9 6JX

Pages 23 – 144

Report Changes

- Page 25 - within the Heads of Terms the monitoring fee for each of the travel plans is stated as £25,000. It should be noted that this is the correct figure and the £20,000 figure stated in paragraphs 12.9 and 12.10 should be disregarded.
- Page 26 – additional item to be added to the heads of terms, requiring that a permissive path agreement/public right of way be agreed for the pathway adjacent to the Silk Stream.
- Page 31 – The section relating to CIL, should also make reference to Regulation 122.
- Page 31/32 – the report makes reference to an Environmental Statement being received in support of the application. It should also be stated that an addendum to the ES was received and considered in accordance with the regulations.
- Page 35 - The accommodation schedule set out at paragraph 2.5 should be incorrect. Correct schedules are set out within the published Accommodation Schedule document.

- Page 37 – Paragraph 2.14 makes reference to Silk Park representing 38% of the site area. It should be noted that the 7700 sqm figure relates to all of the private, communal amenity space and public open space which represents 38% of the site area.
- Page 41 – within the officer response to objections relating to overdevelopment, it should be noted that the annual housing target for LBB has been revised upwards to 2364 within the Draft London Plan.
- Page 43 – within the officer response to objections relating to construction disruption and pollution, it should be noted that the referenced DCMP also incorporates Environmental mitigation and is a Demolition, Construction and Environmental Management Plan.
- Page 59 – Paragraph 5.3 the uplift in net sales area should read 616 sqm which is the correct figure.
- Page 66 – There is a typo of “net11” within the Convenience Goods Floorspace column. This should read “net”.
- Page 72 – In the minimum floorspaces table set out and extracted from the London Plan, the row relating to 3 bed (5 persons) should relate to flats rather than houses. A new row should also be added relating to 1 bed (1 person) which has a minimum floorspace requirement of 36 sqm.
- Page 73 – paragraphs 7.9-7.12, it should be noted that the application is in accordance within the London Plan Housing SPG in relation to open space.
- Page 74 – It should be noted that the playspace calculator referenced within paragraph 7.14 is a GLA tool.
- Page 77/78 – In paragraphs 7.32 to 7.33, it should be noted that the relevant policy for considering ‘Agent of Change’ is Draft London Plan Policy D13.
- Page 104 – It should be noted that the BREEAM requirements relate to all commercial units, with the exception of Sainsburys which is subject to alternative assessment criteria.
- Page 107 – Paragraph 12.21 – the correct carbon offset contribution figure should read £1,275,064.
- Page 119 – Condition 2 – The Design and Access Statement and Planning Summary should be removed from the list of approved documents.
- Page 132 – Condition 22 wording should read as follows:

Reason: In the interests of visual amenity, community safety and to prevent light pollution and adverse impacts affecting the amenity of adjacent residential properties and in the interests of ecology in accordance with Policy DM04 of Barnet's Local Plan (2012

- Page 147 – Condition to be amended to state that all commercial units across the development will meet the Shell Very Good BREEAM standards (in line with the Energy Strategy which has been assessed by Barnet and scrutinised by the GLA who have not raised any concerns in relation to the BREEAM approach); and that the flexible commercial units will meet Fit Out Very Good standards.

Additional Representation – LBB Transport and Highways

An additional representation has been received from the Council's Transport and Highways officers which is set out below.

At the outset it is important to state that the principal of regeneration and redevelopment of this site is acceptable and is supported considering the overall benefits that this scheme will provide in terms of placemaking, amenity, housing, open space etc.

The key issues in Transport terms are, however, found in the details of the scheme.

There are 3 key areas where there are transport interfaces or impacts of the scheme, these are set out below: -

1) Impact on the existing transport network – trip generation distribution and modal split

The development has a relatively high modal share for sustainable and public transport modes – in Barnet terms, really in accordance with modern transport policy objectives.

This, manifests itself in requirements for additional bus services - TfL and the developers have agreed funding of 900k for 2 local bus routes to be increased in regularity.

There are also rail impacts with increased passenger numbers at Hendon Central and Hendon NR Thameslink station anticipated. Taking these in turn:

a) Hendon Central

At Hendon Central Tube Station, the developer's assessment of trip generation and distribution indicates currently that in the peak the stairs will be at 99% of capacity.

The assessment fails to take account of recently committed schemes as well as additional background growth. A cumulative assessment based on committed schemes, background growth and the development itself would result in the station staircase being at over 100% capacity.

TfL have sought, and the developers have agreed to, a £60k contribution for a station entrance feasibility study which would look at the feasibility of opening, up, a second entrance on Queens Road to access the platforms, however, despite officer discussions with TfL there has been no request from TfL for Infrastructure funding to construct any feasible solution.

Without any implementation costs in addition to the feasibility study, it cannot be categorically stated that the impact of the development has been mitigated.

Officer response – the feasibility study and contribution has been agreed between the applicant and TFL after protracted discussion, and the contribution would be secured through the S106. LBB cannot ask for any contribution over and above the £60,000 that has been agreed.

b) Hendon Thameslink Station

At Hendon, the developers have again shown that additional trips would be generated. They have prepared a station capacity assessment which indicates that there is sufficient spare capacity remaining at the station and have therefore proposed no significant mitigation be identified or funded. Network Rail have very recently responded to this capacity assessment and are critical of its methodology and conclusions and have indicated that they do not regard the assessment as being of sufficient quality. They consider that a more comprehensive assessment is required before they can form a view on the impacts and if appropriate and necessary, seek mitigation for impacts.

Officer response – following the most recent response from Network Rail, further assessment was undertaken by the applicant in line with the methodology suggested. The summary of which is set out below:

- 1. Vectos is appointed to provide transport advice to St George City Ltd and Sainsbury's Supermarkets Ltd (the Applicant) in relation to the proposed development of a site at 4 Hyde Estate Rd, London NW9 6JX.*
- 2. A planning application (19/4661/FUL) was submitted to London Borough of Barnet (LBB) on 21st August 2019 to demolish the existing Sainsbury's store and Petrol Filling Station and construct a mixed use development comprising a replacement Sainsbury's store, 1,309 residential units 951 sqm GIA flexible commercial space.*
- 3. Vectos prepared a Transport Assessment (TA) dated August 2019 to accompany the planning application which considered the transport effects of the proposed development. This included an assessment of the development's impact on the public transport network based on a modal split agreed with LBB and TfL during pre-application discussions.*
- 4. Following the submission of the planning application, an assessment of the potential impact of the proposed development on Hendon station was undertaken at the request of transport officers from LBB. This was summarised in a Technical Note from Vectos dated 11th November 2019.*
- 5. Network Rail provided comments on this note in an e-mail to LBB dated 19th December 2019. The applicant responded to these comments in an e-mail to LBB dated 23rd December 2019. Network Rail provided a reply to LBB in an e-mail dated 9th January 2020. Copies of all of this correspondence are provided at Appendix A.*
- 6. Whilst Network Rail do not necessarily think that the proposed development will result in an unacceptable impact on the station, they suggest that the Vectos Technical Note does not provide sufficient information for them to be sure. In particular, no assessment was undertaken of the station access points and the issue of train demand spreading was not adequately addressed.*
- 7. This Technical Note has been prepared to address these issues.*

Access Assessment

8. There are three access points to Hendon station. They are listed below along with their measured widths:

- A door within the station building (1.0 m);*

- A gate at the east end of the pedestrian overbridge across the platforms (0.85 m); and,
- A gate between the car park and platform 1 (1.05 m).

9. The Network Rail Station Capacity Planning Guidance (November 2016) does not include specific formula for assessing access points at stations.

10. In their most recent comments, Network Rail suggest that the formula for passageways or stairways are used for assessing Hendon station.

11. Having reviewed the formulas for both, it is clear that that the formula for passageways (page 25 of Network Rail guidance) is most onerous in terms of the resulting width required based on the recorded pedestrian movements at the station. It should be noted that the formula gives the required passageway width. It does not give the required door or gate width.

12. Tables 1 – 3 below compare the widths of the existing station accesses with the required passageway widths based on the flows per minute in the peak 5 minutes. It should be noted that for the development flows it is assumed that a maximum of 50% of the entry flows for each train arrive in any one of the five minutes preceding it.

Table 1: Assessment of Width of Station Building Access

	Existing Access Width (m)	Required Passageway Width (m)
Observed Flow	1.0	0.68
"With Development" Flow	1.0	0.85
"Sensitivity Test With Development" Flow	1.0	1.03

Table 2: Assessment of Width of Pedestrian Overbridge Access

	Existing Access Width (m)	Required Passageway Width (m)
Observed Flow	0.85	1.65
"With Development" Flow	0.85	1.83
"Sensitivity Test With Development" Flow	0.85	2.0

Table 3: Assessment of Width of Car Park Access

	Existing Access Width (m)	Required Passageway Width (m)
Observed Flow	1.05	1.08
"With Development" Flow	1.05	1.25
"Sensitivity Test With Development" Flow	1.05	1.43

13. It can be seen from the above that, with the exception of under the sensitivity test, the current width of the station building access exceeds the passageway width required by the Network Rail formula.

14. Both the pedestrian overbridge and car park accesses are narrower than the passageway width required by the Network Rail formula under the observed flows. Addition of the development flows increases the required passageway widths by a small amount under both scenarios. It should be

highlighted that the “with development scenario” is the one that Vectos think likely to be the case in reality. The “sensitivity test with development scenario” is one requested by LBB and Vectos consider it highly unlikely that it will occur in practise.

15. When considering the potential impact of the proposed development on the station accesses it is worth highlighting that under the realistic “with development” scenario there would only be an additional 7 people accessing trains during any one minute and they would use one of the access points at a time.

16. It is therefore considered that there will not be a significant negative effect on station access as a result of the proposed development.

Train Demand Spreading

17. Vectos undertook surveys of the pedestrian movements on the staircases, between the platforms and the overbridge, and the accesses for the purposes of considering the impact of the proposed development on Hendon station.

18. It is accepted however that the Network Rail Station Planning Capacity Guidance says that when calculating the peak minute exit flow it should be based on numbers of people alighting trains during a certain period.

19. In the light of the comments from Network Rail, the Vectos survey data has been reviewed to establish peak minute flows using the staircases and to compare these to the available staircase widths.

20. For the platform 1 staircase, there was a maximum of 81 people going down in any 5 minute period. That means the peak minute entry flow was 16 (81×0.2). The maximum number of people going up the staircase in any 5 minute period was 13. That means the peak minute exit flow was 10 ($13 \times 1.25 \times 0.6$). On this basis, the observed total peak minute access flow was 26.

21. According to the Network Rail formula for two-way staircases, the required staircase width for this flow is 0.93 m. The measured width of the platform 1 staircase is 1.63 m.

22. For the platform 2 staircase, there was a maximum of 14 people going down in any 5 minute period. That means the peak minute entry flow was 3 (14×0.2). The maximum number of people going up the staircase in any 5 minute period was 94. That means the peak minute exit flow was 71 ($13 \times 1.25 \times 0.6$). On this basis, the observed total peak minute access flow was 74.

23. According to the Network Rail formula for two-way staircases, the required staircase width for this flow is 2.64 m. The measured width of the platform 2 staircase is 1.5 m.

24. Based on the above exercise, the platform 1 staircase has spare capacity at present whereas the platform 2 staircase has none.

25. As stated at paragraph 14, the proposed development is likely to result in an additional 7 people accessing a train in any one minute. It is considered that whether the staircases are under or over capacity based on the Network Rail formulas, the impact of these additional trips on people currently using them in real terms will be minimal.

26. Vectos has undertaken an assessment of the potential impact of the proposed development on the station accesses which comprise a door and two gates.

27. There is no specific Network Rail formula for assessing doors and gates so the assessment has been undertaken using the passageway formula. This results in higher required widths than the staircase formula and so its use is robust.

28. The assessment shows that existing door width is greater than the required passageway width in the "with development scenario". The existing gate widths are less than the required passageway widths under the observed flows and the addition of the development flows makes the difference between the two larger.

29. Vectos has undertaken an exercise to better reflect the effect of train demand spreading on exiting flows. This shows that the existing platform 1 staircase exceeds the staircase width required by the Network Rail formula under the observed flows. By contrast, the existing platform 2 staircase is below the staircase width required by the Network Rail formula under the observed flows.

30. It is considered that the additional information provided within this Technical Note addresses the two points raised by Network Rail and should enable them to conclude that the proposed development will not result in an unacceptable impact on Hendon station which their responses to date indicate is their view.

31. When considering all of the assessment undertaken to date of Hendon station, it must be remembered that the proposed development is likely to add up to 12 extra people to each train service calling at Hendon station and up to 7 people accessing a train in any one minute.

32. Therefore, it remains the view of Vectos that the proposed development will not result in a significant negative impact on Hendon station.

For the sake of completeness; the original response from Network Rail is set out below:

As we discussed, from my perspective I cannot accept this report as assurance that there will be no negative impacts from the development. This is not to say that I do expect there to be, as I do not have a position on this, but the report should inform and provide assurance, which it does not.

The methodology is limited and the response provided in the earlier email does not provide any further assurance. As an example, the response states that:

"Section 3.6 is entitled Access and Interchange. It has specific sub-sections for passageways, passenger conveyors (travelators), ramps, staircases, escalators and lifts. There is no reference to entry/exit points so there was no basis for assessing them. We didn't have to undertake a calculation of the necessary smart card readers but we did it based on the TfL guidance as we thought it would be helpful."

However our guidance states: Station entrances and the curtilage shall be designed to accommodate station related flows, other background movements in the urban realm and allow for future rail and background growth. Station entrances are often meeting points and generous space provision is required. The sizing of entrances and forecourt areas is important and shall be discussed with the NR SCT on a case by case basis. This needs consideration for normal and degraded modes of operation as well as strategic placement of links to other travel modes such as trams, metros, buses, taxis, car and cycle parking. Any bottlenecks in the station periphery, outside of railway land, shall be jointly addressed with the relevant local authorities and businesses.

This does not therefore suggest that no basis for assessing entrances exists and I have never seen this argument made before. The majority of the work I have seen in similar examples refers to a station entrance as an access, and then uses either the passageways or stairways criteria, depending on what “type” of access the entrance is. In minority of examples, a clear statement that the entrance is not a key bottleneck with a robust explanation is provided, which if logical, is of course acceptable.

On the other points raised I have not seen a response, such as train demand spreading. The argument that the station is busy anyway and has queueing is reasonable, but not since our guidance does not call for perfect, queue free stations and instead offers quantitative targets to create functional, safe stations, I do not feel this is applicable in this case.

As outlined previously, my position is not that I feel these proposals would create unacceptable issues or crowding at the station, but I would expect this work to inform the position of all parties, to answer that question with confidence, which I do not feel that it does.

Following on from the additional assessment, undertaken by the applicant, the following additional comments were made by the Council’s Transport and Highways officers;

- *Trips have been spread across all 8 services serving Hendon Station*
 - *This does not reflect the fact that the majority of trips will be southbound during the AM peak toward Sutton (noting this service calls at 5 stations within the CAZ and another 17-21 stations dependant on which route each train is taking).*
 - *This does not reflect that in the PM peak the majority of trips will be northbound toward St Albans City and alighting passengers will create a larger peak demand on the Platform 2 Staircase.*
 - *A realistic split between services must be agreed and the assessment re-run – noting that this will place further demand onto the Platform 2 staircase.*
- *Staircases*
 - *We are unable to reconcile the figures in Para’s 20 and 22 and believe that these figures may be incorrect.*
- *Pedestrian Overbridge*
 - *This feature is significantly narrower than that required by NR’s standards for the total volume of passengers predicted to use the station.*
 - *Noting the above point about the spread of trips and resultant increases in flows within the peak minute and 5-minute periods discussed, demand on the footbridge will be even greater.*
- *Car Park Access*
 - *Firstly this shouldn’t be considered as a primary access due to the detour required by most to use it.*
 - *Further, it is unclear as to whether or not the inclusion of this access has resulted in a reduction in the number of people using the Pedestrian Overbridge and Platform 1 Staircase.*

- *Lastly the inclusion of this access implies that residents could be driving to the station, which is less desirable in transport terms.*
- *Accessing of Trains*
 - *A comment (para 25) is made about the number of people whom can access a train in any 1 minute. The boarding rate for a boarding train will be significantly higher than this. It is therefore unclear of what this comment relates to and this raises further questions and concerns.*
- *Doorway and Gate Widths*
 - *Para 28 - The doorway widths are similar to the passageway widths, and the passageway widths have been highlighted as below standard. We are therefore uncertain as to why the doorway widths are considered to have additional or implied capacity.*
 - *The assessment accepts that the gate width is below standards and under capacity, and accepts that the additional demands created by the development worsen this situation.*
- *Addressing NRs Concerns*
 - *Para 30 – It is stated that the assessment addresses NR’s concerns, however we cannot quite understand how this conclusion is reached given the points set out earlier in the assessment.*
 - *Para 31 – as per our comments above, the additional 12 trips have been added to all services departing Hendon without consideration of absolute peak or tidal flows and the greater employment pull of the Central London Central Activities Zone.*
 - *Para 32 – Based on the evidence of the note above, we cannot agree the consultant’s conclusion that the additional demands placed on the station will not adversely affect the station and it’s existing users, which in our view is material and could potentially be significant.*

2) *A5 Corridor and Health Streets*

The developers have completed an Active Travel Zone assessment in accordance with TFL guidance, which has highlighted several issues within the 20-minute cycle time zone on key routes, however, the developers have proposed little by way of improvement to rectify the existing deficiencies in the public realm and the walking and cycling network which they have identified.

They have agreed to repave the A5 public realm so that it consistent and ties in with the West Hendon materials and scheme to the south at an estimated cost of £36-37K however they have not, despite, a request, prepared what the transport officers consider should be scheme which addresses the points of TFL’s Healthy streets approach – such a scheme should in our view include:-

- *Narrowing the existing A5 junction with Garrick Road to facilitate easier pedestrian movement and road safety.*
- *A public realm enhancement scheme along the A5 to the South of Garrick Road junction incorporating high quality materials, wayfinding, planting, tree cover and seating etc in accordance with TFL’s healthy streets guidance.*

- *Measures to highway measures to facilitate bus movement and potentially, cycling movement along the A5 corridor;*
- *a contribution of £100k is sought for separate off-road cycling facilities to extend the Barnet ring proposals which have already been initially developed in relation to the West Hendon Scheme to the south.*

Officer response: taking each of the aforementioned bullet points in turn, officers would respond as follows:

- A footway improvement scheme would be secured through the S106 which would extend beyond Garrick Road and join up with the West Hendon public realm enhancements. Such a scheme would be subject to the approved of the LPA which would allow the LPA to retain control over the quality of the works and to ensure that pedestrian safety and comfort is fully considered;
- As set out above, with the additional comment that wayfinding would be secured through a separate S106 item;
- The junction works to Hyde Estate Road/A5 and the S278 works to the A5 frontage would be secured through Section 278. The final detailed design would thus be subject to LPA approval which would allow for the LPA to ensure that bus movement, pedestrian movement and cycle movement are fully provided for;
- In the absence of an adopted policy document setting out the Barnet Ring proposals or any similar local cycle scheme, there is no policy basis for the LPA to seek such a contribution.;

3) Highways impacts and Transport modelling

Whilst we do not have any immediate highway capacity concerns in terms of the traffic modelling / trip generation, we are awaiting confirmation that the models as presented accord to TfL standards and are shown to be robust.

The ongoing discussions with TfL over the LMAP process do not appear to have been mentioned within the committee report.

Officer response: As set out within paragraphs 19.23 to 19.27, the TFL LMAP audit is ongoing at the time of writing the report. Nevertheless, based on the modelling that has been undertaken, TfL is satisfied that, subject to securing a package of transport improvements to support mode shift to public transport and active modes, that there will not be an undue impact on the Strategic Road Network. Further auditing as part of the LMAP process will help to inform the detailed design of the junction works, which would be secured through S278.

Additional Representation – Ropemaker Properties

An additional representation has been received from Mr Ian Ferguson of Barton Willmore, acting for Ropemaker Properties who own the freehold of the adjacent Garrick Road Industrial Estate.

We write on behalf of Ropemaker Properties, the freehold owner of the Garrick Road Industrial Estate (the Estate).

Our client has reviewed the Committee Report for the Silk Park Proposals, including the proposed planning conditions, which is due to be presented to the Council's Planning Committee on Tuesday 14 January. While it generally supports the proposed development, our client's view is that the failure to provide sufficient (or any) mitigation for this Agent of Change development represents a serious threat to the viability of the Estate, and cannot be approved in its current form.

The Estate is located to the immediate east of proposed site, across Silk Stream. It is designated as a Locally Significant Industrial Site (LSIS) and provides the Borough's largest area of designated industrial land. The Council's development plan makes clear that the purpose of an LSIS designation is to protect and maintain viable industrial land.

We submitted an objection to the above proposals on behalf of our client on 11th October 2019 (see Appendix 1). Our client made clear in its objection that it is keen to see the Silk Park proposals go ahead, subject to the protection of its operations from any potential exposure to nuisance complaints from residents. However, our client is not satisfied that the Committee Report and the proposed conditions and obligations currently address the proposal's status as an 'agent of change' adequately or at all, so, regrettably, it must maintain a strong objection to this scheme.

Our client's strong objections can however be easily addressed and resolved. Our client would be happy to see this proposal approved, subject to some specific and discrete amendments to the proposed planning conditions and obligations. These are set out below under the heading 'Changes to Committee Report'.

Protecting the integrity and future viability of the LSIS will only require limited amendments to the proposed conditions and obligations relating regulating the acoustic and thermal performance of windows and walls and how residential units are ventilated (i.e. whether the scheme design relies on residents opening their windows). These amendments will have only modest effects on the proposed scheme but will make a significant difference to the amenity of residents and the viability of the Estate.

The applicant and the Council have both acknowledged that, if approved, Silk Park would be an Agent of Change. As noted above, we do not consider that the steps required to reconcile these two disparate uses are significant.

Therefore, it is disappointing that there has been no serious effort by either the Council or the applicant to treat the risks arising from this development seriously. We hope that Members will agree with us that, any potential conflict between the amenity of residents in the proposed development and the viability of the Estate as an LSIS must be resolved now.

Lastly, I will note here that our client has already engaged noise consultants who in any case have reservations about the robustness of the noise assessment already undertaken, even without considering 'agent of change'. We have not dwelt on these here, given that our client considers a replacement noise assessment should be sought via planning condition in any case.

Context

The Garrick Road Industrial Estate is made up of 24 units, with occupiers including The Bread Factory. Approximately 1,000 people currently work across the Estate. Two new units are being built for the extension and intensification of the Bread Factory's operations, following grant of planning permission in 2018. The activities at the Estate mean that it necessarily has effects beyond its boundaries, including in terms of noise, odour and air quality.

The Silk Park proposals will accommodate 2,750 new residents beside the Industrial Estate. Our client is understandably concerned that these residents may come to complain about activities at the Estate, even though this designated Locally Significant Industrial Site was there first.

Planning policy and guidance (cited in Appendix 1) seeks to protect uses which are vulnerable to complaints from an 'agent of change'. The principle is that these vulnerable uses (e.g. the Garrick Road Industrial Estate) should be protected from the risks of complaints being made by agents of change (e.g. residents of the Silk Park proposals) and not the other way around. Moreover, planning policy does not only seek to protect such uses (i.e. the Estate) as they are now but to ensure they continue to be viable and indeed that they can grow. The current draft of the

Committee Report (e.g. paragraph 7.33) cites effects of the Estate on the occupiers of the proposed development (thereby incorrectly implying that the onus is on the Estate to mitigate noise emissions, rather than the developer of the Silk Road scheme) and so misunderstands the purpose of the agent of change approach. This must be rectified and properly addressed before the matter can be considered by the planning committee.

In instances such as this, agents of change schemes must consider the potential for more intensive uses of land than those that may currently take place. It may be helpful to think of this in terms of 'maximum adverse effects'. In considering what a more intensive use of the estate is likely to comprise, the following must be considered:

- *The original planning permission from 1980 (W01406W) approving the Estate's development allowed 24-hour use. This principle continues to apply to all the original 24 units. The 2 newly permitted units can also be used by the Bread Factory on a 24-hour basis. The Bread Factory, the Estate's largest tenant, currently operates on a 24-hour basis.*
- *The most recent planning permission (cited above) also confirms the lawfulness of 24-hour deliveries taking place across the entire Estate.*
- *A range of industrial uses (which could include as an example the noisiest available uses such as metal sheeting) could take place at the Estate without need for an amendment to the existing planning permission(s).*
- *The Estate is designated as a Locally Significant Industrial Site. As such, planning policy provides in principle support for further development/redevelopment at the Estate which could lead to it being more intensively used for industrial and similar purposes.*

Activities at the Estate could intensify exponentially, without any requirement to obtain further consent from the Council. It remains the case that the occupiers of the units on the Estate will have to avoid causing a statutory nuisance in terms of noise, odour and air quality. However, the point remains that the potential for a significant intensification of use before the residents occupy the scheme or thereafter must be considered (and appropriately mitigated) as part of the assessment of the Silk Park planning application.

1. *A planning policy summary must be provided which clearly sets out relevant policy relating to agent of change.*
2. *The summary of the GLA Stage 1 Report at paragraph 4.3 should state GLA Officers' position on agent of change policy.*
3. *Conditions 8 and 9 (which relate to noise) should be combined (there is no basis for these being separate) and a new condition 9 must be inserted that meets the policy requirements*

relating to agent of change and, more importantly, mitigates the risk that this development poses to the viability of the LSIS. We suggest the following:

‘Prior to the commencement of development, a replacement noise assessment, carried out by an approved acoustic consultant, which assesses the potential impacts of noise on the development from all nearby land on all noise sensitive uses, must be submitted to and approved in writing by the Local Planning Authority. The report must consider a) baseline surveyed noise emissions and b) modelled reasonable maximum adverse effects which might arise from i) a more intensive use of neighbouring land as may occur without need for planning permission and ii) potential development/redevelopment of such land for purposes as supported in principle by planning policy.

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

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

Reason: To ensure that i) the use of nearby land for its authorised purposes is not adversely affected, as per the ‘agent of change’ principle set out in the NPPF, PPG and draft London Plan and ii) the amenities of occupiers of the approved development (in particular those most exposed to emissions from the Garrick Road Industrial Estate) are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015. Measures the ‘agent of change’ principle set out in the NPPF, PPG and draft London Plan and ii) the amenities of occupiers of the approved development (in particular those most exposed to emissions from the Garrick Road Industrial Estate) are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015. Measures protecting the amenities of occupiers of the approved development must reflect noise levels as models undertaken for the assessment indicate may be experienced from within those properties.

4. *In line with Planning Practice Guidance (see Appendix 1), a planning obligation should require information to be provided to prospective purchasers or occupants about mitigation measures that have been put in place in relation to the application’s status as an agent of change, to raise awareness and reduce the risk of post purchase/occupancy complaints. The text below is adapted from obligations agreed under a planning permission at Eileen House in Southwark (GLA ref: 1100a), which is located close to the Ministry of Sound nightclub.*

‘ADJOINING OCCUPIERS

The Owners and the Developer covenant with the Council [and the GLA] that:

- 1. the marketing materials given to each purchase or potential purchaser of a Dwelling (which for the purpose of this paragraph only will include anyone taking an interest by way of a lease) will contain information about the location of the Garrick Road Industrial Estate, NW9; and*
- 2. the lease of each Dwelling will contain information about the location of the Garrick Road Industrial Estate.*

SECTION 73 AND 96A APPLICATIONS

The Owner and the Developer covenant with the Council [and the GLA] that they will not make any applications pursuant to sections 73 or 96A of the Act to amend details securing the noise mitigation works unless the amendments improve or do not make worse the performance of the noise mitigation works.

NOISE MITIGATION

The Owner and the Developer covenant with the Council [and the GLA] that for a period of the shorter of:

- 1. twenty (20) years from the Completion of the Development; or*
- 2. the use or occupation of the Garrick Road Industrial Estate, NW9*

they will not make any planning application in relation to any part of the Site unless such planning application either improves or does not worsen the acoustic performance of the noise mitigation works approved under and conditioned by conditions [] of the Planning Permission unless the Owner and the Developer can demonstrate to the satisfaction of the Council that they have the written consent of the then owner(s) of the Garrick Road Industrial Estate.'

- 5. The 'Agent of Change' section at paragraphs 7.32 and 7.33 should be rewritten to reflect the above.*

Officer response: in respect of Agent of Change, the relevant policy is Draft London Plan Policy D13. The policy states the following:

In order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by:

1. avoiding significant adverse noise impacts on health and quality of life
2. reflecting the Agent of Change principle to ensure measures do not add unduly to the costs and administrative burdens on existing noise-generating uses
3. mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on development
4. improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
5. separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening or internal layout – in preference to sole reliance on sound insulation
6. where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
7. promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

Boroughs, and others with relevant responsibilities, should identify and nominate new Quiet Areas and protect existing Quiet Areas in line with the procedure in Defra's Noise Action Plan for Agglomerations.

In the Stage 1 response from the GLA, the following was noted in relation to Agent of Change. In line with draft London Plan Policy D12 the applicant will need to demonstrate that there would be sufficient mitigation measures in place to ensure that: i) the proposed combination of future employment and residential uses at the site would successfully coexist as part of the proposed co-location; and, ii) surrounding businesses/industrial areas would not be compromised by the proposed development in terms of their function, access, servicing and hours of operation, particularly in relation to block 1 and its relationship to nearby industrial uses and the A5.

In terms of the wording of condition 9, these conditions were specifically requested by the Council's Environmental Health officers and thus the main requirements of the conditions must be retained within the conditions. Nevertheless, the applicant has engaged with the respondent with a view and agreeing mutually appropriate wording which officers consider acceptable. The revised wording of the condition is set out below:

Condition 9 – Noise Assessment

Prior to the commencement of any above ground works for Phase 1 and 2 only, a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development, taking account of surrounding commercial development including Garrick Road Industrial Estate (including a modelling exercise to account for how the use of the estate may reasonably intensify over time and the maximum adverse effects which may arise) and measures to be implemented to address its findings shall be submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed-use noise in the immediate surroundings in accordance with Policy DMO4 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015. To ensure that the use of nearby land (including Garrick Road Industrial Estate) for its authorised purposes is not adversely affected, as per the 'agent of change' principle set out in the National Planning Policy Framework, Planning Practice Guidance and Policy D13 of the London Plan (Intend to Publish version 2019).

In relation to the respondent's request relating to S73/S96 applications, officers consider that it would be inappropriate for such a covenant to be entered into. At the time any such S73/S96 application is made to the LPA, full consideration would be given at that time as necessary. It would be inappropriate for the LPA to fetter the consideration of any such application through entering into such a covenant.

Additional Representation – Mr Gerry Glynn – Silk Stream Group

An additional representation was received from Mr Gerry Glynn, representing the Silk Stream Group which is set out below:

KEY ISSUES

1. New population of 2746 quoted in report. All schedules of room layouts show capacity for 3848 residents. Essentially a mini-town to be put on site. Potential for overcrowding to over 4133 people as occupancy is never monitored in high rise units.

2. Density of build, **exceeded** at 899 habitable rooms per hectare

3. Height of buildings, **exceeded** Tall Buildings Policy, not in any designated Tall Buildings area.

Comparing approved and committed sites to this proposal when it suits and then claiming that development must be assessed on its own merits as a standalone site and so can be acceptable deviations to policies – this is totally disingenuous.

Colindale BT exchange:

Phase 1 **13% over 8 storeys**

Phase 2&3 **25% over 7 storeys**

Silk Park: **92% is over 11 storeys** STAGGERINGLY EXCESSIVE

4. Single aspect flats in many towers, **poor design feature** that should not be accepted.

5. **Minimum distance between habitable rooms** in new buildings not provided. Many flats do not have the 21 m minimum between windows and planners are ignoring the fact that the taller the building the greater the separation distances required.

6. Many residents pass through **ALL** 10 local viewpoints from Malcolm Park to Colin Crescent, Russell Road and Station Rd bridge and the playing fields off Goldsmith Ave. The visual impact of this monster tower estate is devastating – destroying the character of the area.

Encroaching on Blackheath to St Paul's vista rules as the top of 28 storey block can be seen to the right of St Paul's cathedral

7. Issues such as pollution/traffic congestion/provision of infrastructure are not truly addressed when the solutions are financial contributions to council/TFL.

Traffic management/feasibility studies not current solution to existing increasing traffic conditions

Carbon offset payments do not reduce pollution long term

Employment/enterprise offset contributions do not help the employment/enterprise situation

8. Pollution: poor air quality admitted by Environment Agency- no way to mitigate that because traffic **will not** be reduced because of the extra cars and buses during and after construction.

9. Traffic congestion - Overall parking provision at 0.3 spaces per unit (the standard for this area is 0.7)

Increase in car movements from residents, visitors, users of supermarket and retail stores, large goods vehicle for deliveries and refuse

432 residents' car spaces. GLA has requested number to be reduced to 180 spaces to be compliant to GLA policies. Creates strain on public services (trains, tube and buses are already at breaking

point). Creates shortage of parking for residents. overspill onto local roads within 200m, now already seen on Rushgrove Ave, Colin Crescent, Goldsmith Ave and Hyde Crescent.

10. The site sits next to a protected industrial area of local significance, Garrick Road Industrial Estate. Current homes next to it already experience issues with noise and pollution from industrial activities eg Bread Factory operating 24/7 with regular 'booms' from its equipment all through the night. This proposal sits the closest to the industrial estate. It should remain a wholly commercial site in line with the industrial nature of the area including Silkbridge Retail Park and The Hyde.

Proposal is OVERDEVELOPMENT - built to the boundaries and breaking all height limits, affecting neighbouring properties, even those on the new build itself and next to Colindale BT exchange.

1. Many conditions attached can only be discharged during the life of the project; they are requirements to meet and if not met or cannot be met (e.g. remedial works for contamination, surveys for gas infrastructure or sewer capacity, Silk Stream boundary treatment) it causes delays and perhaps even amendments need to be sought to work through problems. The conditions are inadequate.
2. The proposal must be scrutinised closely to determine more definitively what is achievable. Too many loose ends to be decided later when this is a full planning permission application. It gives applicant too much leeway; at the end of 10 Or 15 years, the final development might be nothing like the original. e.g. Hendon Waterside increasing the building heights from the original storeys. The conditions attached are not definitive or specific enough for the life of the approval.
3. Even smaller householder developments require basement feasibility reports/flood risk reports/ drainage survey carried out and presented before the committee accepts and approves applications. Such an extensive build for residential and commercial use should have all necessary reports, assessments and studies carried out before presenting to committee for a decision.
4. If any sort of mixed-use development is proposed, it has to be more sensitive to the suburban nature of the area.

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