

**Location**                      **Elmbank Barnet Road Barnet EN5 3HD**

**Reference:**                    **15/03343/FUL**                      Received: 1st June 2015  
Accepted: 4th June 2015

Ward:                              High Barnet                              Expiry 3rd September 2015

Applicant:                        Linden Barnet LLP

Proposal:                         Demolition of existing buildings and erection of 114 residential dwellings (93 flats and 21 houses), car parking, landscaping and associated works

### **RECOMMENDATION I:**

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Highways Improvements - £15000 toward improvements to pedestrian crossing facilities and £5000 toward amending waiting restrictions at Barnet Road.
4. Local Employment Agreement to be completed.
5. Affordable Housing - Provision of 24 Affordable Housing units on-site, delivered as 14 Affordable Rent Units (14x 2-bed, 4-person) and 10 Shared Ownership units (10x 2-bed, 4-person units). Inclusion of an affordable housing review mechanism in the event development is not commenced within 12 months of the date of planning permission.
6. Travel Plan - A requirement that the developer shall enter into Travel Plans that seek to reduce reliance on the use of the private car, promote sustainable means of transport and include the appointment of an appropriately qualified Travel Plan Champion. This requirement includes a contribution of £15000 towards monitoring plus £300 as a travel plan incentive per dwelling.
7. Monitoring of the Agreement - £3168.

### **RECOMMENDATION II:**

That upon completion of the agreement the Service Director of Development Management and Building Control approve the planning application under delegated powers subject to the following conditions:

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

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

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

Drawing Nos. S101, S102, P101, P102D, P104, P106, P107, P109, P110A, P111A, P112A, P113A, P114A, P115A, P116A, P117A, P118B, P119B, P120B, P121A, P122A, P123A, P124A, P125B, P126A, P127A, P128A, P129A, P130B, P131A, P132A, P133A, P134A, P135A, P136A, P137A, P138A, P139B, P140B, P141B, P142B, P143A, P144A, P145A, Drainage Strategy 3853-FR001 Revision B.

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

- 3 a) Notwithstanding the details contained within the submission, no development other than site preparation works and ground works shall take place until details of the materials to be used for the external surfaces of the buildings (including details of windows and rainwater goods) 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 2015.

- 4 a) No development other than site preparation works shall take place until details of the levels of the buildings, roads and footpaths in relation to the adjoining land and highways and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.  
b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

5 a) No development other than site preparation works shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

c) No development other than site preparation works shall take place other than in accordance with the Written Scheme of Investigation approved under b).

d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2015.

6 a) No development or site preparation works shall take place on site until a Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for:

- 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.

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 and 5.18 of the London Plan (2015).

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A-F of Part 1 of Schedule 2 of that Order shall be carried out within the curtilage of the dwellinghouses hereby approved..

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

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

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

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Class A of Part 2 of Schedule 2 of that Order shall be carried out within the area between the front elevation of any approved building and the access road hereby approved.

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

- 10 a) Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby approved shall be first occupied until details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed buildings that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented.

b) Before the buildings hereby approved are first occupied the development shall be implemented in full accordance with the details and specifications as approved by this condition and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 11 a) Notwithstanding the details on the drawings hereby approved, before the development hereby permitted is first occupied, details of the method to secure privacy between balconies and adjacent properties, including elevations/specification of privacy screens to be installed, shall be submitted to and approved in writing by the

Local Planning Authority. The details shall include scaled drawings, details of the material and a plan showing the position in which they would be installed.

b) The screens shall thereafter be installed in accordance with the details approved under this condition before the development hereby permitted is first occupied and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

12 a) Before the development hereby permitted is first occupied, details of the subdivision of the individual amenity areas within the site, and the means of enclosure for the site including position and specification of an acoustic barrier to Plot 100, including details of materials and typical elevations shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

13 a) Notwithstanding the details submitted as part of this application, no site preparation works shall take place until a dimensioned tree protection plan (including details of any phasing) in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees and expanding on the principles of the submitted document 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 preparation works 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 2015.

14 a) Notwithstanding the submitted details, no development other than site preparation works shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) and means of installation of services, in relation to trees on and

adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015).

15 a) Notwithstanding the details submitted as part of this application, 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, including full details of the use and installation of structural cells, shall be submitted to and agreed in writing by the Local Planning Authority before site construction works hereby permitted are first commenced.

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 April 2013) and 7.21 of the London Plan 2015.

16 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than site preparation works and ground 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 April 2013).

17 a) No site preparation works 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 2015.

18 The dwellings hereby approved shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 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.

19 Before the development hereby permitted is first occupied or the use first commences the car and bicycle parking spaces and garages shown on Drawing Nos. P110A, P111A, P121A, P129A, P131A, P139A, P141A, P143A, P145A shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

20 Prior to the first occupation of the development hereby approved, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. location and layout of car parking spaces;
- ii. The allocation of car parking spaces;
- iii. On site parking controls;
- iv. The method of enforcement of unauthorised parking;
- v. Locations of disabled parking spaces;
- vi. The monitoring of Electrical Vehicle Charging Points, including when additional spaces are required to be brought into operation.

The Car Parking Management Plan shall thereafter be implemented in accordance with the approved details immediately following the first occupation of the development hereby approved.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

21 a) Prior to the first occupation of the development hereby approved, details of a warning system to vehicles entering the single lane ramp to the underground car park and details of a maintenance agreement for the operation of the warning system shall be submitted to and approved in writing by the Local Planning Authority

b) The warning system shall be installed prior to the first occupation of the development hereby approved, and the maintenance agreement secured immediately following first occupation and permanently maintained thereafter.

Reason: To ensure the safe form of access to the development and to conform to London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

22 a) Prior to the first occupation of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20 per-cent of the proposed car parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 20 per-cent of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

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

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.

23 Prior to the first occupation of the development hereby approved, a Waiver of liability and indemnity agreement in relation to the non-adopted roads within the development must be signed by the developer and be submitted to and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private roads arising from and/ or in connection with the collection of waste by the Council from the premises.

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

24 a) Notwithstanding the details submitted with the application, prior to the commencement of any construction works on site details of the specification and position of trickle ventilation to be installed in accordance with Noise Impact



Assessment 90985R3 shall be submitted to and approved in writing by the Local Planning Authority.

b) The trickle ventilation shall thereafter be installed in accordance with the details approved under this condition, and retained as such thereafter.

Reason: To ensure the development provides satisfactory quality of internal space for future occupants in accordance with Policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012).

25 a) Prior to the first occupation of the development hereby approved details of the size, design and siting of all solar PV panels to be installed as part of the development shall be submitted to and approved in writing by the Local Planning Authority.

b) The solar PV panels shall thereafter be installed in accordance with the details approved by this condition prior to the first occupation of the development hereby approved, and maintained as such thereafter.

Reason: To safeguard the character and visual amenities of the site in accordance with Policy DM01 of the Development Management Policies DPD.

26 a) Notwithstanding the details hereby submitted, prior to the first occupation of the development hereby permitted plans, details and specifications of all external lighting to be installed as part of the development, including measures to minimise the impact on biodiversity, shall be submitted to and approved in writing by the Local Planning Authority.

b) The external lighting shall thereafter be installed in accordance with the details as approved by this condition prior to the first occupation of the development hereby approved and maintained as such thereafter.

Reason: In order to protect the character of the area and biodiversity, in accordance with Policies DM01 and DM16 of the Development Management Policies DPD.

27 a) Notwithstanding the details submitted with the application, prior to the commencement of any construction works on site details of the type and siting of ecological mitigation and enhancement measures, including bird boxes, bat boxes and invertebrate log piles as recommended in the submitted Ecological Appraisal shall be submitted to and approved in writing by the Local Planning Authority.

b) The ecological mitigation and enhancement measures shall thereafter be installed in accordance with the approved details prior to the first occupation of the development hereby approved, and permanently maintained as such thereafter.

Reason: In order to ensure the retention and enhancement of biodiversity within the site, in accordance with Policy DM16 of the Development Management Policies DPD.

28 a) Notwithstanding the details submitted in the drawings hereby approved, prior to the commencement of any construction works on site details of the following features shall be submitted to and approved in writing by the Local Planning Authority:

- Elevations at 1:10 of the proposed timber windows and doors, and brick surrounds;

- Elevations at 1:10 of the balustrading to be used for all balconies;

- Details of the proposed metal rainwater goods;
- Details of the proposed chimneys
- 1:10 (or similar) details of the proposed rooflights

b) The development shall thereafter be constructed in accordance with the details as approved by this condition.

Reason: To safeguard the character and visual amenities of the site in accordance with Policy DM01 of the Development Management Policies DPD.

- 29 a) No development other than demolition work shall take place until details of the location within the development and specification of the 10 per-cent of units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

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

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2015.

- 30 All works in respect of drainage shall be undertaken in accordance with Structa Flood Risk Assessment and Drainage Strategy 3853-FR001 Revision B.

Reason: In order to ensure the development makes suitable provision for water run-off and not result in sewer flooding, in accordance with Policy DM04 of the Development Management Policies DPD and the Sustainable Design and Construction SPD.

- 31 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 London Plan (2015).

- 32 a) Before the development hereby permitted is first occupied, details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years shall be 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 2015.

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

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

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013), the Planning Obligations SPD (adopted April 2013) and Policy 3.6 of the London Plan 2015.

34 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 40% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

### **RECOMMENDATION III**

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 18 December 2015, unless otherwise agreed in writing with the Service Director of Development Management and Building Control, the Service Director of Development Management and Building Control **REFUSE** the application under delegated powers for the following reasons:

1) The proposed development does not include a formal undertaking to secure the delivery of highway improvements and sustainable transport objectives and the associated costs and monitoring. The proposal would therefore not address the impacts of the development, contrary to CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

2) The proposed development does not include a formal undertaking to secure the provision of affordable housing. The proposal would therefore not address the impacts of the development, contrary to Policy 3.19 of the London Plan 2015, Policy DM10 of the Development Management Policies DPD (adopted September 2012), Policy CS4 and CS15 of the Local Plan Core Strategy (adopted September 2012), the Affordable Housing SPD (2009), and the Planning Obligations SPD (adopted April 2013).

3) The proposed development does not include a formal undertaking to secure the provision of apprenticeships and therefore ensure the development positively contributes to Barnet's economy. The proposal would therefore not address the impacts of the development, contrary to Policy CS8 and CS15 of the Local Plan Core Strategy (adopted September 2012), DM14 of the Development Management Policies DPD (September 2012), the Delivering Skills, Employment, Enterprise and Training from Development through S106 SPD (October 2014) and the Planning Obligations SPD (adopted April 2013).

### **Informative(s):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered 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 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 7294.

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 6 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 7 Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.
- 8 The applicant is advised that, in respect of the condition above related to Tree Protection and Method Statement, that the expanded method statement should contain details of the precise methodology to be used throughout the build process, and should allow for direct on-site arboricultural supervision during the installation of services within and immediately adjacent to the Root Protection Area of retained trees.
- 9 The applicant must submit an application under Section 184 or Section 278 of the Highways Act (1980) for the proposed vehicular access. 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. This may involve relocation of any existing street furniture and would need to be done by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via [crossovers@barnet.gov.uk](mailto:crossovers@barnet.gov.uk).
- 10 The applicant is advised that Barnet Road is a Traffic Sensitive Routes; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction and the Highways Authority should be consulted in this respect. The applicant must ensure that site and/or delivery vehicles do not impede traffic on the public highway and that traffic flow on the High Road is maintained at all times.
- 11 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work

are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

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. 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 therefore been assessed at this time as liable for Mayoral and Barnet CIL. Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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

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

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

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

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](http://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](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](http://legislation.gov.uk)

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

12 The applicant is advised that for the purposes of the planning conditions attached to this notice, the terms are defined as follows:

1) Site Preparation Works - Include the following works:

- Demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing up foundations.
- Removal of existing and surplus rubble from the site.
- The erection or re-establishment of a hoarding line for the construction site.
- Providing piling matting.
- Providing clear health and safety information on the site.

2) Ground Works - Include the following works:

- Removal of services on the site including service trenches.
- Piling works.
- Substructure and underground drainage works.
- Installation of services and utilities.
- Construction of basement car parking and ground floor slab.
- Ground levelling works.

3) Construction works - Is defined as:

- Superstructure works above the ground floor slab.

## **Officer's Assessment**

### **1. Site Description**

The application site is accessed via Barnet Road, and is on the south side of Barnet Road opposite The Arkley Public House, close to the junction between Barnet Road and Galley Lane. It is a rectangular plot of approximately 1.57 hectares (3.9 acres).

The application site is derelict, having been vacant for a number of years. The site contains seven buildings. Six, including the building closest to Barnet Road, are three storey buildings with pitched roofs. The seventh is a two storey building. These were formerly used as accommodation for hospital staff with associated offices. None of the buildings on site are statutorily or locally listed, and many of the buildings are in a poor structural condition, having been the subject of vandalism.

The application site contains a number of trees, many of which are high quality species protected by Tree Preservation Orders. Many of the trees along the eastern boundary are located within the Wood Street conservation area, and therefore benefit from protection.

The application site contains one point of access from Barnet Road. There is a driveway, currently overgrown, which runs down the site providing access to the existing buildings. The site slopes down from north to south.

The Wood Street Conservation Area and Whalebone Park abut the eastern boundary of the application site. The site is not within the conservation area. Office buildings associated with Barnet General Hospital are to the south of the site. Residential dwellings fronting Elmbank Avenue are to the west of the site and Barnet Road is to the north.

Other than The Arkley Public House to the north and Barnet Hospital to the south east, the immediate surroundings to the application site are residential with suburban detached and semi-detached buildings characterising the area.

### **2. Site History**

N01070CK/06: Demolition of all existing buildings on site and the erection of a residential development of 23 houses and 78 flats with associated parking and landscaping (Outline). Approved subject to conditions and a legal agreement.

### **3. Proposal**

This application proposes the demolition of all existing buildings on the site, and the redevelopment of the site to provide a total of 114 residential units, comprising 21 houses and 93 flats. The scheme includes the associated car parking and hard and soft landscaping works. The development would be accessed from the existing single access point with Barnet Road.

The proposed units would have the following mix:

- One bedroom flat: 17
- Two bedroom flat: 70
- Three bedroom flat: 6
- Three bedroom house: 9
- Four bedroom house: 10
- Five bedroom house: 2

The proposed development has been split into four character areas:



1) Barnet Road Frontage: The main frontage of the site would contain four two-storey buildings with rooms in the roofspace. These would contain flats and would be set back approximately 8m from Barnet Road. The buildings would include two storey front-projecting elements to reflect the design and appearance of neighbouring houses. The front elevations would include front entrance doors to ensure the site has an active frontage to Barnet Road, and to give the impression of being single family houses akin to the surrounding development.

2) Villas: On entering the site, the first buildings would be detached and semi-detached two storey houses with rooms in the roofspace. These would each have private gardens, and would overlook the open space and mature TPO trees.

3) Courts: To the south eastern side of the site, flatted buildings of between three and four storeys with rooms in the roofspace. These would be at least 6m from the boundary between the application site at Whalebone Park.

4) Terraces and semi-detached: To the south-western side of the site, two pairs of semi-detached houses and three terraces of three houses are proposed. Each would be two storeys when viewed from the front, with rooms in the roofspace. However due to the topography of the site the rear elevations would have additional lower ground floor levels. They would be set at least 10.5 metres from the common boundary with the properties which front Elmbank Avenue.

All proposed buildings would have tiled pitched roofs and prominent chimneys, as well as traditional windows, doors and porches. The majority of the buildings would include crown roof elements, and these would contain photovoltaic panels.

The existing protected trees would be retained, and protected during construction works. Additional tree planting and soft landscaping would be incorporated to enhance the character, appearance and setting of the site.

Car parking would be split between surface car parking spaces, and basement/undercroft car parking spaces (with one basement car park beneath the three buildings fronting Barnet Road, and undercroft car parks and parking spaces beneath the flatted buildings containing plots 28-53 and 63-78). Two of the detached houses would include garages. The application proposes a total of 136 car parking spaces, including 6 visitor spaces.

The application is accompanied by the following supporting documents (key points summarised where relevant):

#### Planning Statement

- There is a significant change in levels across the site which falls from Barnet Road toward the south. Beyond the Barnet Road frontage there is an opportunity to create a unique character within the site which draws upon its surroundings. This has enabled the architects to define a subtle transition between four character zones.
- The first zone reflects the frontage to Barnet Road and comprises four apartment blocks which have been designed to appear as large houses with clear separation reflecting the surrounding character of Barnet Road.
- Beyond the frontage the TPO trees are used as a focal point to create an open space with natural surveillance.
- The transition further south leads into three groups of three terraced houses, with apartment blocks and courtyard apartment blocks to the east.

- The internal access road will remain in its current location as it enters the site between the trees.
- The majority of the parking is located at basement and undercroft level, limiting the impact of surface parking on the area.
- The existing buildings are in a dilapidated state due to their extended period of vacancy and subsequent vandalism from trespassers. The site remains susceptible to anti-social behaviour and has a blighting effect on neighbouring properties.
- Having previously been used as staff accommodation and offices associated with the hospital, the existing land use of the site falls under use class C2. However, following the provision of additional staff accommodation at Chase Farm Hospital, the site was deemed surplus to requirements and sold by Barnet and Chase Farm Hospitals NHS trust.
- The suitability of the site for residential use has previously been established.
- The site has a PTAL rating of 2 and is located within a suburban setting. The scheme proposes a total of 114 units which equates to 71 units per hectare, which is within the identified range in the London Plan for this PTAL of 35-95 units per hectare. This is in keeping with the principles of sustainable development and making best use of this brownfield site, and optimising land for a new sustainable residential development.
- The scheme has been designed to contribute toward housing choice in the borough. To address the priority for larger units, all of the 2 bedroom units are designed as 2 bedroom, 4 person units. The scheme provides a further 27 units as 3-, 4- and 5-bed houses.
- The scheme has been designed to respect adjoining neighbours and character of the surrounding area. The buildings range from 2.5 to 3.5 storeys and the lowest (2.5 storeys) are along the north and west boundaries of the site, with heights increasing toward the south and east.
- The scheme has been designed to provide children's play space in accordance with the London Plan.
- The site borders the Wood Street conservation area to the east and has been designed to preserve the character and appearance of the area through the design, scale, massing and siting of the proposed buildings.
- The scheme will retain the existing access to the site, which will be amended to ensure adequate visibility splays and a clearly defined pedestrian and vehicular access. A total of 136 parking spaces are to be provided, which includes 6 visitor spaces.
- In order to minimise impacts on climate change, the dwellings have been designed to achieve a balance between solar gain and heat losses to be lean and use less energy. Photovoltaics are also proposed to be green.

### Design and Access Statement

- The design philosophy at Elmbank is to create a traditional development using familiar built forms and materials in keeping with the locality whilst respecting existing trees and a steeply sloping site. Steeply sloping roofs and prominent chimneys are used throughout, alongside traditional windows, doors and porches.
- Mature and substantial trees occupy a central portion of the site which will be utilised as a public open space.
- The scheme has been designed to respect adjoining neighbours and the character of the surrounding area. Storey heights range from 2.5 to 3.5 plus basement (to the apartment buildings).
- The proposed materials reflect and complement those used in the existing development surrounding the site, including clay tiled roofs, red brick walls, white painted timber windows, black painted steel balconies, black rainwater goods.
- Layout of the development has been designed to prevent crime and the fear of crime.

### Ecological Appraisal

- The site includes no statutory ecological designations. The nearest non-statutory nature conservation designation is the Arkley Lane and Pastures Site of Importance for Nature Conservation (SINC), however this is on the other side of Barnet Road from the site and the proposal is unlikely to result in adverse effects on the SINC.
- A large proportion of the site is former amenity grassland which appears to have been unmanaged for some time. The habitat is considered to be of low ecological value.
- A small area of woodland is present along the western boundary of the site, comprising young to mature trees forming a mix of native and non-native species. It is a poor example of woodland due to the prevalence of non-native species, the lack of recent management and the species-poor ground flora and is considered to be of low ecological value.
- There are four tree-belts within the site, which consist mostly of native species. The ground flora is poor. This habitat is considered to be of low to moderate ecological value at the local level.
- The buildings and hard standing support limited botanical interest and are considered to be of negligible ecological value at the site level.
- No evidence of roosting bats was recorded. Three buildings are considered to have low bat potential, whilst four are considered to have high bat potential. One tree on site was considered to offer moderate potential for roosting bats. No emerging or re-emerging bats were recorded at the buildings.
- Bat activity at the site is low, with activity most frequently recorded in the south of the site, although no prolonged foraging activity was recorded. It is considered that the site is of low to moderate value at the local level for foraging and commuting bats. The proposal will maintain opportunities for foraging bats in the form of the eastern tree belt, scattered trees and residential gardens.
- No badger setts or any other signs of Badger were recorded within or in close proximity to the site, and badger should therefore not represent a constraint to the development.
- No other mammals were identified on site and the site is of no more than low value to other mammals.
- The site offers some nesting and foraging opportunities for common bird species in trees and scrub, but the wider surrounds offer similar opportunities and the site is considered to be of low value to birds.
- No ponds are present within the site. Whilst suitable terrestrial habitat is present within the site, the majority is likely to have arisen recently following the abandonment of the site. It is considered unlikely that Great Crested Newt would be present within the site. Reptile surveys have revealed no reptiles on the site.
- It is recommended that trees are safeguarded during the construction phase.
- Sensitive lighting design should be used to reduce any adverse impact on bats.
- Bat and bird boxes should be installed to enhance these populations.

#### Flood Risk Assessment

- The risk of flooding from rivers, groundwater, sewers and reservoirs is considered to be low.
- The surface water drainage network for the development shall be designed to accommodate the 1 in 100 year return period storm event plus a 30% allowance for climate change.
- The implementation of the suggested drainage principals will ensure that the development does not increase the risk of flooding to the surrounding area.

#### Landscape and Visual Impact Assessment

- The application site is run down and its open spaces are in poor condition. There is a high sense of enclosure throughout the area as mature trees and vegetation limit views out to the wider landscape.

- The surrounding built development includes areas with wide suburban streets with large detached and semi-detached houses set in large plots separated by mature hedges creating a sense of separation and varied architectural style. It also includes suburban streets with undulating topography, with tree planting.
- The scale of the new buildings will be in keeping with those previously found on the site with smaller detached and semi-detached properties ranging to larger apartment blocks. The massing across the site will increase but this will be softened by the retention of existing mature trees and vegetation and an improved green infrastructure.
- The private open space at Whalebone Park is well screened from the site by mature boundary tree and hedgerow vegetation, and this will be improved as part of the development. The proposed development will be an improvement on the site's current condition as a derelict site and this will have a positive effect on the setting of Whalebone Park.
- The quality of the proposed housing and enhanced green infrastructure will complement the neighbouring suburban areas and reflect the local vernacular.

#### Transport Assessment, Transport Assessment Addendum and Travel Plan

- The existing 6m wide crossover will be re-constructed as a new 5.5m wide bellmouth with a 1.8m wide footway along the eastern edge.
- The level of car parking proposed is in accordance with Barnet's Parking Standards. 136 spaces are proposed, which equates to 1.2 spaces per unit.
- Space for 228 bicycles is to be provided, in excess of the minimum standard of 214 spaces.
- The estimated number of trips during the morning peak (08:00 to 09:00) is 33, with 35 estimated during the evening peak (18:00-19:00).
- TfL accident data has been analysed and covers a period between 1 January 2010 and 31 December 2014. A total of 37 accidents are identified, none of which were closer than 50m from the site frontage on Barnet Road. The six serious and one fatal casualties identified appear to be attributed to poor judgement and possibly reckless driving or failure to look properly. None concern the road geometry or profile, or inadequate visibility. This demonstrates there are no highway safety issues which need to be addressed as part of the proposals.
- The proposal is anticipated to increase trips on Barnet Road at the peak hour by 2.5% (AM) and 2.8% (PM). The most significant relative changes in traffic flows as a result of the development would occur over the course of the entire day rather than the peak hour. This reflects the fact that commercial, non-residential traffic tends to make up a greater proportion of trips during the peak whilst residential trips tend to be spread out over the course of a day.
- Adequate visibility splays at the access to the development will be provided and maintained to ensure vehicles egressing from the development will be able to undertake the manoeuvre in a safe approach.
- Electric charging provision is to be provided in accordance with the London Plan with 20% of spaces including fully wired and connected charge points, with a further 20% of spaces including all the necessary cabling and electrical connections so that a charge point may be fitted at a later date.
- 24hr vehicle speed surveys have been undertaken, and the findings are consistent with the proposed visibility requirements.

#### Daylight and Sunlight Report

- Confirms the proposed development would achieve BRE guidelines in respect of the impact on neighbouring properties, and the proposed accommodation will achieve the recommended minimum level of daylight.

### Air Quality Assessment

- Pollutant levels across the site below relevant air quality standards, as such the location is considered suitable for residential use without the inclusion of mitigation methods.

### Noise Impact Assessment

- Alternative ventilation should be provided for certain habitable rooms with line of sight to Barnet Road or the commercial premises.

- Acoustic barriers are recommended for certain garden areas.

### Sustainability Statement

- Solar photovoltaic panels will be installed on the buildings to comply with the London Plan target of 35% reduction in CO2 emissions.

### Statement of Community Involvement

- Invitations to attend meetings were sent to 64 properties. 20 local residents attended.

## **4. Consultation**

### **4.1. Public Consultation**

Consultation letters were sent to 97 neighbouring properties. A site notice was displayed, and a notice was also published in the newspaper.

18 responses have been received, comprising 15 letters of objection and 3 letters of comment.

The objections received can be summarised as follows:

- What improvements will the applicant be making toward public transport?
- There should be provision for commercial accommodation at the scheme.
- There is not enough on-site parking proposed, and this will lead to more parking on neighbouring streets. Controlled parking zones should be introduced in the area.
- The proposed access is opposite a junction and on a dangerous bend.
- Proposal will affect the already terrible traffic on Barnet Road, having a detrimental effect on the infrastructure of the area.
- The single access will cause bottle-necks on the main road.
- Additional traffic will adversely impact on ambulances and other hospital-bound vehicles.
- The scale of the development is too much and will make this part of Barnet feel over-built.
- Neighbours will suffer from loss of light, overlooking and loss of privacy.
- Noise and disturbance from the dwellings will be unbearable and will fundamentally change the nature of the area.
- Two year development time will cause serious disruption.
- Air pollution readings in the report are not representative of Barnet Road usage, as closures of the A1 cause additional traffic congestion.
- There are no other flats in Arkley and this scheme could set a precedent and affect the surrounding environment.
- Local schools are already oversubscribed.

The representations received can be summarised as follows:

- Hope mature trees in conservation area will be retained.
- Will the new access include a roundabout at the Galley Lane junction?
- Has schooling been considered for new residents, as there is limited capacity.
- Neighbouring roads are already at parking capacity and proposal could bring even more vehicles to this congested area.

In addition, responses have been received from the following:

#### Theresa Villiers MP

- Accept that this site should be used for housing as brownfield land. However, it would be more in keeping with the surrounding area for the development to consist entirely of houses rather than a combination of houses and flats. Arkley is almost entirely made up of houses.
- Concerned about the number of flats compared to houses (21 houses and 93 flats) given the low accessibility of public transport in the area.
- Concern has been expressed about cars leaving and entering the site because of the junction with the main road, especially at school times. Further work needs to be done to ensure the safety of motorists and pedestrians.
- More car parking spaces should be provided to reduce the risk of new residents parking in surrounding roads which already face difficulties because of hospital parking.
- Protected and unprotected trees should be retained.
- Proper storage should be provided for waste bins.

#### Andrew Dismore AM

- This is seen locally in the community as a floodgates project which will be the thin edge of the wedge. Residents are concerned that further development will be planned in the area, including tall buildings.
- Proposal will fundamentally change the character of the local area and lead to high density development.
- The development will make a bad traffic situation even worse due to the extra vehicle movements. Enforced double yellow line parking restrictions will be needed.
- The London Plan and Barnet's planning policies require 40% of a development of this size to be affordable subject to viability. The Plot Schedule accompanying the application referring to the tenure mix indicates that the developer proposes no affordable element. The developers have not made out the case as to why they should be exempted from this requirement.
- If to be approved, the development must be required to meet the Borough's affordable homes target of 40% of which half should be for rent and half for intermediate tenure. Some should be designated for key worker homes.

#### The Barnet Society

- The society generally supports the proposals which on the whole make good use of a site suitable for residential use. However, we have a number of reservations as follows:
  - Density. This is high for a site which is among the least accessible to town centre or tube in Chipping Barnet. Since most residents are likely to be commuters, this has unfortunate implications for transport (see below).
  - Housing mix. Over 80% of the units are apartments, but we would prefer a higher proportion of family homes and gardens.
  - Affordable homes. We regret that the Council appears not to require a proportion of these.
  - Transport and highways. We are concerned that the sole site access road from Barnet Road has poor sight-lines onto busy and fast-moving traffic. The junction could be congested and hazardous, especially at peak times.
  - Car parking. Parking space near the blocks on Barnet Road looks very limited.
  - Cycles. We welcome the 228 cycle parking places to be provided, but suspect that demand may be more for motorbikes or scooters.

- Height and massing. Although most of the development is hidden by trees, we are concerned about the bulkiness of the blocks on Barnet Road. Setting at least two of them back could alleviate this and provide better sight-lines.
- Building design. We are neutral about the Arts & Crafts/Edwardian Classical architectural style, which would not be out of place, though 21st century design of quality would be equally acceptable on this secluded site.
- Landscape design. The proposals are generally sympathetic, but we do not accept the case for removing all the existing trees along the southern two-thirds of the south-west boundary. The retained conifers along the northern third are very likely to overshadow the new apartments.
- Sustainability. We welcome the commitment to Level 4 of Code for Sustainable Homes.

#### Hendon and District Archaeological Society

Elmbank is a very large site on the edge of the Galley Lane archaeological priority area, close to the Kings Road mediaeval kiln site. We believe therefore that there should be an archaeological condition imposed to ensure that any mediaeval pottery present is recorded and made available for study.

## **4.2. Consultee Responses**

### Trees and Landscape

No objections are raised, subject to conditions which secure protection to the trees within and adjacent to the site, and conditions which secure adequate landscaping.

### Traffic and Development

The proposal is for the demolition of former staff accommodation and offices for the NHS Trust on the Elmbank Site and the redevelopment of the site to provide residential accommodation. There will be a total of 114 units (2no. 5bed, 10 no.4 bed, 15no. 3 bed, 70 no. 2 bed, 17no. 1 bed). A total of 136 parking spaces (including integral garage spaces) are proposed. Vehicular access to the site will be via the existing access on Barnet Road.

The site is not within a Controlled Parking Zone. Parking restrictions vary along the A411 Barnet Road with no parking at any time restrictions; unrestricted marked on street parking bays and controlled parking zone bays. The parking provision of 136 spaces for 114 units is in accordance with the parking standards set out in London Borough of Barnet's Local Plan Policy DM17 of Development Management Policies (Adopted) September 2012. Disabled parking is also provided at an appropriate level.

Notwithstanding the submitted information allocating 6 spaces for visitor use, a Car Park Management Plan condition should be included to provide revised details of car parking allocation, to include provision of 2 spaces for each of the properties with 4 or more bedrooms and at least one space for each of the other properties, not exceeding the maximum of 1 space for 1-bedroom unit and an average of 1.5 spaces for 2 and 3 bedroom units.

Although the number of parking spaces are being provided at an acceptable level for the development, the location of the development encourages vehicles to park or unload on Barnet Road, affecting the free flow of traffic and highway safety. To prevent parking in this location it will be necessary to implement a waiting/loading restriction along this section of Barnet Road. This will require amendments to the Traffic Regulation Order that covers the waiting and loading restrictions. The cost of the amendments and signing and lining will be included as part of the Section 106 Contribution.

The ramp access to the underground car parking spaces must include a warning system for which only allow one way movement. A condition must also be included to provide access details of access roads within the site including ramp layout and gradients.

Cycle Parking: The proposal includes 228 cycle parking provision which is in excess of the standard recommended in the Local Plan.

Access Arrangements: The existing access to the Elmbank Site via Barnet Road will be upgraded. The access will be 5.5 metres in width and incorporate a footway on both sides of the road, 1.8 metres in width. These dimensions are acceptable for a development of this size.

Public Transport and Pedestrian Links: The public transport accessibility for the site was assessed as 2 and is therefore at the high end of the low accessibility level range. Although the site has a low PTAL, there are bus stops on Barnet Road and Wellhouse Lane close to the site. Bus routes in the vicinity of the site provide access to several locations as detailed on Table 6.3 of the Transport Assessment including access to the Northern Line High Barnet and Edgware underground stations, providing links to central London and the City. A contribution has been included in the Section 106 which will provide pedestrian improvements to facilitate access to the bus stop in Barnet Road on the opposite side of the road from the site.

Traffic Impact: A Transport Statement has been submitted with the application and it confirms that there will be a slight increase in trips to the site as a result of the re-development as detailed on Table 9 of the Transport Assessment. A total of 33 and 35 two way trips are expected in the AM and PM peak hours respectively. This would represent an average of one vehicle movement every two minutes and would represent an increase of 1.3% compared to the traffic flows expected on Barnet Road without accounting for the expected increase of 33/ 35 movements at peak hours as detailed on Table 12 in the Transport assessment. Therefore the trip generation associated with the development will not result in a material increase.

Travel Plan: Due to the size of the proposed development, a Travel Plan will be required, to be secured via S106:

#### Scientific Services (Environmental Health)

Construction method statement and noise mitigation measures should be conditioned.

#### Environment Agency

There are no constraints on the site that fall under our remit. We therefore consider the proposal to pose a low environmental risk to flooding, controlled waters and the water environment.

#### Thames Water

With regard to sewerage infrastructure capacity, Thames Water would not have any objections to the planning application.

#### Historic England: Archaeology

Although the application site does not lie within an Archaeological Priority Area it is close to the Gallery Lane APA and well above the 0.4 hectare threshold for consultation recommended in the GLAAS Charter and is within 100m of a recorded medieval pottery kiln. However, I also note that it has been previously developed and appears to lie on the former Barnet Common which the aforementioned kiln may have lain on the edge of. On



balance I consider the northern part of the site to have moderate potential for remains of medieval pottery production where not heavily disturbed by modern development.

Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a condition could provide an acceptable safeguard. A condition is therefore recommended to require a two-stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. The archaeological interest should therefore be conserved by attaching a condition.

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth. At the heart of the NPPF is a presumption in favour of sustainable development, which means approving development proposals that accord with the development plan without delay. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The NPPF sets out 12 Core Planning Principles. These include:

- Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Planning should take account of the different roles and character of different areas;
- Planning should contribute to conserving and enhancing the natural environment;
- Planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

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'. Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area over the lifetime of the development, should establish a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, work and visit, and should respond to local character and history. The NPPF also makes it clear that planning policies and decisions should not attempt to impose architectural styles or particular tastes, and should not stifle innovation, originality or initiative.

#### The Mayor's London Plan 2015

The Further Alterations to the London Plan, the overall strategic plan for London, sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

The revisions consolidated in the 2015 plan have been driven partly by the realisation that the population of London has grown much faster than was anticipated in the 2011 London Plan. As a result, London's annual housing target has been increased.

Policy 3.3 sets out that the Mayor recognises the pressing need for more homes in London, and the Mayor will seek to ensure housing provision consistent with at least an annual average of 42,000 net additional homes. The Plan sets out a minimum ten year target for Barnet of 23,489 homes. Policy 3.5 confirms that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.

Other relevant policies include Policy 3.4 (optimising housing potential), 3.6 (Ensure all children and young people have safe access to good quality, well designed, secure and stimulating play and informal recreation), 3.8 (Housing Choice), 3.9 (Mixed and balanced communities should be promoted), 3.11, 3.12 and 3.13 (Seek to maximise affordable housing provision), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 5.7 (Renewable Energy), 5.13 (Sustainable Drainage), 5.14 (Water quality and wastewater infrastructure), 5.15 (Water use and supplies), 6.9 (Cycling), 6.13 (Parking), 7.1 (Lifetime neighbourhoods), 7.3 (Designing Out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture), 7.8 (Archaeology), 7.19 (Biodiversity and access to nature), 7.21 (Trees and woodland).

The Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012) and Housing SPG are also of relevance.

#### Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF (Compliance with the NPPF), CS1 (Barnet's place shaping strategy), CS4 (Providing quality homes and housing choice in Barnet), CS5 (Protecting and enhancing Barnet's character to create high quality places), CS9 (Providing safe, effective and efficient travel), CS13 (Ensuring the efficient use of natural resources), CS14 (Dealing with our waste).

- Relevant Development Management Policies: DM01 (Protecting Barnet's character and amenity), DM02 (Development standards), DM03 (Accessibility and inclusive design), DM04 (Environmental considerations for development), DM06 (Barnet's heritage and conservation) DM08 (Ensuring a variety of sizes of new homes to meet housing need), DM10 (Affordable housing contributions), DM16 (Biodiversity), DM17 (Travel impact and parking standards).

#### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

Residential Design Guidance SPD (adopted April 2013)

Affordable Housing SPD (February 2007)

Planning Obligations SPD

Delivering Skills, Employment, Enterprise and Training from Development through S106 SPD.

Wood Street Conservation Area Character Appraisal.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether the principle of residential development at the site is acceptable;
- Whether sufficient affordable housing units would be provided;
- Whether harm would be caused to the character and appearance of the street scene and the wider locality, or to the setting of the adjacent conservation area;
- Whether a satisfactory quality of accommodation would be provided for future occupants;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to trees of special amenity value;
- Whether harm would be caused to highway safety;
- Whether harm would be caused to biodiversity;

## **5.3 Assessment of proposals**

### **Principle of the proposed residential development**

As noted above, the existing buildings on the site were last used as staff accommodation and offices associated with Barnet Hospital. However, following the provision of additional staff accommodation at Chase Farm Hospital, the site was deemed surplus to requirements and sold by the Barnet and Chase Farm Hospitals NHS Trust.

The principle of the change of use of the site from Use Class C2 (residential institution - accommodation used in connection with the hospital) to Use Class C3 (Residential) was considered acceptable as part of the previous grant of outline planning permission in 2006. Whilst that outline planning permission was not implemented and has now expired, it carries some weight as a material consideration.

Having regard to the fact that permission has previously been granted for a residential scheme on this site, and that the existing accommodation has been vacant for a number of years after being deemed surplus to requirements, it is not considered that the loss of the existing use is objectionable in principle.

The existing buildings are dilapidated and in a poor state of repair, and as a result no objections are raised to their demolition.

### **Affordable housing provision**

Policy DM10 of the Development Management Policies DPD states that having regard to the borough-wide target that 40 per-cent of housing provision should be affordable, the maximum reasonable amount of affordable housing will be required on site, subject to

viability, from all new sites providing 10 or more units. The tenure mix which is sought is 60 per-cent social rented and 40 per-cent intermediate.

Following the Local Planning Authority's assessment of the applicant's Affordable Housing Viability Appraisal, the applicant has put forward an offer of a total of 24 affordable housing units to be provided. This comprises 21 per-cent of the total housing proposed. The affordable housing proposed includes 14 units for affordable rent and 10 units for shared ownership which reflects the 60-40 split required above. The LPA's assessment concludes that this is the maximum amount of affordable housing that can be provided on site subject to viability.

### **Impact on the character and appearance of the area**

The proposed development takes on a fairly traditional design, with sloping tiled pitched and hipped roofs, brick facades and traditional windows, porches and doors. Whilst areas of crown roof are included, these have been designed to not impact on the character of the buildings, and would be similar to other crown roofed buildings in the area, including along Galley Lane.

The buildings to the front would be well spaced, to reflect the spacious character of the surrounding area and the neighbouring houses which front Barnet Road. The buildings on each corner of the frontage would be prominent in the street scene, introducing tall built form where previously there has not been any substantial construction. Nevertheless the flank elevations have been designed to be attractive and well animated. Soft landscaping (both existing and proposed) to the side boundaries would act to soften the visual impact of the flank elevations. Whilst the building containing plots 1-3 (to the north western corner of the site) is set closer to Barnet Road than the neighbouring building, it is set away from the site boundary and is therefore not considered to appear as an overly prominent building which would be harmful to the character and appearance of the street scene. The spacing between buildings and the site boundaries is considered to reflect that at neighbouring plots, to ensure the frontage buildings do not appear cramped within the site. The frontage buildings have been designed to give the impression of being single family houses, to reflect the occupancy of neighbouring dwellings.

Further into the site, the detached and pairs of semi-detached houses are set on spacious plots with adequate garden depths. Their spacing allows glimpsed views between the buildings, and they front onto a large open area landscaped by existing mature TPO trees and proposed additional planting. This ensures the properties would have an attractive setting and a spacious quality, commensurate with the existing neighbouring development. There would be very limited on-street parking bays in this area and this would add to the overall visual amenities of this part of the site.

Into the site, the flatted buildings are of a similar design to the surrounding proposed buildings, albeit on a larger scale. The three storey flatted buildings (with rooms in the roofspace) transition appropriately from the houses, and work with the sloping topography of the site to provide well-spaced courtyard areas.

The exposed lower ground floor elements of the flats provide access to the parking areas. Plots 39-53 include garage openings to provide access to the undercroft basement car park. Plots 63-78 include garage doors to provide access to the individual undercroft car parking garages. The basement car park to the front units is accessed from the entrance driveway.

The scheme has a density of 71 units per hectare and 313 habitable rooms per hectare. Whilst the number of habitable rooms per hectare exceeds the recommended range for a site of this accessibility level (150-250), the number of units fits within the recommended density of 35-95 units per hectare. The applicant argues that this demonstrates the scheme is optimising the land and making best use of the brownfield site. Having regard to the number of units, and that the overall development retains a spacious and well-landscaped setting with adequate amenity space and car parking provided (discussed below), it is considered that the proposed density is acceptable.

As noted above, the scheme provides a mix of unit sizes including one, two and three bedroom flats, and three, four and five bedroom family houses. The provision of larger family units complies with local policy DM08. The mixture of housing sizes also meets the requirements of Policy CS4 which seeks to ensure appropriate housing choice in Barnet.

The site abuts the Wood Street Conservation Area. Whalebone Park extends up to the site boundary and is within the conservation area. The boundary contains a number of trees. The application seeks to retain these trees. In addition, the proposed buildings, which are considered to be well designed, would be set back from the boundary with the conservation area to ensure vegetation can survive and establish, and to provide a buffer between the conservation area and the development site. As a result, it is considered that the development would preserve the character and appearance of the Wood Street Conservation Area.

#### **Quality of living conditions for future occupants**

The proposed units would exceed the minimum internal size requirements set out in the London Plan. The rooms would also exceed the minimum sizes. In terms of the quality of the internal space, the majority of the units are dual aspect. Those few single aspect flats do not have a directly north-facing outlook. In addition, the flats are of a size which exceeds the London Plan minimum. On this basis, the quality of accommodation proposed is considered to be adequate.

In respect of air quality, the submitted report confirms that pollutant levels across the site are below the relevant air quality standards, and as such the location is suitable for residential use without the inclusion of mitigation measures. Therefore, future occupants would benefit from satisfactory air quality.

In terms of noise impact, the key sources of noise impacting the site are from road traffic using Barnet Road, and operations associated with the commercial premises to the south of the site. The submitted Noise Impact Assessment recommends the use of alternative ventilation for some habitable rooms with line of sight to Barnet Road and the commercial premises, as an alternative to opening windows. Additionally, acoustic barriers are recommended to the southern side boundary of Plot 100 to control noise to the garden area. Subject to these mitigation measures, future occupants would have satisfactory noise levels.

The proposed dwellings and flats are sited and spaced to ensure that no proposed building would appear overbearing when viewed from any other proposed building. In addition, the buildings have been oriented to ensure there would be no mutual overlooking between units within the site. The application is supported by a Daylight and Sunlight report which confirms the proposed accommodation would achieve the recommended minimum levels of daylight.

In terms of outdoor amenity space, of the 21 houses proposed, 11 meet or exceed the outdoor amenity space standard set out in the council's Sustainable Design and Construction SPD. Whilst 10 fall below the standard, many of these are short by no more than 5 square metres. On this basis, given that each house would be provided with a private and useable outdoor amenity area, and given the spacious nature of the surrounding site with large public amenity space, it is considered that the proposal is acceptable in this regard.

In respect of the flats, 44 of the 93 proposed flats would have balconies, ranging in area from 3 to 11 square metres. All flats would also have access to communal amenity space. This includes land along the eastern boundary of the site with Whalebone Park, and space to the front of the proposed apartment blocks (at the rear of the plot) and space to the rear of the proposed apartment blocks at the front of the site. Taking into account the balconies and the other amenity space within the site, it is considered that sufficient outdoor amenity space would be provided to comply with the Sustainable Design and Construction SPD.

London Plan policy 3.6 requires development proposals to make provision for play and informal recreation based on the expected child population of the scheme. The scheme is expected to yield 27 children. Play space is proposed within the public amenity areas in the form of natural play features, including boulders and wobble-logs. The provision of sufficient facilities to accord with the London Plan is to be secured by condition.

### **Impact on the amenities of neighbouring properties**

The only neighbouring properties likely to be affected by the proposed built form front Barnet Road and Elmbank Avenue.

Plots 1-3 and Plot 114 are located at least 5.5 metres from the boundary of the site with Southview, 15 Barnet Road. The proposed buildings would be set to the side of this neighbouring property, and given their juxtaposition would not appear overbearing or visually intrusive when viewed from the windows or amenity area of this neighbouring property. Any windows within the proposed buildings which face 15 Barnet Road will be conditioned to be obscure glazed and fixed shut below 1.7 metres, in order to protect the privacy of the occupants of this neighbouring property. Subject to these conditions, it is not considered that the proposal would harm the amenities of the occupants of this neighbouring property.

Plots 100-113 would be between 10.5 metres and 11.5 metres from the boundary with the rear of properties fronting Elmbank Avenue. This distance complies with the council's guidance of 10.5 metres separation distance between windows and gardens to neighbouring properties. As a result of this distance, it is not considered that the proposal would result in any loss of privacy of the occupants of the neighbouring properties in Elmbank Avenue. In addition, this distance would ensure the proposed buildings would not appear overbearing or visually intrusive when viewed from properties in Elmbank Avenue.

### **Impact on trees within and adjacent to the site, and landscaping implications**

A total of 45 individual trees and 13 groups were assessed by the applicant's arboricultural consultant, including 11 category A trees, 19 category B trees and groups, and 24 category C trees and groups. As previously noted, the site includes trees subject of a Tree Preservation Order, and trees which benefit from protection by reason of being within the Wood Street Conservation Area.

The principle trees within the site are the central group of mature conifers located to the south of the entrance, and the linear group of Oak located to the eastern boundary with Whalebone Park. Elsewhere within the site, trees are semi-mature to early mature and appear to be contemporary with the landscaping associated with the former staff accommodation. Trees to the west boundary are poor quality.

The scheme has been designed to retain all trees within the site which are within the TPO and within the conservation area. A total of 26 trees and 4 groups would be removed. Most of the trees to be removed are of poor quality and limited life expectancy due to their proximity to existing structures. The trees to be lost are set well within the site and are of domestic scale. In mitigation, a detailed landscape strategy is proposed which includes new tree planting.

The proposal has been designed to maintain areas of existing hard standing and building footprint where feasible and integrate these into the proposed scheme, to minimise the impact of construction on trees. The proposed road would broadly align with the existing spine road. The basement areas in particular have been sited to ensure there will be sufficient access space for piling rigs to ensure they do not damage the crown of the retained trees. The internal layouts have been designed to ensure trees do not restrict light to rooms, to minimise future pressures for tree works.

### **Impact on highway safety**

The site proposes to utilise the existing point of vehicular access from Barnet Road. The submitted Transport Statement confirms there will be a slight increase in trips to the site as a result of the redevelopment - on average approximately one vehicle every two minutes which would represent an increase of 2.1per-cent compared to traffic flows without the development. Therefore, the trip generation associated with this development is not considered to be detrimental to the free flow of traffic.

Whilst some alterations will be required to this access, the Traffic and Development team have raised no objections to the proposal on highway safety grounds, subject to conditions.

In respect of parking, the scheme provides a total of 136 parking spaces which includes six visitor spaces. The Traffic and Development team have confirmed that the parking provision is in accordance with the requirements of Policy DM17. However, they have requested a car park management plan be submitted for approval, to include details of car parking allocation to provide 2 spaces for each of the properties with four or more bedrooms.

As noted above, the Traffic and Development team consider that the development would encourage vehicles to park or unload on Barnet Road, which would adversely affect the free flow of traffic and highway safety. To prevent this from happening, it will be necessary to implement a waiting/loading restriction along this section of Barnet Road. The costs toward amending the Traffic Regulation Order will be secured by S106.

It is noted that although the site has a low public transport accessibility level, there are bus stops on Barnet Road close to the site, which provide access to several locations including underground stations. A financial contribution is to be included within the S106 to provide for improvements to the central islands at the junction of Galley Lane and Barnet Road to facilitate improved pedestrian access to the bus stop on the opposite side of Barnet Road from the development.

## **Impact on biodiversity**

Policy DM16 states that when considering development proposals, the council will seek the retention and enhancement, or the creation of biodiversity. It requires development to meet the requirements of London Plan Policy 7.19E. This requires development to follow a hierarchy of 1) avoid adverse impact to the biodiversity interest; 2) minimise impact and seek mitigation; 3) only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

The application site has no statutory designations of nature conservation interest, with the nearest designated site being the Rowley Green Common Local Nature Reserve 1.4km to the west of the site. The nearest non-statutory nature conservation designation is Arkley Lane and Pastures Site of Importance for Nature Conservation (SINC), 0.1km north-west of the site. The proposal is not likely to have any significant impacts on the SINC.

The primary habitat at the site is former amenity grassland which has been unmanaged for some time. It is considered to be of low ecological value at a local level. The woodland along the western boundary is considered to be a poor example of woodland habitat due to the prevalence of non-native species, lack of recent management and species-poor ground flora, and therefore of low ecological value.

Buildings within the site were subject of inspections to determine if they have potential to support roosting bats. No evidence of roosting bats was found in the buildings. It was found that three buildings have low bat potential, whilst three have high bat potential. The buildings were also subject to emergence and re-emergence surveys, and no emerging or re-entering bats were recorded during the survey work.

The majority of trees within the site were recorded to be young to semi-mature in nature, and lacking any particular features likely to be of value for roosting bats. An Oak within TB4 on the eastern boundary was recorded to offer moderate potential for roosting bats. Areas of scrub and linear features such as the tree belts may offer foraging and commuting opportunities for bats, although they do not appear to inform important connective features in the landscape and their value to bats is likely to be reduced by light spill from adjacent roads and surrounding residential development. Bat activity around the site was relatively low, with most activity recorded to the south of the site. Overall, the site is considered to be of low or moderate value at the local level for foraging and commuting bats, and the application will maintain opportunities for foraging bats in the form of the eastern tree belt, scattered trees and residential gardens.

No badger setts or other signs of badger were recorded within or in close proximity to the site other than a badger scat along the western boundary. Therefore, badger should not represent a constraint to development. No other evidence of protected or notable mammals was recorded at the site. No reptiles were recorded during survey work and the site is considered to be of low value for invertebrates.

The site offers some nesting and foraging opportunities for common bird species in the form of tree and scrub, however the wider surrounds offer similar opportunities such that the site is unlikely to be of high importance to nesting birds in the local context.

The site contains suitable terrestrial habitat for amphibians in the form of grassland, woodland, scrub and log piles. However the majority of this habitat is likely to have arisen recently. Prior to this the site would have been managed intensively, offering very limited opportunities for amphibians.



The applicant has provided, in an email dated 22 September 2015, further information regarding site clearance. Vegetation clearance has been undertaken at the site, under ecological supervision. This confirms that no reptiles were found during the vegetation clearance works.

In order to safeguard the ecological value of the site, the following recommendations are suggested in the Ecological Report and will be secured by this permission:

- Safeguarding of trees to be retained.
- Use a sensitive lighting design to avoid any adverse impact on bats from light spillage.
- Landscaping to be used to enhance the ecological value of the habitat adjacent to the eastern tree belt.
- Bat boxes and bird boxes to be provided on the buildings and within retained trees.
- Log piles to be introduced to improve habitat for invertebrates.

### **Sustainability**

The dwellings would all be built to achieve a balance between solar gain and heat loss. In addition, photovoltaics have been specified for the buildings, sited on flat roofs or unobtrusive sloping roofs. Further details of these will be secured by condition.

The site is not in an area of high flood risk, and a detailed drainage scheme has been submitted. Thames Water have no objections to the submitted details.

### **Planning Obligations**

The development is recommended for approval, subject to the inclusion of the following within a S106 Agreement to mitigate against the impacts of the scheme:

- Secure a travel plan;
- Secure a contribution toward highway improvements to the site, including improvements to the central islands at the junction with Galley Lane and Barnet Road to improve pedestrian access to the bus stop, and for a Traffic Regulation Order to implement loading and waiting restrictions along this part of Barnet Road.
- Secure a Local Employment Agreement;
- Secure affordable housing.

In addition to the above, the scheme would be liable for the council's Community Infrastructure Levy, chargeable at £135 per square metre. This will be secured through the CIL Regulations and would go toward highways, education, health, community and open space projects in the borough. The scheme would also be liable for Mayoral CIL, which goes toward Crossrail.

### **5.4 Response to Public Consultation**

The comments received are addressed in the appraisal above, either within the main body of the report or by means of planning conditions.

### **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**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street

scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

