

**LOCATION:** Imperial House, The Hyde, London, NW9 5AL

**REFERENCE:** 15/04442/FUL                      Received: 22/07/2015  
Accepted: 22/07/2015

**WARD:** Burnt Oak                              Expiry: 21/10/2015

**APPLICANT:** Imperial House London Ltd.

**PROPOSAL:** Redevelopment of Imperial House comprising the demolition of existing buildings and erection of buildings ranging from 3 to 16 storeys to provide 81 residential units (Use Class C3) and 815sqm of replacement office accommodation (Use Class B1) along with landscaped courtyard and provision of 87 basement car parking spaces, 5 motorcycle spaces and 166 cycle parking spaces, vehicular access from The Greenway and vehicle out onto Edgware Road with pedestrian access from Edgware Road

### **APPLICATION SUMMARY**

The application involves the redevelopment of the Imperial House site comprising the demolition of the existing buildings and the erection of a residential-led mixed use scheme. The development would entail buildings ranging from 3 to 16 storeys in height and would comprise of 81 residential units along with 815 square metres of office accommodation (Use Class B1).

The existing sign comprises of a vacant building, last in use as office accommodation on the upper floors with a retail showroom at ground floor level. The site is located within the boundary of the Colindale Area Action Plan (CAAP) and is located within an area identified as being within the Edgware Road Corridor of Change. The site is not located within a Conservation Area and the subject building is not listed. There are no statutorily or locally listed buildings in the surrounding area.

The application proposes the demolition of the existing buildings and the comprehensive redevelopment of the site to provide a residential-led mixed use development. The scheme would comprise of 3 blocks which can be summarised as follows:

- Block A – A 16 storey tower located to the front of the site adjacent to Edgware Road. At ground floor level would be 2 self-contained business units (Use Class B1) with the upper floors comprising of residential accommodation;
- Block B – A part 5, part 7 storey building located directly to the rear of Block A and linked by 2 storey element. 2 self-contained business units (Use Class B1) at ground floor level with residential units on the upper floors;
- Block C - A linked cluster of part 1, part 3 storey buildings laid out around a central communal area and comprising a mix of residential flats and maisonettes along with private amenity areas at ground and first floor level.

## **Urban Design and Layout**

The proposed and overall design approach of the scheme incorporating the descending building heights is considered to be appropriate and would ensure that the development integrates with the varying heights of the adjoining building typologies and be congruent within the surrounding urban fabric.

The site is located within an area identified as being appropriate for tall buildings and thus the policy considerations set out within Development Management Policy DM5 are relevant in the consideration of the application. The full assessment of the scheme against Policy DM5 is set out within paragraphs 7.3 – 7.11 of this report however officers consider that, on balance, the scheme accords with the policy.

## **Affordable Housing**

The application was accompanied by an 'Affordable Housing and Economic Viability Assessment' produced by BNP Paribas (BNPP) which set out that the provision of 16 affordable units (equating to 20% of the total units) would be the maximum viable level of affordable housing that the scheme could provide.

The Council instructed DVS (the commercial arm of the VOA) to carry out an independent review of the document submitted and following their initial review and subsequent discussions with BNP Paribas it was agreed that a revised appraisal would be submitted incorporating adjustments to numerous inputs.

The revised appraisal adopted adjusted inputs following discourse between the two parties which addressed previous concerns from DVS regarding the Benchmark Land Value, the profit levels and the costs associated with the extant prior approval. The revised appraisal set out an offer of 20 affordable units, representing approximately 25% of the total residential offer. DVS consider that the revised offer is fair and reasonable and fully justified by the revised viability appraisal. Although there would be a surplus above the Benchmark Land Value, the surplus would not be large enough to justify the provision of any additional affordable units.

Officers consider, based on the advice from the Council's appointed independent advisors, that the overall affordable housing provision of 20 units (25%) is acceptable. Therefore, notwithstanding the fact that the level of provision would be below the 40% threshold the lower provision of 25% is fully supported by a financial viability assessment and thus is in compliance with London Plan Policy 3.12 and local policies CS4 of the Core Strategy and 7.2 of the CAAP. The Section 106 Agreement would incorporate a review mechanism which would enable the financial viability to be reassessed upon implementation in order to capture any uplift which could be utilised to provide additional affordable housing up to a maximum of 40% of the total units.

## **Transport and Parking**

Officers consider that the currently proposed level of car parking is acceptable for numerous reasons. The site has a PTAL rating of 3 which is a medium accessibility and is not located within a town centre location. Secondly, the site is not within a Controlled Parking Zone therefore the overspill of parking that may result from the proposed development could result in a detrimental impact on highway safety and the free flow of traffic.

Whilst the site is located within the area covered by the Colindale Area Action Plan (CAAP), it is located on the edge of CAAP. CAAP policy 3.5 in chapter 3 states that the residential parking requirements will vary across Colindale depending on the location of each development site. 1 space per unit will be taken as the maximum standard but a lower provision of 0.7 spaces per unit will be encouraged on sites within close proximity to the public transport interchange, neighbourhood centre and high frequency bus routes. Nevertheless, it should be noted that the site is on the edge of the CAAP and therefore the parking provision would be assessed in accordance with the Barnet Local Plan, Development Management policy DM17.

The proposed parking provision of 87 parking spaces is already falling short by 8 parking spaces when assessed against the LBB parking standards for PTAL 3. Any further reduction in parking provision would therefore not be in accordance with LBB parking policy DM17 and as such the current parking provision is considered to be acceptable.

In addition to the car parking, the development would deliver an appropriate level of cycle parking and electric vehicle charging points, both of which would be secured by permission.

## **Sustainability, Energy and Flood Risk**

The proposed redevelopment would make efficient use of brownfield land and create a mixed and balanced community. The development has also been designed to minimise its impact on the environment and with an emphasis on using less energy.

The scheme would incorporate both Combined Heat and Power (CHP) and photovoltaic panels which, when combined with passive sustainability measures would achieve total Carbon Dioxide Reductions of 35.6% which exceeds the target set out within London Plan Policy 5.2.

The application has been accompanied by a Flood Risk Assessment produced by EAS. The report identifies and assesses the risks of all forms of flooding to and from the development and concludes that the proposal would not adversely effect on site or neighbouring properties.

The site is shown to be located in a 'Very Low' risk area with regards to surface water flooding and is not considered to be at risk of flooding from sewers or groundwater. Thames Water were consulted on the application and took the view that the development would not result in any increased risk of localised flooding. Nevertheless, a condition is attached requiring the submission of further details of the drainage and SUDS strategy for approval.

## **Community Infrastructure Levy**

The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) at a rate of £135 per square metre. Because of the nature of the way in which CIL is calculated it is only possible to estimate the contribution which will finally be made through the Barnet CIL at the time planning applications are determined.

The CIL liability of the scheme is determined by the amount of new floorspace being provided, deducting both the social housing element and the office floorspace, both of which are exempt from CIL liability. At this stage, it is therefore anticipated that the development would have a CIL liability of £880,165.

In addition to the Barnet CIL liability, it is anticipated that the development would have a Mayoral CIL liability of £256,716

## **Conclusion**

In conclusion officers consider that, on balance, the development is acceptable having regard to the relevant local, regional and national policies. The principle of the redevelopment of the site and the provision of a residential-led mixed use scheme is acceptable and in accordance with the CAAP aspirations for the site. The height of the building, on balance, is considered to be acceptable and would be congruent within both the existing and the emerging context on this part of Edgware Road. The scheme would deliver 81 high quality homes with an appropriate mix and with 25% of the homes being provided as affordable which, although below the policy target of 40%, is fully justified through the financial viability provided by the applicant. Whilst the development would have an impact on the residential amenity of some of the neighbouring occupiers, officers consider that the impact would not be so significant as to warrant refusal of the application. The level of parking provided at the site is above London Plan standards however is in line with local standards and those set out within the CAAP and as such is considered to be acceptable.

## RECOMMENDATION

### Approve the application subject to:

#### Recommendation 1

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

**(a) Legal Professional Costs Recovery**

Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.

**(b) Enforceability**

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

**(c) Affordable Housing**

The provision within the development of a minimum of 25% (by unit number) of homes as affordable housing, providing a minimum of 20 residential units with the following mix:

- 12 x Social Rented Units
- 8 x Intermediate Housing Units

Comprising of:

- 2 x 1 bedroom units
- 15 x 2 bedroom units
- 3 x 3 bedroom units

**(d) Affordable Housing – Review Mechanism**

The viability of the development shall be re-appraised at an appropriate point in the implementation of the development and, if deemed viable to do so, a financial contribution shall be paid towards the provision of affordable housing in the Borough.

**(e) Employment and Training**

The applicant will be required to enter into a Local Employment Agreement (LEA) with the Council. The employment agreement would need to secure the following minimum levels and would also set out specifically how the applicant would deliver these:

- 4 places for progression into employment, less than 6 months;
- 2 places for progression into employment, more than 6 months;
- 5 apprenticeships;
- 9 work experience placements
- 55 school / college / university students' site visits
- 44 school / college students to attend workshops

**(f) Employment and Training – Financial Contribution**

£21360 contribution to mitigate the loss of employment floorspace. The monies would be retained specifically for employment, skills, training and enterprise support and initiatives delivered by the Council and its partners.

**(g) Travel Plan**

A Residential Travel Plan would be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives (up to a maximum of £24300) for the first occupier of each residential unit. Incentives to comprise of a voucher to a minimum value of £300 per dwelling to be spent on Car Club Membership, an Oyster Card with a pre-loaded amount and/or Cycle Scheme vouchers.

**(h) Travel Plan - Monitoring**

£15000 contribution towards the monitoring of the Residential Travel Plan.

**(i) Highway Improvement Works**

Funding towards any highway safety and pedestrian improvement required and identified as part of the PERS audit. Works to be carried out through a Section 278 Agreement.

**(j) Monitoring Contribution**

£1755 contribution (index linked) towards the costs of undertaking the work relating to securing and monitoring the planning obligations.

**Recommendation 2:**

That upon completion of the agreement specified in Recommendation 1, the Assistant Director of Development Management and Building Control approve the planning application reference 15/04442/FUL under delegated powers and grant planning permission subject to the conditions and informatives set out in Appendix 1 and any changes to the wording of the conditions considered necessary by the Service Director for Development Management and Building Control.

## **MATERIAL CONSIDERATIONS**

### **Key Relevant Planning Policy**

#### **Introduction**

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

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

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

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

#### **The London Plan**

The London Plan (2015) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

##### Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

##### London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.15 (Town Centres); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

##### London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal

Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) and 3.13 (Affordable Housing Thresholds).

#### London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.10 (Support New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

#### London's Response to Climate Change

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land).

#### London's Transport

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

#### London's Living Places and Spaces

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise) and 7.18 (Protecting Local Open Space and Addressing Local Deficiency).

#### Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

### **Barnet Local Plan**

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:



#### Core Strategy (Adopted 2012):

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

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

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

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

CS6 Promoting Barnet's Town Centres

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well-being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

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

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet's Heritage and Conservation)

DM08 (Ensuring a variety of sizes of new homes to meet housing need)

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet's town centres)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

#### Colindale Area Action Plan (AAP):

The Council has prepared an Area Action Plan for Colindale which was adopted in March 2010. This provides a planning policy and design framework to guide and inform the development and regeneration of the area up to 2021 in response to the London Plan's Opportunity Area designation. The AAP contains guidance on sustainable development and identifies a number of key infrastructure improvements needed to support the delivery of growth in Colindale. It identifies four character areas, the 'Corridors of Change', which identify specific development sites and set specific policy objectives to be achieved from redevelopment.

Imperial House is within the Colindale AAP area and falls within the Edgware Road Corridor of Change. The AAP vision for this Corridor of Change is:

The Colindale stretch of Edgware Road will become a thriving mixed-use urban corridor providing a focus for employment, housing and bulk retailing. A coordinated and high quality approach to the public realm will help establish a formal boulevard character befitting this busy and dense urban corridor. The area will provide an improved gateway to the new Colindale centre incorporating tall buildings where appropriate and involving key junction improvements to increase movement capacity and new or improved public transport provision.

Within the AAP document, the Imperial House site is identified as a potential development site for the delivery of up to 80 new homes.

The adopted Colindale AAP forms a material consideration, under Section 38(6) of the Planning and Compensation Act 2004, in the determination of any planning applications for sites within the AAP area.

#### Supplementary Planning Guidance and Documents:

A number of local and strategic supplementary planning guidance (SPG) and documents (SPD) are material to the determination of the application.

#### Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)

Residential Design Guidance (April 2013)

Planning Obligations (April 2013)

Affordable Housing (February 2007 with updates in August 2010)

#### Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Health Issues in Planning (June 2007)

Wheelchair Accessible Housing (September 2007)

Planning for Equality and Diversity in London (October 2007)

All London Green Grid (March 2012)

Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

Housing (November 2012)

#### National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan. In March 2014 the National Planning Practice Guidance was published (online) as

a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

## **1.0 Site Description**

- 1.1 The application site comprises of Imperial House, a part four, part single storey building located on the east side of Edgware Road. The site has a total area of 0.4 hectares and is located within the Colindale Ward of the London Borough of Barnet. The site is located approximately 1 kilometre away to the north whilst Colindale is located approximately 1 kilometre away to the east with the site having a Public Transport Accessibility Level (PTAL) of 3 (average).
- 1.2 The building itself is currently vacant, having last been in use as office accommodation on the upper floors with a retail showroom at ground floor level. The front part of the building is of a four storey height and accommodates vacant office floorspace whilst the rear part of the building is of a single storey height and accommodates a former retail showroom. Immediately to the rear (east) of the building is an area of hardstanding which has a vehicular access from Greenway and serves as the service entrance to the existing building. The site also enjoys a vehicular access from Edgware Road to the street frontage.
- 1.3 Immediately to the north of the application site is a two storey building currently in use as a banqueting hall which abuts the north boundary of the site and projects to the same depth to the rear as the subject building. Further to the north, to the north east and to the east of the application site are a number of two storey residential dwellings located on Greenway Close, Greenway Gardens and Portman Gardens and The Greenway respectively.
- 1.4 Immediately to the south of the application site is the Green Point site which was historically occupied by low rise warehousing however is currently undergoing comprehensive redevelopment following the grant of planning permission on appeal for a residential led mixed use development rising to a maximum of 8 storeys.
- 1.5 To the west of the application site on the opposite side of Edgware Road is the Nordic Quarter, another emerging development located within the London Borough of Brent. The partly implemented scheme will consist of part 6, part 8 and part 19 storey buildings and will comprise of a residential led mix used development.
- 1.6 The site is not located within a Conservation Area and the subject building is not listed. There are no statutorily or locally listed buildings in the surrounding area. The Imperial House site is located within the Colindale Area Action Plan (AAP) area.

## **2.0 Proposed Development**

- 2.1 Permission is sought for the redevelopment of Imperial House comprising the demolition of existing buildings and erection of buildings ranging from 3 to 16 storeys to provide 81 residential units (Use Class C3) and 815sqm of replacement office accommodation (Use Class B1).
- 2.2 The development would comprise of 3 distinct blocks, Blocks A, B and C which would rise to 16, 5/7 and 3 storeys respectively. Block A would consist of a 16 storey tower located adjacent to the street frontage to the west of the site, with the part 5, part 7 storey Block B located to the rear of this and the 3 storey houses of Block C located adjacent to the rear boundary of the site.
- 2.3 Pedestrian access into the site would be from Edgware Road with an access control gate adjoining the south elevation of Block A. Within the development, a central spine footway would link all of the blocks with areas of hard and soft landscaping provided as communal amenity spaces. Equipped children's playspace would be provided within the largest of the communal amenity areas adjacent to Block B. Cycle parking for the development, totalling 166 spaces, would be located in a dedicated storage enclosures located adjacent to the central footway and in separate smaller enclosures within each block.
- 2.4 A basement level would be excavated to provide a car park comprising of 87 car parking spaces and 5 motorcycle spaces. The basement car park would be accessed from a vehicular access ramp from The Greenway and an egress onto Edgware Road.

### Block A

- 2.5 Block A would comprise a 16 storey tower that would front onto Edgware Road. At ground floor level, the building would incorporate 2 self-contained business units (Use Class B1) of 46 square metres and 53 square metres in floorspace respectively, with each having an independent access. Residential accommodation would be located on the upper floors with an access located at ground floor level of the building façade on Edgware Road. Separate internal refuse stores for both the commercial and residential elements would be located at ground floor level with a refuse collection area identified adjacent to the south site boundary to the front of the access gate.
- 2.6 The tower would be of a brick framed construction with contrasting panels of grey composite stone and bronze metal cladding. To the front elevation, the balconies would be recessed into the façade however the corners of the front elevation would not have a vertical pillar, giving it an open appearance.

### Block B

- 2.6 Block B would comprise of a part 5, part 7 storey building that would be located directly to the rear of Block A. A 2 storey element would create a linkage between the two blocks and

provide a visual gap between the blocks on the upper floors. The Block would comprise of 2 self-contained business units (Use Class B1) at ground floor level with residential units on the upper floors. The residential units would be accessed by a ground floor entrance on the south flank elevation with a central internal core providing stair and lift access to all upper floors with the ground floor commercial units each having an independent access on the south flank elevation. Inset residential balconies with glass balustrades would be accommodated on the south elevation providing outdoor amenity space for the residential units in this location.

- 2.7 The external elevations of Block B would be consistent with those of Block A with a brick framed construction with contrasting panels of grey composite stone and bronze metal cladding.

### Block C

- 2.8 Block C of the development would comprise of a linked cluster of part 1, part 3 storey buildings laid out around a central communal area. The 3 storey elements would accommodate ground floor flats with two storey maisonettes at first and second floor level. The maisonettes would be accessed via external stairwells and external walkways at first floor level. The 1 storey elements would comprise of flats at ground floor level.
- 2.9 The buildings forming Block C would be set in from the site boundary to the east with the space between the facing elevation and the site boundary being enclosed to form private amenity spaces for each of the ground floor flats in this location. Enclosed amenity spaces would also be created to the courtyard elevations of the Block, with boundary fences delineating the amenity areas from the central communal space. Planting would be installed to the front of residential windows fronting onto the communal playspace to provide a degree of privacy screening.
- 2.10 At first floor level, amenity areas for the upper maisonettes would be provided to the rear of the properties. The platform of the first floor amenity areas would be set in from the east elevation of with an area of planting being provided adjacent to the eastern edge of the platform.

### **3.0 Relevant Planning History**

- 3.1 The following applications relate directly to the application site:
- W00406AC – Permission was **granted** in June 1980 for a single storey rear extension to provide de-waxing and undersealing bays.
  - W00407AD – Permission was **granted** in April 1982 for the lawful use of the premises for warehousing purposes.
  - W00407AL – Permission was **refused** in June 1987 for the retention of two Portakabins.

- W00407AQ – Permission was **granted** in August 1992 for alterations to the existing showroom, reception and site including new canopies.
- H/04530/13 – Permission was **refused** in November 2013 for a change of use of ground floor from bathroom/tile showroom/warehouse to A3 Class (restaurant) and replacement of flue to rear elevation.
- H/01114/14 – Permission was **refused** in May 2014 for a change of use from bathroom/tile warehouse to A3 Class (restaurant) and installation of ventilation and extraction flue to rear elevation.

3.2 In addition to the applications outlined above, the following applications relating to the neighbouring Green Point site are relevant to the consideration of the current application:

- W00407/AZ/07 – Permission was **refused** in June 2007 for the demolition of existing building and erection of a mixed use building up to 8 storeys high comprising 86 residential units, 1181 metre square of A1 non-food retail floorspace (Class A1) and 569 metre square of either office (Class B1) or livework accommodation with 121 basement/ground floor residential and 23 ground floor commercial car parking spaces and vehicular access from the Greenway.

The application was subsequently appealed and allowed under appeal ref:  
APP/N50590/A/07/2057441

- H/04595/10 - Extension to the time limit for implementing Appeal Decision reference APP/N50590/A/07/2057441 granted 03/04/2008 for demolition of existing building and erection of a mixed use building up to 8 storeys high comprising 86 residential units, 1181 metre square of A1 non-food retail floorspace (Class A1) and 569 metre square of either office (Class B1) or livework accommodation with 121 basement/ground floor residential and 23 ground floor commercial car parking spaces and vehicular access from the Greenway. – Approved – 10/02/2011

#### 4.0 Consultations

- 4.1 As part of the original consultation exercise 505 letters were sent to neighbouring occupiers in July 2014. The application was also publicised via a site notice and a press notice was published. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and Barnet’s own adopted policy on the consultation to be carried out for schemes of this nature.
- 4.2 As a result of the consultation, 20 responses were received from neighbouring occupiers, all of which objected to the application.

#### 4.3 Comments Received:

Andrew Dinsmore (London Assembly Member for Barnet and Camden) – An objection was received with the objection summarised as follows:

- The development proposes an excessive residential density;
- The development would place excessive stress on local services;
- Insufficient affordable housing is being provided;
- The amenity and play space provision is inadequate;
- The 16 storey element is excessively high and the overall scheme represents overdevelopment;
- The development would result in overlooking of the windows and amenity areas of neighbouring residential properties;
- There is insufficient parking provision which will result in indiscriminate parking on surrounding streets adding to existing levels of parking stress;
- The cumulative impact of construction traffic for this development and other on-going construction projects in the vicinity would result in excessive local traffic and disturbance;
- The development would result in an unacceptable loss of light to neighbouring residential properties and gardens;
- The amenity spaces of the development would suffer from a lack of natural light.

Andrew Dinsmore (London Assembly Member for Barnet and Camden) is also registered to speak against the scheme at the planning committee meeting.

#### Officer response:

*Officers consider that the height of the development is appropriate in the surrounding context and the emerging context of Edgware Road, this is discussed fully in Section 7.0 of this report. The density is also largely in line with the standards set out within the CAAP. In respect of the impact on local services, if permission were granted this would be addressed through the CIL contributions. The affordable housing assessment submitted and reviewed by the VOA demonstrates that 25% is the maximum viable amount of affordable housing that can be offered. The amenity space provided and children's playspace provided are both in accordance with guidelines in the Barnet SPD and the London Plan SPG respectively. The parking provision is in line with the standards set out within the Colindale AAP. Construction traffic and logistics would be dealt with via a condition aiming to minimise disruption to the local area.*

#### 4.4 Summary of Neighbour Objections

4.5 The material planning considerations objections received from neighbouring residents are summarised below along with the officer response:

- Block A is excessively tall and is out of context with its surroundings  
*Officers consider that the height of the development is appropriate in the surrounding context and the emerging context of Edgware Road, this is discussed fully in Section 7.0 of this report.*

- The proposed access road is too narrow and would cause localised congestion  
*The Council's highways engineers were consulted on the application and were satisfied that the access road is of an adequate width.*
  
- The development would put additional strain on local services  
*In respect of the impact on local services, if permission were granted this would be addressed through the CIL contributions the development would attract.*
  
- The development would result in a loss of natural light to neighbouring properties  
*The application is accompanied by a daylight/sunlight assessment which demonstrates that the level of impact would largely be in line with BRE guidelines and thus officers consider that the application is acceptable in this regard. The daylight and sunlight impact of the development is addressed fully within Section 8.0 of this report.*
  
- The development would result in a loss of privacy to neighbouring residents  
*With regards to privacy, officers consider that the development would not result in an unacceptable loss of privacy for adjoining occupiers. Obscure glazing would be incorporated where necessary to prevent overlooking whilst the raised amenity areas to the rear of Block C have been set back from the edge of the building. The impact of the development on the privacy of the neighbours is addressed fully within Section 8.28 of this report.*
  
- The development would create additional noise disruption to local residents  
*Subject to the mitigation measures outlined within the noise impact assessment, officers consider that the development would not result in any unacceptable noise impacts on adjoining occupiers. The noise impacts of the development are addressed fully within Sections 8.29-8.31 of this report.*
  
- The scheme is not of a high aesthetic quality  
*Officers consider that the development would be of a good design quality and conditions are attached to ensure that the architectural detailing and materiality of the development are also of a high quality. The design quality of the development is discussed fully in Section 7.17 of this report.*
  
- The development would result in additional local traffic problems  
*The Council's Transport and Highways officers were consulted on the application and were satisfied that the development would not result in unacceptable local traffic conditions.*
  
- The scheme has not responded to any of the comments from the public consultation events  
*The application is accompanied by a Statement of Community Involvement which sets out the public consultation that was carried out prior to the submission of the application and the design response to comments received. Whilst it may be the case that the current proposals are not largely dissimilar to those that were first presented to local residents, this in itself should not be used as a reason for refusal.*
  
- The cumulative impact of the development and the emerging Green Point development would constitute overdevelopment of the immediate vicinity  
*The highest part of the development would be situated to the Edgware Road frontage which is identified as a 'corridor of change' and is located within the CAAP boundary, identifying it as suitable for a higher density of development. Given this context, officers consider that the*



*scale of the development is appropriate on its own merits and in terms of the cumulative impact.*

#### 4.4 Summary of Responses from External Consultees

- Historic England (Archaeology) – The application site lies adjacent to the Watling Street Roman Road and as such a two stage process of archaeological investigation is recommended as a condition if permission were granted,
- Thames Water – No objection subject to the provisions of the FRA being adhered to.
- Transport for London (TFL) – The application was reviewed by TFL as part of the Stage 1 referral to the GLA. TFL officers have advised of the following:
  - The development proposes a level of 1 space per residential unit which is at the upper end of the agreed parking ratio for the Colindale AAP area. However, the site is not located within a town centre nor within an area of controlled parking and as such TFL accept that the proposed ratio is reasonable and would not lead to unacceptable highway congestion;
  - The quantum and allocation of cycle parking is acceptable;
  - The multi modal trip generation data has been revised to take account of 2011 census data and TFL is now satisfied that the predicted increase in trips on the underground would be too low to justify a contribution to improve Colindale Station;
  - The submission of an outline construction logistics plan and a delivery/servicing management plan is welcomed however final versions should be secured by condition;
  - The inclusion of a travel plan is welcomed however a final version should be secured by S106 including detail on funding and implementation.
- London Fire and Emergency Planning Authority – It is unclear from the submitted application how vehicular access for fire appliances would be feasible. It is also recommended that a sprinkler system is installed to minimise the potential for fire damage.
- Greater London Authority (GLA) - The application was reviewed by the Deputy Mayor on behalf of the Mayor at a meeting on the 8th of October. GLA officers have advised of the following:
  - The development is appropriate for its Opportunity Area location and would contribute towards the provision of housing and jobs;
  - The housing mix offers a range of housing choices in line with London Plan Policy 3.8;
  - The affordable housing offer of 20% should be subject to independent review;
  - The residential density of the development would be above the London Plan density matrix however is located within the Colindale AAP which can support higher density. Nevertheless, the higher density is subject to further considerations regarding amenity space and design;
  - The children’s playspace is reliant on off-site provision for the over 12 age group so financial contributions should be secured towards improving the existing provision. The use of the 432 square metres of on-site provision within the communal amenity space is questioned as it is likely that this space would be shared between the age groups;

- The overall layout and massing responds well to the constrained site however there is concern over the form and massing of Block C to the rear of the site. Further work is also required to justify the quality of the amenity space;
- The Design and Access Statement sets out that the scheme would deliver 10% wheelchair accessible homes which is welcomed however the location and the layout of these flats should be confirmed;
- Whilst the applicant has broadly followed the energy hierarchy and provided adequate information to understand the development as a whole, additional information and revisions are required before the scheme can be considered acceptable;
- A suitable drainage strategy should be secured by condition;
- A travel plan, logistics plan and delivery/servicing management plan should be secured by condition.

#### 4.7 Summary of Internal Responses

- Environmental Health Team – No objection received subject to noise, contaminated land and air quality issues being mitigated through conditions.
- Transport and Highways – The level of parking proposed is in accordance with the Colindale AAP. No objection subject to conditions and S016 obligations.

#### **Reconsultation**

- 4.8 Following revisions to the form and the layout of Block C of the development, additional consultation was carried out with 505 letters sent to neighbouring occupiers. The application was also publicised by way of a press notice and a site notice.

#### Summary of Additional Neighbour Objections

- 4.9 As a result of the consultation, 6 further responses were received all objecting to the application. New issues that were raised as a result of the reconsultation can be summarised as follows:

- The site is on the edge of the regeneration area and as such the height is excessive in the context of the low rise residential properties to the north and east;  
*Officers consider that the height of the development is appropriate in the surrounding context and the emerging context of Edgware Road, this is discussed fully in Section 7.0 of this report.*
- The development would be detrimental to the operation of the adjoining banqueting business through construction noise and disruption;  
*Construction times and noise would be managed through a condition requiring a construction management plan to be submitted for approval. At the time of assessing the condition, officers would ensure that the management plan*
- The development would not sufficiently protect the future development potential of the adjoining site to the north;

*The north facing elevations of Block A and B, opposite the adjoining site would be designed in such a way that no habitable windows would be accommodated there and those windows that are located there would be obscurely glazed. In this regard, officers consider that any future development of the adjoining site would not be specifically precluded by any potential impact on the amenity of future occupiers of the proposed development. Whilst the daylight/sunlight assessment does not specifically consider the potential impact on the adjoining site, there is no requirement to do so as a non-residential building. Due to the absence of a formal assessment, the potential impact could not be quantified however, officers consider that the scale of development which would be acceptable on the adjoining site would be of a lesser scale than that currently proposed at the application site due to its relationship to the adjoining residential properties. In this regard officers consider that there would be potential to mitigate any daylight/sunlight impact through design.*

#### 4.10 Summary of Additional Responses from External Consultees

- Greater London Authority (GLA) – In addition to the comments received as a result of the initial consultation, the GLA responded with additional comments relating to the amended scheme. These comments can be summarised as follows:
  - o The addition of the set back to the rear of the first floor amenity area has addressed previous concerns regarding overlooking of the neighbouring properties;
  - o Previous concerns regarding sustainability have been addressed by the applicant’s consultants and are now considered acceptable and in line with London Plan standards;
  - o Concerns regarding amenity space/children’s play space have been addressed through the relocation of the playspace and the delineation of the central amenity space.
  
- Brent Council – No objections to application
  
- LBB Environmental Health – No further comments

### 5.0 **Land Use / Principle of Development**

#### Employment Floorspace

- 5.1 The existing building is currently vacant however its lawful use is as a part retail showroom (Use Class A1) and part office (Use Class B1). Given the lawful use of the building as an employment generating use within the B use class, Policy DM14 of the DMP DPD is relevant. Policy DM14 seeks to protect employment uses and states inter alia that the loss of a B use class will only be acceptable where it can be demonstrated through marketing that is no longer viable for that purpose.

- 5.2 Following pre-application discussions, the current scheme is fully cognisant of the requirements of Policy DM14 and seeks to re-provide the existing B1 floorspace within the new development. Currently, the existing building comprises of 863 square metres of B1 floorspace (of a total floorspace of 2263 square metres) with the proposed development proposing 815 square metres of B1 floorspace, within 4 self-contained units.
- 5.3 It is therefore clear that there would be a net loss of 48 square metres of B1 floorspace. Notwithstanding the lower quantity of B1 floorspace being provided, the type of B1 floorspace being provided is also a material consideration in this regard. The B1 floorspace currently provided is part of the existing Imperial House building and is attached to the retail floorspace (Use Class A1) and as such could not be used independent of the wider site which significantly hinders its viability as usable employment floorspace. Barnet's Employment Land Review (2009) which forms part of the evidence base for the Core Strategy found that there was a predominance of small occupiers in the borough and in this regard it is considered that the proposed business units would better serve the local need than the existing floorspace. It is therefore considered that, despite the net loss of floorspace, the proposed employment offer of the development would be in accordance with the overarching aims of Policy CS8.

#### Retail Floorspace

- 5.4 The existing building comprises of a large area of retail showroom (Use Class A1) used in the association with the last tenants of the premises, a tile merchant. The application site is not located within a designated centre or parade and as such the retail use does not merit protection under Policy DM11 or DM12. It is considered that any A1 use in this location would have the potential to draw custom away from the established retail centres, potentially harming their vitality and viability. In this regard it is considered appropriate and in line with the objectives of Policy DM11 that the existing part A1 use is not retained within the new development.

#### Residential Use

- 5.5 There are a number of residential led mixed use developments in the immediate and wider vicinity and the application site also adjoins residential plots to the east. Furthermore, the Imperial House site is identified within the Colindale Area Action Plan as a development site with potential to deliver up to 80 new homes. The overarching principle of providing residential units in this location is therefore considered to be acceptable.

#### Residential Density

- 5.6 London Plan policy 3.4 seeks to optimise the housing output of sites taking into account local context and character, the design principles in chapter 7 of the London Plan and public transport capacity. Taking into account these factors, Table 3.2 of the London Plan sets out a density matrix which serves as guidance for appropriate densities in different locations dependent on the aforementioned factors.

- 5.7 The proposed development would provide a total of 81 residential units, has a site area of 0.4 hectares and a PTAL of 3 where a score of 0 is very poor access to public transport, and 6b is excellent access to public transport.
- 5.8 In terms of its setting the application site can best be described as 'urban'. Notes appended to Table 3.2 of the London Plan states that 'urban locations' are often located within an area of dense development featuring terraced houses, mansion blocks, a mix of uses, medium building footprints, typically buildings of four to six storeys and within 800 metres of a local or district centre. Whilst the application site does adjoin residential plots comprising of semi-detached housing to the east, it fronts onto Edgware Road adjacent to which are mixed use buildings of a larger scale and footprint. The site is also located 800 metres from the Burnt Oak District Centre and as such it is considered appropriate to recognise the location as being 'urban'.
- 5.9 Using the site characteristics set out above, the London Plan density matrix suggests that a density in the range of 200-450 habitable rooms per hectare and 70-170 units per hectare would be appropriate. The proposed development would deliver a residential density of 620 habitable rooms per hectare and 202 units per hectare which are clearly above the densities outlined in the matrix.
- 5.10 Nevertheless, it should also be noted that the application site forms part of the Edgware Road – Corridor for Change in relation to which the Colindale AAP states it is appropriate for new high quality, high density residential accommodation of up to 200 units per hectare, which is similar to the density that would be achieved by the development. The density is also broadly in line with other recent developments in the vicinity such as Green Point, TNQ and Zenith House.
- 5.11 In this regard it is considered that the density of the development is acceptable and would be in accordance with the aims and objectives of London Plan policy 3.4.

## **6.0 Housing / Quality of Accommodation**

- 6.1 A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch3 'London's People', and Ch7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD and CAAP policy 5.2.

### Dwelling Mix

- 6.2 Policy DM08 of the DMP – DPD states that new residential development should provide an appropriate mix of dwellings and with regards to market housing states that 4 bedroom units are the highest priority and 3 bedroom units are a medium priority. The
- 6.3 The development proposes 20 x 3 bedroom units (25%), 46 x 2 bedroom units (57%) and 15 x 1 bedroom units (18%). As outlined above, the highest priority is for 3 bedroom units and it is considered that 20 units would contribute towards this objective.
- 6.4 Furthermore, family sized units are defined as being those with 2 or more bedrooms and in this case all of the two bedroom units provided are capable of being occupied as such. With this in mind and with 66 of the 81 units (82%) being family sized accommodation it is considered that the application would provide a suitable range of dwelling sizes and types to address housing preference and need in accordance with the abovementioned policy.

### Affordable Housing

- 6.5 London Plan 2015 Policy 3.12 seeks the maximum reasonable amount of affordable housing to be negotiated. Colindale AAP Policy 7.2 states that the maximum amount of affordable housing will be sought in developments having regard to the borough wide target and a viability assessment. The CAAP sets a 50% target reflective of the now superseded 2008 London Plan. The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings. All of the above policies seek a tenure split of 60% social rented and 40% intermediate housing.
- 6.6 The application was accompanied by an 'Affordable Housing and Economic Viability Assessment' produced by BNP Paribas (BNPP) which set out that the provision of 16 affordable units (equating to 20% of the total units) would be maximum viable level of affordable housing that the scheme could provide.
- 6.7 The Council instructed DVS to carry out an independent review of the report submitted by BNPP to ensure that the methodology used was robust, the assumptions made were reasonable and the conclusions sound. The independent review carried out by DVS accepts many of the inputs from BNP Paribas however did not agree with the following matters:
- The Benchmark Land Value
  - The assumed profit
  - Preliminary build costs and OHP
- 6.8 DVS considered that the Benchmark Land Value of £3.986 million has been inflated and have adopted an alternative value of £3.15 million in their analysis. In respect of the assumed profit, DVS considers that 20% on the gross development value for the private residential and commercial space and 6% on costs for the affordable housing are excessive. DVS also considered that a 17.5% profit on value for the private residential and 20% on cost for the

commercial space would be reasonable given current market conditions. VOA also consider that the build costs set out from BNPP associated with the conversion of the building to implement the extant prior approval scheme are inadequate and not commensurate with the true costs of converting a building of this type.

- 6.9 All of these factors combined to produce a surplus which DVS considered was understated with the development being capable of providing a higher level of affordable housing. Following the review of the initial viability report, further discussions were entered into between BNPP and DVS in order to agree on the appropriate inputs to the assessment and a revised appraisal was submitted for review.
- 6.10 The revised appraisal adopted adjusted inputs following discourse between the two parties which addressed previous concerns from DVS regarding the Benchmark Land Value, the profit levels and the costs associated with the extant prior approval. The revised appraisal set out an offer of 20 affordable units, representing approximately 25% of the total residential offer. DVS consider that the revised offer is fair and reasonable and fully justified by the revised viability appraisal. Although there would be a surplus above the Benchmark Land Value, the surplus would not be large enough to justify the provision of any additional affordable units.
- 6.11 Officers consider, based on the advice from the Council's appointed independent advisors, that the overall affordable housing provision of 20 units (25%) is acceptable. Therefore, notwithstanding the fact that the level of provision would be below the 40% threshold the lower provision of 25% is fully supported by a financial viability assessment and thus is in compliance with London Plan Policy 3.12 and local policies CS4 of the Core Strategy and 7.2 of the CAAP.
- 6.12 A schedule of affordable housing has been provided by the applicant which outlines that 18 of the affordable units would be accommodated within Block B with the remaining 2 located at ground floor level of Block C. The affordable housing units would have the following mix:
- 2 x 1 bedroom units
  - 15 x 2 bedroom units
  - 3 x 3 bedroom units
- 6.13 The aforementioned mix would provide a good mix of properties with a clear bias towards the 2 and 3 bedroom units which are suitable for families. This is welcomed by officers with a need in the borough for such affordable family sized accommodation. The tenure of the affordable housing would have a split of 70/30 between social rented and shared ownership which would translate to 12 and 8 units respectively. A 70/30 ratio is in line with the Council's SPD on Affordable Housing.
- 6.14 The delivery of the aforementioned affordable housing would be secured through appropriate clauses within the S106 Agreement. In addition to the clauses securing the delivery of the affordable housing, a review mechanism would be inserted into the S106

Agreement to allow for a re-evaluation of the viability if financial circumstances should change. The heads of terms for the S106 Agreement relating to affordable housing are set out within Section 10 of this report.

### Residential Space Standards

- 6.15 Table 3.3 in the London Plan provides a minimum gross internal floor area for different sizes of dwelling. This is set out in Table 1.0 below, which shows the areas relevant to the units proposed within the development:

Table 1.0 – Residential Internal Space Standards Requirements

	<b>Dwelling Type (bedrooms/persons)</b>	<b>Minimum Internal Floorspace (square metres)</b>
<b>Flats</b>	1 bed (2 persons)	50
	2 bed (3 persons)	61
	2 bed (4 persons)	70
<b>Houses</b>	3 bed (5 persons)	85

- 6.16 All of the proposed units would at least meet and in most cases would exceed the minimum standards, providing a good standard of accommodation for future occupiers.
- 6.17 In addition, all of the units would have at least a 2.5 metre floor to ceiling height and all units have glazing which is equivalent to 20% of the floor area.

### Lifetime Homes and Wheelchair Housing Standards

- 6.18 Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific considerations. All units should have 10% wheelchair home compliance, as per London Plan policy 3.8.
- 6.19 Both the Planning Statement from Dalton Warner Davis and the Design and Access Statement from Claridges Architects confirm that the development would include 8 units (equating to 10%) as being wheelchair accessible in accordance with the aforementioned policy requirements.
- 6.20 In this regard, a condition would also be attached to ensure that a minimum of 8 units are constructed as wheelchair accessible in accordance with both the Planning and Design and Access Statements. In their Stage 1 response, the GLA requested clarification on the location and the layout of the wheelchair units so any condition would be worded appropriately so as to ensure these details are also required.



### Amenity space

- 6.21 Barnet’s Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements. The minimum requirements are set out in Table 1.1 below:

Table 1.1 – Outdoor Amenity Space Requirements

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

- 6.22 The development proposes a mix of private and communal amenity areas and the planning statement submitted in support of the application incorporates and assessment of the level of amenity space provided in relation to the requirements of both the London Plan SPG and the Barnet SPD.
- 6.23 The communal amenity space would be provided through 2 large areas of soft landscaping to the rear of Block A, adjacent to Block B and adjacent to Block C respectively. The area to the rear of Block A, adjacent to B would incorporate the equipped children’s playspace for the under 5’s age group.
- 6.24 Using the methodology associated with Table 2.3 of the SPD, the development would comprise 329 habitable rooms which would necessitate the provision of 1645 square metres of amenity space. The total amenity space provision of the development, inclusive of both private and communal amenity areas would total 1972 square metres which is well in excess of the minimum policy requirements. Within this provision, all of the private units would have a private outdoor amenity space of at least 5 square metres in compliance with the aforementioned requirements.

### Children’s Play Space

- 6.25 The development would have a Child Yield of 22 children as per the Mayor’s Child Yield Calculator. The calculator also breaks the Child Yield down into age groups with the development generating 12 children under 5 years of age, 6 children of the 5-11 age group and 3 children over the age of 12. The Mayor’s Shaping Neighbourhoods: Informal Play and

Recreation SPG requires a provision of 10 square metres of playspace per child. The SPG also states that where there is existing provision within 400 metres of the site (in the case of the 5-11 age group) and 800 metres of the site (in the case of the over 12 age group), no on site provision is necessary. Table 1.2 below sets out how the development seeks to meet these requirements along with an officer response to each:

Table 1.2

<b>Age Group</b>	<b>Yield</b>	<b>Minimum Requirement</b>	<b>Playspace Provision</b>
Under 5's	12	120 sqm	<p>An equipped playspace with an area of 120 square metres would be provided on the amenity space adjacent to Block B of the development.</p> <p>In addition, all of the 3 bedroom units are provided with private amenity areas which are also suitable for under 5's playspace.</p>
			<p><u>Officer Comment</u></p> <p><i>The playspace located adjacent to Block B with an area of 177 square metres would in itself meet the minimum requirement as dictated by the child yield. The space would be overlooked from the residential units to the south elevation of Block B and would be located adjacent to the main communal thoroughfare, providing a good level of natural surveillance and providing an adequately safe environment for the play and recreation needs of this age group.</i></p> <p><i>In addition the Mayoral SPG sets out that for the purposes of providing playspace for the under 5's, private amenity spaces can be taken into consideration.</i></p>
5-11's	6	60 sqm	<p>The Montrose Playing Fields are located 321m walking distance from the Proposed Development which contain football pitches, Gaelic football, walking routes, multi sports court and free of charge tennis.</p> <p>In addition, the development provides a large area of private communal amenity space central to the site measuring 423sqm which could be utilised by this age group for informal play.</p>
			<p><u>Officer Comment</u></p> <p><i>The Mayors SPG makes it clear that for the purposes</i></p>

			<p><i>of assessing playspace provision for the 5-11 age group, if there is existing playspace within 400 metres walking distance then this may alleviate the need for on-site provision. In this case, the Montrose Road fields are located within the requisite maximum distance and provide viable and usable playspace which accords with policy. Off-site play space and open space improvements could be funded through the CIL contribution generated by the scheme.</i></p>
12 and over	3	30 sqm	<p>The Silkstream Park is located 640m walking distance from the site which contains event space and play areas. The Montrose Playing Fields are also located within 321m walking stance and provide football pitches, Gaelic football, walking routes, multi sports court and free of charge tennis.</p> <p>In addition the development would provide on-site amenity space measuring 423sqm which could be utilised for informal recreation.</p>
			<p><u><i>Officer Comment</i></u></p> <p><i>The Mayors SPG makes it clear that for the purposes of assessing playspace provision for the over 12 age group, if there is existing playspace within 800 metres walking distance then this may alleviate the need for on-site provision. In this case both Silkstream Park and Montrose Playing Fields are located within the requisite maximum distance and provide viable and usable playspace which accords with policy.</i></p> <p><i>The offsite provision would also be supplemented by the on-site provision of 423 sqm of amenity space adjacent to Block B.</i></p>

- 6.26 It is clear from table 1.2 above that the proposed development would provide an adequate level of children’s playspace which is accordant with the requirements of the Mayor’s Shaping Neighbourhoods: Informal Play and Recreation SPG and the application is therefore acceptable in this regard.
- 6.27 Nevertheless, in relation to the play space for the Under 5’s the application does not incorporate details of the equipment to be provided. Therefore if permission were to be granted a condition would be attached requiring the submission of details of the play equipment to ensure it is of an appropriate type and quality.

## Noise

- 6.28 With regards to noise from traffic, the noise report submitted demonstrates that the site experiences high noise levels and that mitigation will be required. The report goes on to suggest that internal noise levels of 40dB(A) day and 35 dB(A) night should be the design criteria acceptable to the Council. It should be noted that this is incorrect, and the Council's required internal noise levels are 35dB(A) day and 30dB(A) night.
- 6.29 The noise report also shows that external noise levels on balconies fronting Edgware Road will experience high noise levels that exceed the standard WHO 55dB (A) criteria. The report outlines that this could be overcome by the installation of winter gardens however the current application does not propose winter gardens and as such the application should be assessed on its merits and in relation to the balconies currently proposed. Officers consider that the noise levels on the balconies should not be afforded the same weight as if they were a habitable room and in this regard, it is considered that it would not be inappropriate to resist the application on this basis. By way of precedent, the adjoining Green Point development incorporates balconies on the Edgware Road elevation which were considered to be appropriate by the Planning Inspector in reaching a decision on appeal ref: APP/N50590/A/07/2057441.
- 6.30 Nevertheless, it is also noted that mitigation measures are proposed in the form of glazing and mechanical ventilation which should be able to achieve the required noise levels. To this end, conditions are attached which require compliance with the internal noise levels of 35dB(A) day and 30dB(A) night.
- 6.31 The development also proposes plant equipment and machinery which would be accommodated at basement level. If permission were granted, noise emissions from this plant would be controlled through appropriate conditions in order to minimise the impact on future occupiers of the development.
- 6.32 As well as the noise from plant machinery, mitigation would be required to minimise the likelihood of internal noise transmission between the office and residential units and as such conditions requiring the submission of noise insulation measures for approval would be attached if permission were granted.

## Privacy

- 6.33 The most sensitive of the proposed units in terms of privacy are those located at ground floor level adjoining the shared amenity area adjacent to Blocks B and C.
- 6.34 Units C.003-C005 all incorporate windows that overlook the shared amenity space which are the sole window of a habitable room and as such it would be inappropriate for them to be obscurely glazed. The proposed layout shows that the landscaping adjacent to each of these windows would consist of an area of planting which would be for the purpose of preventing users of the amenity space from utilising this area and thus compromising the privacy of the

occupiers. It is considered that this arrangement would adequately protect the privacy of future occupiers in line with Policy DM01.

- 6.35 Units B.001, B.002, C.001 and C.007 all have enclosed private amenity areas adjoining the communal areas. In order to ensure that the boundary enclosures would be of an adequate height and form to minimise the potential for overlooking, a condition would be attached requiring details to be submitted for approval if permission were granted.
- 6.36 Other than the windows at ground floor level, officers consider that the location and the relative separation distances from neighbouring windows is sufficient to ensure that there would be no unacceptable loss of privacy for future occupiers. In the case of the units to the south of Block A, opposite the Green Point development, these windows would be obscurely glazed which is considered to be acceptable given that they represent secondary windows and are located in such close proximity to the facing windows of Green Point.

#### Daylight/Sunlight

- 6.37 A daylight/sunlight assessment has been submitted in support of the application by Waterslade which is inclusive of an assessment on the levels of both daylight and sunlight that would be received by all units of the proposed development.
- 6.38 The daylight/sunlight assessment submitted by Waterslade sets out the Average Daylight Factor (ADF) figures for each residential habitable room of the proposed development. 93% of the rooms will achieve the BRE and British Standard target levels for ADF, mostly by a large margin however 14 bedrooms would fall short of the BRE ADF criteria, in most cases by a small margin. It is also outlined that minor alterations to window widths at a detail design stage would result in full compliance, so one must ask why these alterations were not incorporated at this stage of the process. All 167 Living-Kitchen-Dining Rooms of the proposed development would achieve the 1.5% target for a living room, which represents it is considered represents a good level of compliance. It is also outlined that 5 LKDs of the proposed development would fall short of the 2% target for a kitchen with the assertion that due to their principal use being as a living room that this should not be regarded as important. Paragraph 2.1.8 of the document Site Layout Planning for Daylight and Sunlight (BRE, 2011) confirms that the target minimum ADF for a living room is 1.5%. Given the primacy of the living area in the LKDs of the development it is considered that the ADFs of these 5 rooms can be considered acceptable in this case.

#### Outlook

- 6.39 A dual aspect unit has many inherent benefits including cross ventilation, a choice of views, access to a quiet side of the building, and a greater flexibility in the use of rooms. The Mayor has outlined within design guidance that dual aspect should be the first option that designers explore for all new developments. In this regard, the development proposes a 78% of the units as dual aspect and 22% of units as triple aspect which is considered to be an

excellent ratio and would help to provide a very good standard of outlook for future occupiers.

- 6.40 In specific terms, officers consider that the residential windows are located appropriately so as to provide an adequate degree of outlook. All of those windows that are obscurely glazed are secondary windows with primary outlook being provided by way of a larger window. The separation distances involved between facing windows are not significantly greater than those that would be expected in such an urban environment.

## **7.0 Design and Appearance**

### Tall Building (Block A)

- 7.1 London Plan Policy 7.7 sets out the approach to tall buildings in London requiring that appropriate locations are identified in Local Plan's. The policy sets out design criteria that tall buildings should comply with. Further to this, London Plan paragraph 7.25 defines a tall building as one that is substantially taller than its surroundings, or significantly changes the skyline.
- 7.2 Core Strategy Policy CS5 identifies this part of the borough as being suitable for tall buildings whilst the Colindale Area Action Plan also identifies the location as being acceptable for tall buildings given its location in the 'Edgware Road – Corridor of Change'. The location of the tall building is therefore acceptable in principle. Nevertheless, Policy Development Management Policy DM5 states that, where acceptable in principle, tall buildings must satisfy 5 criteria which are addressed in turn below.
- i) An active street frontage
- 7.3 The ground floor of the development would incorporate business units which would be located either side of the main residential entrance lobby. Both of the units would incorporate an entrance from the street and the entrance to the residential accommodation would entail regular activity with residents coming and going and in this regard it is considered that the development would provide an adequately active frontage which would satisfy this aspect of the policy.
- ii) Successful integration into the urban fabric
- 7.4 The surrounding context of the application site is currently undergoing irrevocable change with the implementation of the Green Point development to the south of the site which rises to a maximum of 8 storeys and The Nordic Quarter development to the west of the site (within the London Borough of Brent) which rises to a maximum of 19 storeys.
- 7.5 In the context of the emerging townscape on Edgware Road it is considered that the proposed 16 storey tower would be congruent. The height of the building would step down from that of the 19 storey TNQ building whilst the properties would not lie directly opposite

each other, being offset which would avoid the potential for canyoning between the buildings. When viewed from the north, south and east the building would be viewed in the context of the TNQ development which would ensure that Block A would not be overly dominant and would not visually overwhelm the surrounding area.

- 7.6 Notwithstanding the taller building typologies in the surrounding area, located on and around Edgware Road, it must also be recognised that the application site also lies in close proximity to an area of two storey, semi-detached residential properties located on the streets The Greenway and Greenway Close. In this regard, the development responds to this by stepping down in height towards the rear of the site, stepping from the 16 storeys of Block A to the 7 storeys of Block B and the 3 storeys of Block C.
- 7.7 The scale, bulk and massing of Blocks B and C are discussed fully in paragraphs 7.26 and 7.27 of this report, however, officers consider that the overall design approach incorporating the descending building heights is appropriate and would ensure that the development integrates with the varying heights of the adjoining building typologies and be congruent within the surrounding urban fabric.
- iii) A regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- 7.8 Edgware Road resides within a natural depression in the topography of the borough and thus tall buildings in this location have the potential to be less visible on the skyline. There are also no strategic views or identified local viewing corridors which would be adversely affected by the development.
- iv) Not cause harm to heritage assets and their setting
- 7.9 There are no heritage assets within close proximity to the site and as such the development would not result in any harm to their special interest or their setting.
- v) That the potential microclimate effect does not adversely affect existing levels of comfort in the public realm
- 7.10 The application is accompanied by a Microclimate (Wind) Report by Tsengi Building Simulations which sets out that an assessment was carried out using Computational Fluid Dynamics (CFD) simulations with several scenarios based on local climactic data being tested. A number of points located throughout the proposed development and on the adjacent highway were identified as being those where activity would take place and the assessment was carried out using these points. The results within the report are presented in accordance with standard practice for wind microclimate studies using the Lawson Scale of pedestrian comfort.
- 7.11 The results show that on all the points assessed, the pedestrian comfort levels would only exceed acceptable wind conditions as set out in the Lawson Scale by 0.02% in the case of

two private amenity areas within the new development. The results of the report are summarised in Table 1.3 below:

Table 1.3

<b>Description</b>	<b>Impact</b>	<b>Mitigation Required</b>
Wind along pedestrian thoroughfares	Negligible	None
Wind impact at entrances	Negligible	None
Wind impact in public amenity spaces	Negligible	None
Wind impact on surrounding properties	Minor Beneficial	None

7.12 Having regard to the report by Tsengi Building Simulations and the results outlined above, it is clear that the development would not have a detrimental impact on existing levels of comfort in the public realm.

CABE/English Heritage Advice on Tall Buildings

7.13 As well as the Barnet DMP – DPD outlined above, the London Plan and CABE set out criteria which tall buildings should adhere to. Most of these criteria are similar to those of Policy DMO6 and are set out below with a brief assessment:

7.14 Context: As outlined in paragraphs 7.4-7.7 above, it is considered that the proposed tall building would not be overly dominant within its context and would harmonise with the emerging context on this part of Edgware Road.

7.15 Historic Assets Impact: There are no listed buildings, conservation areas in close proximity to the application site and as such there would be no adverse impact to their setting,

7.16 Relationship to Transport: The development has a PTAL of 3 and is located within 400 metres of Colindale Underground Station and there are also several bus routes with stops in the vicinity of the site. The application is supported by a transport statement that confirms that the capacity of the public transport infrastructure would not be unacceptably affected by the development.

7.17 Architectural Quality: The external elevations of Block A would consist of a grid form, consisting of a brick framed construction with contrasting panels of grey composite stone and bronze metal cladding. To the front elevation, the balconies would be recessed into the façade however the corners of the front elevation would not have a vertical pillar, giving it a more open appearance and reducing the bulk of the building. It is considered that the overall design approach is acceptable however the success of this design approach would be reliant on high quality materials being used and the architectural detailing being well considered. If permission were granted robust conditions would therefore be attached requiring the submission of additional details and samples where necessary of all external items.



- 7.18 Sustainability: The application is supported by an energy statement which confirms that the development will accord with London Plan guidelines relating to CO2 emissions.
- 7.19 Design Credibility: The scheme is designed by a reputable architecture team and is supported by an established consultancy.
- 7.20 Contribution to Spaces and Facilities: The development contributes a ground floor active frontage, a range of uses including business and residential in line with the CAAP aspiration for the site. The development also provides communal amenity space for future occupiers.
- 7.21 Environmental Effect: No significant adverse impacts are identified including microclimate, overshadowing, night-time appearance, vehicle movement or to neighbour's amenity. This is clearly set out in the relevant sections of this report.
- 7.22 Contribution to Permeability: The development does not create any new connections to the public realm and those that are proposed are those that already exist. Given the relationship of the application site to adjoining sites and the public highway, there are no opportunities for any new connections to be created. Nevertheless, the site itself would be permeable with clear and direct connections throughout the site.
- 7.23 Well-Designed Environment: The scheme would deliver robust, well designed buildings that would be connected by high quality hard and soft landscaping. It is considered that overall, these combine to create a well-designed environment.

#### Design and Appearance (Blocks B and C)

- 7.24 Block B would have a similar aesthetic to Block A with a similar palette of materials and incorporating a grid form to the south elevation with recessed balconies. The grid form of the south elevation of the Block would have a regular layout, unlike the irregular pattern of Block A. The regular grid form of the Block along with the height and the limited width of the building give it a strong vertical emphasis which it is considered is successful in embedding it within its context and helping it harmonise with the 16 storeys of Block A. As with Block A, robust conditions would be attached to any permission requiring the submission of further details of the materials and architectural detailing to be used.
- 7.25 Block C would consist of a series of interconnected blocks which would be of a brick construction with irregularly located windows. It is considered that the low rise nature of the Block makes it suitable for a more solid appearance which is evident in the solid elevations. Given the prevalence of brick, it is important that the brick used is of a high quality and as such a sample would be required by condition if permission were granted. In addition to the bricks, much of the architectural expression would also come from the windows and in this regard it is important the depth of the reveals and the materiality of the windows is well considered. A condition requiring the submission of details for approval would therefore be attached if permission were granted.

### Scale, Bulk and Massing (Blocks B and C)

- 7.26 The 7 storeys of Block B would be similar to the height of the adjoining Green Point development, the northern wing of which would run parallel to the Block, and it is considered that this would aid the congruence of the development and its integration with the surrounding area.
- 7.27 Whilst the 3 storeys of Block C would stand at a storey higher than the 2 storeys of the residential properties to the east, the flat roof design of this element and the separation distance from the neighbouring properties would ensure that any difference in scale would not be readily discernible.

### Conclusion

- 7.28 Having regard to all of the above, officers consider that the principle of a tall building in this location is acceptable. Officers consider that the scheme is of a high design quality and would integrate well with its surrounding context in accordance with London Plan Policy 7.7 and Local Policies CS5 and DM01.

## **8.0 Amenity Impact on Neighbouring Properties**

### **Daylight/Sunlight**

- 8.1 The applicant has submitted a Daylight/Sunlight report from Waterslade (June 2015) which is inclusive of daylight, sunlight and overshadowing assessments of the impact of the proposed development on both neighbouring occupiers and future occupiers of the development itself.

### Daylight

- 8.2 The standardised assessment methodology for daylighting is set out within the BRE document Site Layout Planning for Daylight and Sunlight (BRE, 2011). Within this document it is set out that the primary tool is the Vertical Sky Component (VSC) and that the target value for windows to retain the potential for good daylighting is 27% or more than 0.8 times its former value.
- 8.3 The assessment from Waterslade relies on the basis that the application site is located within an urban context and as such the target VSC level in such an environment should be correspondingly lower given the tight urban grain and the increased scale of the buildings. Waterslade have therefore adopted a revised VSC target value of 18% which they consider to be appropriate for the location.
- 8.4 In response to this revised VSC target value, it is accepted that the BRE guidelines are predicated on a suburban environment and that a less prescriptive approach may be adopted in an urban environment. Indeed, paragraph 1.6 of page 1 of the guidance states

the following: *“The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of the factors in layout design. In special circumstances the developer or planning authority may wish to use different target values...”* With the above in mind and cognisant of the urban context within which the application site is located, it is considered that the reduced VSC target value is reasonable.

### Green Point

- 8.5 Having established a revised VSC target value and assessed the impact using the proposed massing, the daylight assessment also uses mirroring of the Green Point development to establish an alternative baseline position to aid in assessment. Mirror analysis is predicated on a mirror image of the existing building (Green Point) being erected on the adjoining plot of land at the same distance from the shared boundary. The figures extrapolated from this analysis then serve as an alternative baseline for further assessment so the relative impact of the proposed massing over and above the baseline position can be considered. It is considered that the use of this model is appropriate in this circumstance, bearing in mind the location and characteristics of both sites.
- 8.6 As evidenced within the Waterslade assessment, the comparative impact between the proposed massing and the mirror massing shows that there would be a low relative impact which is in line with BRE guidelines to most windows. When the mirror massing is used as a baseline and the comparative between these VSC levels and the VSC levels of the proposed massing is calculated, a total of 29 windows would fail to achieve a VSC level of 27% and be less than 0.8 times the baseline value. However, when the revised VSC target value of 18% is applied this number reduces to 19 windows.
- 8.7 These 19 windows serve a number of dual aspect rooms with secondary site-facing windows where the primary street-facing windows will be unaffected by the scheme. Therefore, despite the impact to the site facing windows it is considered that the overall impact to the rooms will be small. All but five units have VSCs in excess of 18% which, as outlined above, is considered to be an appropriate target level for the urban context of the application site. These five units are located in a vertical column adjacent to the site boundary.
- 8.8 Taking into account that the windows affected are located on a flank elevation facing a site identified within the Colindale AAP as a potential development site, it is considered that any comprehensive redevelopment of the application site would have resultant impacts on the daylight levels of the units served by windows on the north-west elevation. 5 units represent 5.8% of the 86 units accommodated within the Green Point development and as such it is a relatively low number of units that would be affected and on balance, it is considered that the daylight impact would be acceptable.

### The Nordic Quarter (TNQ)

- 8.9 Even though located in the neighbouring borough of Brent, the TNQ is a residential building with windows directly facing the application site and the location of the proposed 16 storey element. The Daylight and Sunlight assessment undertaken by Waterslades incorporates an assessment of the impact on the windows of this building.
- 8.10 The results show that most of the windows within TNQ would comfortably achieve the BRE VSC criteria however also show that would be a number of borderline impacts to windows on the North-East façade with VSC reduction factors slightly less than 0.8. However, these windows have retained VSC values in excess of 20%, which is in excess of the revised VSC target value of 18% and is appropriate for the urban setting. It should be noted that some side-facing windows, recessed beneath balconies would also suffer impacts below the target values however given the location of these windows and the fact that they are secondary windows it is considered that the impacts should not be afforded significant weight.

### 1-8 Portman Gardens

- 8.11 The results for the two storey residential properties on Portman Gardens (no.'s 1-9) show that there would be a negligible impact with most windows comfortably achieving the target values. Nevertheless 2 windows at no.5, 2 windows at no.6 and 4 windows at no.7 would suffer noticeable impacts. Of these windows identified there are mitigating circumstances in that they are secondary windows within rooms that are served by other primary windows which it is considered would mitigate the impact to an acceptable level.

### 73-109 The Greenway

- 8.12 The results of the assessment show that the impact to all windows in these properties would be minimal with typical reduction factors of 0.95 (5% loss). The impacts would therefore be comfortably in accordance with the BRE VSC criteria.

### 13-14 Greenway Close

- 8.13 All of the rooms on the ground floor of this property comfortably achieve the BRE VSC criteria however there are impacts to 3 first floor windows. As existing, these windows have their access to light restricted by the overhanging roof eaves and have a low VSC. For all 3 windows, the relative level of reduction in VSC levels would be just below the 0.8 set out in BRE guidelines. Given the low existing VSC levels and the marginal extent to which the relative reduction would be below the BRE recommended levels, it is considered that on balance these losses could be tolerated.
- 8.14 Having regard to all of the above and based on the findings of the Daylight and Sunlight assessment undertaken by Waterslades, it is considered that the daylight impact of the development on the neighbouring properties would be acceptable and in line with Policy DMO1 of the Development Management Policies DPD.

## **Sunlight**

- 8.15 In relation to sunlight, the BRE recommends that the Annual Probable Sunlight Hours (APSH) received at a given window in the proposed case should be at least 25% of the total available including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period. The BRE guidelines state that “..all main living rooms of dwellings should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block out too much sun”.

### Green Point Development

- 8.16 The site-facing façade of the building has a northerly aspect and therefore is irrelevant in relation to sunlight. All of the South facing windows in the property comfortably achieve the BRE APSH criteria, and as such the property would continue to receive very good sunlight amenity following the proposed development.

### The Nordic Quarter (TNQ)

- 8.17 All of the site-facing windows have a Northerly aspect and therefore sunlight is not an issue. Those which face within 90 degrees of due south comfortably achieve the BRE APSH criteria, and the property will continue to receive very good sunlight amenity after development.

### 1-8 Portman Gardens

- 8.18 The results of the assessment show that all of the south facing windows on the properties at 1-8 Portman Road would retain an adequate level of ASPH in line with BRE standards.

### 73-109 The Greenway

- 8.19 A significant number of the windows in no.'s 73-109 The Greenway have a northerly aspect so sunlight is not an issue in this regard. The results show that 1 small, secondary window will not achieve the BRE ASPH criteria however the other windows serving this room would retain a good level of sunlight and would mitigate this loss.

### 13-14 Greenway Close

- 8.20 The results show that most of the windows will receive very good levels of sunlight following proposed development however 2 windows would fall marginally short of achieving strict compliance on winter sunlight. The windows identified are bedrooms and BRE guidelines state that 'kitchens and bedrooms are less important' with regards to ASPH and as such it is considered that less weight should be afforded to the shortfall than if it were a living room. In this regard it is considered that the sunlight impact can be considered to be acceptable.

## **Overshadowing**

- 8.21 The primary methodology for assessing the overshadowing impact of development on neighbouring amenity areas is set out within the BRE Guidelines where the following is stated:

*“... it is suggested that no more than two fifths and preferably more than a quarter of the amenity areas should be prevented by buildings from not receiving any sunlight at all on 21st March”*

- 8.22 The daylight/sunlight assessment submitted in support of the application includes an assessment on the overshadowing impact of the development. The most sensitive amenity areas that would be affected by the proposed development would be those of Portman Gardens and The Greenway which adjoin the application site to the east of the site. The assessment submitted shows that all of these amenity areas would each retain more than 50% of direct sunlight on 21<sup>st</sup> June in line with the BRE Guidelines indicating the potential for the gardens to retain a good level of direct sunlight.
- 8.23 Drawing 927/SH/17 appended to the daylight/sunlight assessment shows the region of each amenity space, surrounding the site with the potential to experience more than 2 hours of sunlight on both 21st March. In most cases 50% of each amenity space will receive more than 2 hours on 21st March however it is clear that a number of properties would not. Nevertheless all of these properties identified which would not retain 2 hours of sunlight over 50% of the area already fall below this standard and the scale of the actual loss is low. In this regard, the actual impact of the proposed development on the amount of direct winter sunlight received by those properties would be marginal.

## **Outlook**

- 8.24 The proposed height and the layout of the development is such that the 16 storey element, Block A, is situated adjacent to the street frontage directly opposite the façade of TNQ and the north-west elevation of the Green Point development, both of which accommodate residential windows that currently look out onto the two storey building currently in situ on the application site. In this regard it is inexorable that there would be an irrevocable additional impact on the outlook from these windows given the height and location of the proposed 16 storey tower and, in the case of the Green Point dwellings, Block B, the 7 storey element to its rear.
- 8.25 With regards to TNQ, whilst the height of the proposed development would be similar to that of the building there would be a separation distance of approximately XX metres. This separation distance is considered to be adequate to ensure that the loss of outlook would not be to an unacceptable extent given the urban context.

- 8.26 In relation to Green Point, the south elevation of Block A would project to within 11 metres of the windows located to the front of the north elevation. The approved layout of the Green Point development is such that at floors 2-7 the windows located opposite Block A of the proposed development would comprise 2 bedroom windows and a living/kitchen/dining room on each floor, a total of 26 windows. In the case of the living/dining/kitchen room, the north facing window provides secondary outlook with the primary outlook to the west. In relation to the bedroom windows, these provide outlook from a secondary habitable room and as such the harm would not be so significant as would be the case if the windows provided the sole outlook from a primary habitable room such as a living/kitchen/dining room. Therefore, notwithstanding the proximity of these windows to the south elevation of Block A, officers consider that the impact would not be so significant as to warrant refusal of the application on this basis.
- 8.27 The development steps down in height adjacent to the rear boundary of the site with Block C comprising of 3 storey properties with a flat roof set in from the boundaries. The separation distance to the residential properties to the rear on Greenway Close and Portman Gardens varies between 25 and 30 metres and as such it is considered that the massing of Block C would not result in a significant loss of outlook from these properties.

#### **Privacy**

- 8.28 The development has been designed to minimise potential overlooking of neighbouring properties with windows positioned away from sensitive boundaries opposite neighbouring residential properties. The layout and the form of the wing of Block C adjacent to the eastern boundary adjoining The Greenway has been amended during the course of the application. The amendments were in response to officer concerns over the potential for actual and perceived overlooking of The Greenway properties from the first floor amenity areas. The changes implemented relate to the incorporation of an area of planting to the east of the amenity areas which would have the effect of preventing this area from being utilised by future occupiers a standing/sitting out area and minimising actual and perceived overlooking. Nevertheless, in order to ensure that the planting area is of an appropriate form and height to achieve this, a condition is attached requiring details to be submitted for approval.

#### **Noise**

- 8.29 The applicant has commissioned a Noise Impact Assessment from Sustainable Acoustics which sets out the likely noise impacts of the development and which has been reviewed by the Council's Environmental Health officers.
- 8.30 With regards to the noise impact of the development on the adjoining residential properties, there would be a sensitive point adjacent to where the vehicular ramp would be located to the south of the site, adjacent to the boundary with no.109 The Greenway. There are no prescriptive noise standards to assess this source of noise, however it is likely that noise from cars utilising the ramp would be appreciable to occupiers of no.109. In order to

minimise such noise disturbance, Environmental Health officers have recommended that an acoustic fence is erected on the boundary and if permission were to be granted, a condition would be attached requiring the submission of details of such a fence for approval.

- 8.31 Given the scale of the development, it is also likely that there would be potential for significant noise from construction. If permission were to be granted, in order to ensure that the construction process would be managed appropriately including the provision of noise mitigation measures, a condition would be attached requiring the submission of a construction method statement.

## **9.0 Sustainability**

- 9.1 London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

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

- 9.2 Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation.

- 9.3 Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

### Carbon Dioxide Emissions

- 9.4 The application is accompanied by an Energy Statement from AJ Energy Consultants which sets out that the scheme will incorporate energy efficiency measures including Combined Heat and Power (CHP) and photovoltaic panels. The incorporation of the specified energy efficiency measures would equate to a reduction of 35.6% for the scheme, which exceeds the revised London Plan policy requirements of 35%. Nevertheless, with regards to London Plan compliance the GLA reviewed the submitted Energy Statement and outlined that additional information was required before the scheme can be considered to be in full compliance. The additional details relate to measures to prevent overheating and reduce demand for cooling, a commitment to ensure connection to any future district heating network as well as confirmation on the management and maintenance arrangements to the CHP.
- 9.5 With regards to the comments from the GLA, it is considered that respective conditions could be attached to require details of measures to ensure connection to any future district heating network and to require details of the maintenance and management of the CHP.
- 9.6 In terms of overheating, subsequent to the comments from the GLA the applicant carried out a further review and submitted additional details, showing that all residential units



would at most have a 'slight' risk of overheating. Following further assessment, GLA officers outlined that there was no further objection to the application on this basis.

- 9.7 If permission were to be granted, a condition would also be attached to ensure that the development achieves the level of carbon dioxide reductions identified in the Energy Strategy as a minimum at implementation. Subject to the suggested conditions, it is considered that the proposed improvements are sufficient for the scheme to comply with the requirements of policy on the reduction of carbon dioxide emissions.

#### Other Sustainability Issues

- 9.8 A Sustainability Statement has been submitted with the application, also produced by AJ Energy Consultants. The statement identifies a number of sustainable design features that the development would incorporate in order to adapt to climate change, conserve resources and minimise pollution. These include elements such as measures to reduce water consumption, the provision of appropriate recycling facilities, the inclusion of energy efficiency measures, the construction of 10% of the new dwellings as wheelchair accessible units and the installation of facilities for cyclists.
- 9.9 With regards to the Code for Sustainable Homes, the government issued a Written Ministerial Statement which confirmed that the scheme has been withdrawn with immediate effect. Therefore planning applications, other than those which have already been approved with a CSH condition, are no longer required to comply with the code. Nevertheless, a Code for Sustainable Homes pre-assessment has been appended to the Sustainability Statement which sets out that the dwellings proposed could achieve Level 4 standard.
- 9.10 In relation to the non-residential floorspace, the Council supports the use of Building Research Establishment Environmental Assessment Method (BREEAM) which is used to measure the environmental performance of non-residential buildings and a standard of 'Very Good' is required in all new non-residential developments. A BREEAM pre-assessment is appended to the Sustainability Statement which confirms that the office floorspace could achieve a standard of 'Very Good'. If permission were to be granted, a condition would be attached to ensure that the development achieved this standard on implementation.

#### **10.0 Planning Obligations**

- 10.1 Policy CS15 of the Barnet Local Plan states that where appropriate the Council will use planning obligations to support the delivery of infrastructure, facilities and services to meet the needs generated by development and mitigate the impact of development.
- 10.2 In accordance with development plan policies the following obligations are required to be secured through a legal agreement with the developer. If permission were granted it is considered that the package of planning obligations and conditions recommended would, when considered alongside the financial contributions that the development would be required to make under the Barnet CIL, mitigate the potential adverse impacts of the development and ensure the provision of the funding needed for the delivery of the infrastructure that is necessary to support the scheme.

### Affordable Housing

10.3 In accordance with policy 3.12 of the London Plan and Policies CS4, CS15 and DM10 of the Barnet Local Plan, officers recommend that the following number and mix of affordable housing unit types and sizes are secured by S106 Agreement at the application site:

- 12 x Social Rented Units
- 8 x Intermediate Housing Units

Comprising of:

- 2 x 1 bedroom units
- 15 x 2 bedroom units
- 3 x 3 bedroom units

10.4 Officers also recommend that a review mechanism should be included in the S106 agreement should permission be granted. This mechanism would ensure that if circumstances changed and the scheme became more economically viable, a correspondingly appropriate additional financial contribution and/or additional affordable housing would be made to the Council.

### Employment and Training

10.5 In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would be required to deliver employment and training opportunities through a Local Employment Agreement.

10.6 If permission were granted, the employment agreement would need secure the following minimum levels and would also set out specifically how the applicant would achieve this.

- 4 places for progression into employment, less than 6 months;
- 2 places for progression into employment, more than 6 months;
- 5 apprenticeships;
- 9 work experience placements
- 55 school / college / university students' site visits
- 44 school / college students to attend workshops

10.7 In addition to the requirements set out above, the scheme entails a loss of employment floorspace and as such the SEET SPD stipulates that a financial contribution to mitigate the loss should be made. The level of the contribution is based on the relative amount of the employment floorspace lost and the average cost of getting a person back to work as set out in the SPD. Based on the specific circumstances of the application the figure required is £21360. The monies would be retained specifically for employment, skills, training and enterprise support and initiatives delivered by the Council and its partners.

### Travel Plan and Travel Plan Monitoring

10.8 In accordance with policy DM17 of the Local Plan the applicant would be required to enter into a Strategic Level Travel Plan for the residential development which would seek to reduce reliance on the use of the private car and promote sustainable means of transport.

- 10.9 The Residential Travel Plan provided would be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives (up to a maximum of £24300) for the first occupier of each residential unit. These incentives are discussed in further detail in the relevant section of this report but would comprise of a voucher to a minimum value of £300 per dwelling to be spent on Car Club Membership, an Oyster Card with a pre-loaded amount and/or Cycle Scheme vouchers all designed to encourage the use of more sustainable modes of transport.
- 10.10 A contribution of £15000 would be required towards the monitoring of the Travel Plans for the development. This contribution would enable the Local Planning Authority to continue to monitor the scheme to ensure the development is making reasonable endeavours to meet travel related sustainability objectives in accordance with policy DM17 of the Local Plan.
- 10.11 In line with the incentives above, the provision of a car club and the allocation of car parking spaces within the site to be provided and retained for use by the car club would also be required.

#### Monitoring of the Section 106 Agreement

- 10.12 The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements would be required. The Council would therefore require the payment of £1755 towards the costs of undertaking the work relating to securing the planning obligations recommended in line with the adopted SPD for Planning Obligations.

#### Pedestrian Environment Review System / Highway Works

- 10.13 The application would be required to provide funding towards any highway safety and pedestrian improvement if required as part of the PERS audit. These works would be carried out through a Section 278 Agreement.

#### Community Infrastructure Levy

- 10.14 The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) at a rate of £135 per square metre. Because of the nature of the way in which CIL is calculated it is only possible to estimate the contribution which will finally be made through the Barnet CIL at the time planning applications are determined.
- 10.15 The CIL liability of the scheme is determined by the amount of new floorspace being provided, deducting both the social housing element and the office floorspace, both of which are exempt from CIL liability. At this stage, it is therefore anticipated that the development would have a CIL liability of £880,165.
- 10.16 In addition to the Barnet CIL liability, it is anticipated that the development would have a Mayoral CIL liability of £256,716

## **11.0 Flood Risk / SUDS**

- 11.1 Policy CS13 of the Barnet Core Strategy states that “we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does not cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels”.
- 11.2 The application has been accompanied by a Flood Risk Assessment produced by EAS. The report identifies and assesses the risks of all forms of flooding to and from the development and concludes that the proposal would not adversely effect on site or neighbouring properties. The application has also been accompanied by a Drainage Feasibility Report (also from EAS) which considers peak flow rates and the potential for SUDS and surface water storage.
- 11.3 The majority of the site is located in Flood Zone 1 (low risk – less than 1 in 1000 annual exceedance probability), although a small area of the site along the eastern boundary appears to be located within Flood Zone 2 on the Environment Agency (EA) Flood Zone maps, which is considered to be at a medium risk of flooding from rivers (between a 1 in 100 and 1 in 1000 year probability of flooding).
- 11.4 The site is shown to be located in a ‘Very Low’ risk area with regards to surface water flooding and is not considered to be at risk of flooding from sewers or groundwater. Thames Water were consulted on the application and took the view that the development would not result in any increased risk of localised flooding. Nevertheless, if permission were to be granted, a condition would be attached requiring the submission of further details of the drainage and SUDS strategy for approval.

## **12.0 Archaeology**

- 12.1 The application site is located in an Area of Archaeological Significance, being located adjacent to the Watling Street Roman Road. Consequently, Historic England (Archaeology) were consulted on the application. Historic England have requested that a two stage process of archaeological investigation is required by condition and such a condition would be accordingly attached if permission were granted.

## **13.0 Contaminated Land**

- 13.1 The application has been accompanied by Land Contamination Survey from Groundsure. The contaminated land report submitted recommends an intrusive ground investigation as being necessary due to the historical use of the land and presence of fuel tanks within the site. If permission were granted, an appropriate condition would therefore be attached requiring such an investigation prior to works commencing.

## **14.0 Crime Prevention / Community Safety**

- 14.1 Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.

14.2 The development would have two access points, with a pedestrian access on Edgware Road and a vehicular access on The Greenway. The key issue in terms of crime prevention is how these access points interact with the public realm and what means of access control is used. In addition, consideration should be given to whether a lighting scheme and/or CCTV are required for the external walkways and amenity areas within the boundary of the site. In this regard, if permission were granted appropriate conditions would be attached requiring the submission of a Crime Prevention Strategy outlining such measures including compliance with Secured by Design Standards.

**15.0 Impact on the Development Potential of Adjoining Site**

15.1 The north elevation of the development does not incorporate any habitable windows overlooking the adjoining site with the windows serving Block B being obscurely glazed and the Block A being orientated to incorporate aspects to the east and west with a blank north elevation. In this regard officers consider that if the adjoining site came forward for development then its development potential would not be compromised.

**16.0 Transport / Highways**

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

Car Parking

16.2 The London Plan sets out maximum parking standards which are outlined in Table 1.4 below.

Table 1.4

	PTAL 0 to 1		PTAL 2 to 4		PTAL 5 to 6	
Suburban	150–200 hr/ha	Parking provision	150–250 hr/ha	Parking provision	200–350 hr/ha	Parking provision
3.8–4.6 hr/unit	35–55 u/ha	Up to 2 spaces per unit	35–65 u/ha	Up to 1.5 spaces per unit	45–90 u/ha	Up to one space per unit
3.1–3.7 hr/unit	40–65 u/ha		40–80 u/ha		55–115 u/ha	
2.7–3.0 hr/unit	50–75 u/ha		50–95 u/ha		70–130 u/ha	
Urban	150–250 hr/ha		200–450 hr/ha		200–700 hr/ha	
3.8–4.6 hr/unit	35–65 u/ha	Up to 1.5 spaces per unit	45–120 u/ha	Up to 1.5 spaces per unit	45–185 u/ha	Up to one space per unit
3.1–3.7 hr/unit	40–80 u/ha		55–145 u/ha		55–225 u/ha	
2.7–3.0 hr/unit	50–95 u/ha		70–170 u/ha		70–260 u/ha	
Central	150–300 hr/ha		300–650 hr/ha		650–1100 hr/ha	
3.8–4.6 hr/unit	35–80 u/ha	Up to 1.5 spaces per unit	65–170 u/ha	Up to one space per unit	140–290 u/ha	Up to one space per unit
3.1–3.7 hr/unit	40–100 u/ha		80–210 u/ha		175–355 u/ha	
2.7–3.0 hr/unit	50–110 u/hr		100–240 u/ha		215–405 u/ha	

- 16.3 Explanatory text provided in the parking addendum sets out that all developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit.
- 16.4 Car parking standards for residential development are also set out in the Barnet Local Plan and recommend a range of parking provision for new dwellings based on the on a sites Public Transport Accessibility Level (PTAL) and the type of unit proposed. Policy DM17 of the Local Plan sets out the parking requirements for different types of units with the range of provision is as follows:
- Four or more bedroom units - 2.0 to 1.5 parking spaces per unit
  - Two and three bedroom units - 1.5 to 1.0 parking spaces per unit
  - One bedroom units - 1.0 to less than 1.0 parking space per unit
- 16.5 In addition, the site is also located within the area covered by the Colindale AAP and it should be noted that the AAP sets out specific parking standards which new development should achieve. The AAP states that a lower provision of 0.7 spaces per unit is appropriate for development sites within close proximity to public transport
- 16.6 The scheme proposes 87 car parking spaces along with 10 disabled spaces and 6 motorcycle spaces for the 81 residential units proposed.
- 16.7 The parking requirement for the proposed development would equate to parking provision of between 66 to 114 parking spaces. For a site with a PTAL rating of 3, 95 parking spaces need to have been provided therefore the provision of 87 parking spaces is falling short by 8 parking spaces.
- 16.8 Notwithstanding the shortfall of 8 spaces below the standard of 95 spaces, officers consider that the slightly lower provision is acceptable given the location of the site close to local amenities and subject to the submission of a Travel Plan to promote sustainable modes of transport. In this regard it is therefore considered that the Parking requirement for the proposed development is largely in accordance with the Barnet Local Plan, Development Management Policy DM17.
- 16.9 In consultation on the application, TfL commented that the location of the application site in relation to existing public transport infrastructure and its location within an area covered by the Colindale AAP would dictate that a lower parking provision of 0.7 spaces per unit in line with CAAP policy would be more appropriate. TfL have also outlined that such a ratio would be in line with similar developments in the area.
- 16.10 Notwithstanding the views of TFL, officers consider that the currently proposed level of car parking is acceptable for numerous reasons. Firstly, the site has a PTAL rating of 3 which is a medium accessibility and is not located within a town centre location. Secondly, the site is not within a Controlled Parking Zone therefore the overspill of parking that may result from the proposed development which could result in detrimental impact on highway safety and free flow of traffic.
- 16.11 Whilst the site is located within the area covered by the Colindale Area Action Plan (CAAP), it is located on the edge of CAAP. CAAP policy 3.5 in chapter 3 states that the residential parking requirements will vary across Colindale depending on the location of each development site. 1 space per unit will be taken as the maximum standard but a lower provision of 0.7 spaces per unit will be encouraged on sites within close proximity to the

public transport interchange, neighbourhood centre and high frequency bus routes. Nevertheless, it should be noted that the site is on the edge of the CAAP and therefore the parking provision would be assessed in accordance with the Barnet Local Plan, Development Management policy DM17.

- 16.12 The proposed parking provision of 87 parking spaces is already falling short by 8 parking spaces when assessed against the LBB parking standards for PTAL 3. Any further reduction in parking provision would therefore not be in accordance with LBB parking policy DM17 and as such the current parking provision is considered to be acceptable.
- 16.13 London Plan policy requires that 20% of all parking spaces are provided with electric vehicle charging points with an additional 20% of passive provision. The Transport Statement confirms that the development would achieve these standards and if permission were granted a condition would be attached to secure this provision.
- 16.14 A car parking management plan would also be sought through condition if permission were granted in order to confirm how spaces would be allocated and the car park managed.

#### Vehicular Access

- 16.15 The basement car park would be accessed via a ramp from The Greenway with vehicular egress onto Edgware Road parallel to the service entrance to the neighbouring property to the north. It is proposed that the existing one way vehicle access off Edgware Road will be closed to vehicular traffic (other than emergency and maintenance vehicles via a 3.75m gated entrance) and will be modified for pedestrian use only, forming the pedestrian entrance into the development.
- 16.16 Neither LBB transport officers nor TFL have any objection to the proposed vehicular access arrangements and an informative would be added if permission were granted stating the preferred design specifications for the ramps.

#### Cycle Parking

- 16.17 The development would provide 166 cycle spaces for the residential element located in purpose built enclosures adjacent to the communal amenity space to the front of the site and in basement storage areas. The level of provision is in line with London Plan standards which require 2 spaces per dwelling over 45 square metres.
- 16.18 The submitted plans do not show the location of visitor cycle spaces and as such a condition would be attached if permission were granted requiring details of the number and the location of the visitor spaces.

#### Vehicular Access Arrangements and Stage 1 Safety Audit (RSA):

- 16.19 The Transport Assessment submitted by EAS Transport Planning Ltd includes a Stage 1 Road Safety Audit which sets out that highway improvement works that would be required to be undertaken in order to mitigate the risks. If permission were granted, a Section 278 Agreement would be required in order for the works to be carried out.
- 16.20 Yellow box markings are proposed at the junction of the access with A5 Edgware Road to facilitate the right turn manoeuvre out of the development however it should be noted that

the yellow box markings cannot be used to facilitate a private entrance. If permission were granted, a condition would be attached requiring amended details of the junction without such yellow markings.

Trip Generation

- 16.21 Table 1.5 below shows the two way trip generation information submitted in the Transport Assessment (TA) to support the proposed development.

Table 1.5:

Period	Two Way Vehicular Trips	All Person Trips
AM Peak (08:00-09:00)	25	89
PM Peak (17:00-18:00)	17	56
All day trips	202	634

- 16.22 The existing Imperial House building would generate approximately 8 vehicle movements in each peak hour with the offices occupied.
- 16.23 The proposed development has been estimated to generate 25 two way residential trips in the AM peak and 17 two way residential trips in the PM peak. The maximum net increase in traffic will therefore be an estimated 17 additional vehicle trips in the AM peak hour and 9 trips in the PM peak. This is equivalent to an additional vehicle movement every 3-4 minutes in the AM peak and every 6 to 7 minutes in the PM peak.
- 16.24 Officers consider that this level of trip generation is unlikely to have any additional detrimental impact on A5 against the volume of background traffic already on the A5 and as such the application is acceptable in this regard.

Pedestrian Impact:

- 16.25 The development is expected to generate 261 daily walk trips and a further 154 daily public transport trips. Of these trips there will be up to a maximum of 58 new peak hour trips in the morning peak hour that will involve either the whole or part of the journey by foot. Officers consider that the pedestrian trips should not adversely impact upon existing road capacity because the pedestrian stage at the Edgware Road/Capitol Way signals is already called on most signal cycles.

Cycle Impact:

- 16.26 It is predicted in the Transport Assessment that there will be an increase in cycle use predicted to be up to 22 new daily total trips of which 2 will be in the morning peak period and 2 in the evening peak period which is likely to have a minimal impact on the public highway.

Public Transport Impact:

- 16.27 The development is expected to generate 154 daily public transport journeys of which 23 will be in the morning peak hour and 15 in the evening peak hour. There is also likely to be a percentage of the predicted trips by foot which will be part of a journey including public



transport. These levels of increases in peak hour public transport use are unlikely to have any detrimental impact on the local bus services.

- 16.28 On reviewing the trip generation data, TFL are of the view that it is not representative of the local ward due to the over estimation of walking and car trips as shown by census data. In addition, the trip generation data does not disseminate the data for public transport by mode and as such the impact on existing public transport infrastructure cannot be properly assessed. Revised trip generation data was not received, however officers consider that if permission were granted contributions towards improvements the existing bus and underground infrastructure could mitigate any additional impact from the development. The final level of the contribution sought would be negotiated following revised trip generation data.

#### PERS Audit:

- 16.29 The applicant has undertaken PERS Audit which has been agreed with Transport for London. In this regard, any highway works identified in the vicinity of the site as part of PERS, the applicant would be required to fund as part of the S106 Agreement and would then be concluded under a Section 278 Agreement if permission were granted.

#### Refuse Collection

- 16.30 The proposed refuse strategy would involve the storage of refuse in purpose built enclosures within the site with the refuse being transferred to the highway for collection on the appropriate day. The temporary storage of a large number of bins on the public highway could result in health and safety risks and as such if permission were granted a condition would be attached requiring the submission of a refuse strategy for approval.

#### Deliveries and Servicing

- 16.31 The application is accompanied by a Delivery and Servicing Management document which shows that deliveries and servicing would be undertaken from basement level. The document includes swept path analysis which shows that appropriately sized vehicles could move around the site and enter and exit in forward gear. This arrangement is considered to be acceptable by LBB and transport and TFL however a final version of the document would be secured by condition if permission were granted.

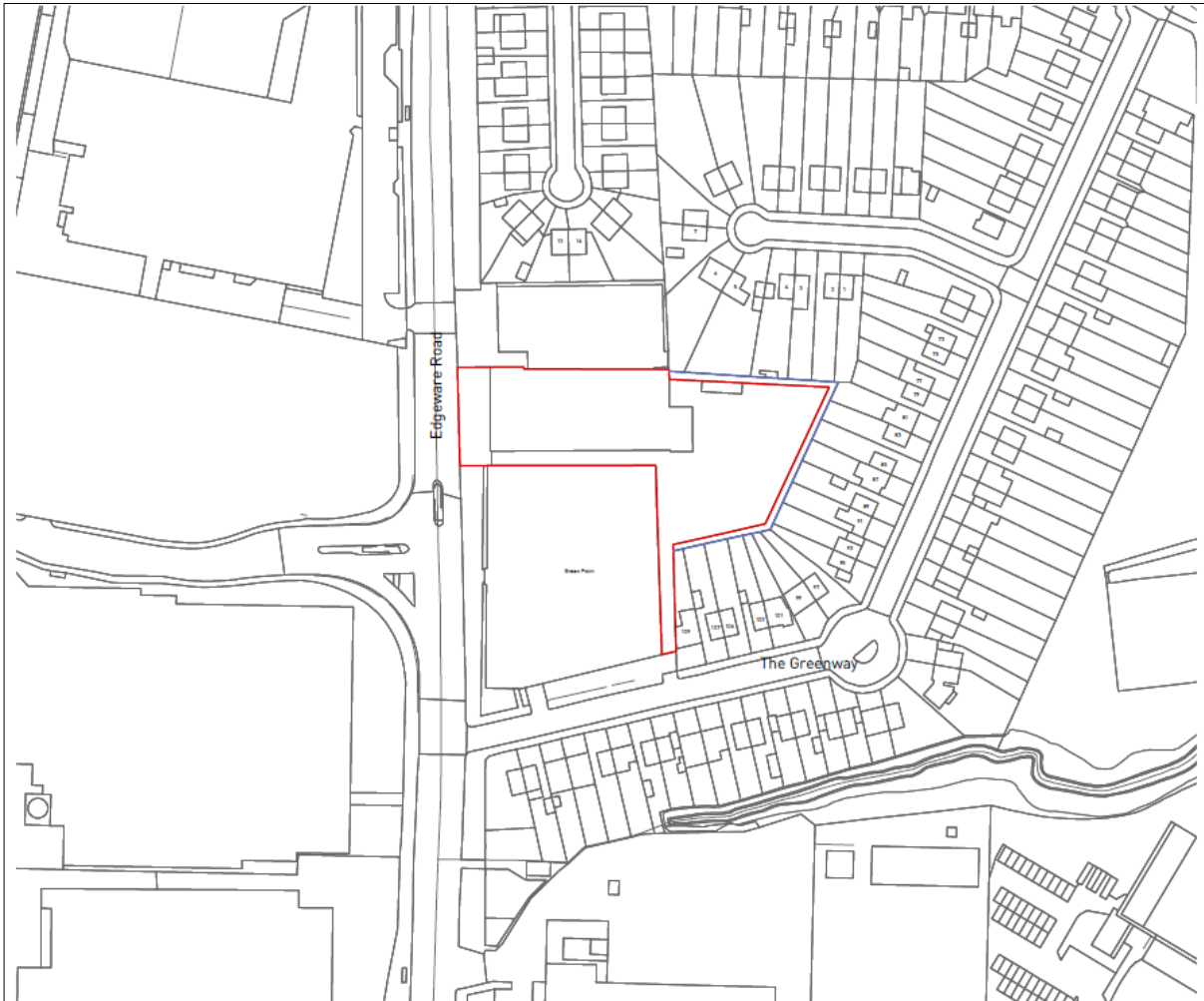
### **17.0 Conclusion**

- 17.1 In conclusion officers consider that, on balance, the development is acceptable having regard to the relevant local, regional and national policies. The principle of the redevelopment of the site and the provision of a residential-led mixed use scheme is acceptable and in accordance with the CAAP aspirations for the site. The height of the buildings, on balance, is considered to be acceptable and would be congruent within both the existing and the emerging context on this part of Edgware Road. The scheme would deliver 81 high quality homes with an appropriate mix and with 25% of the homes being provided as affordable which, although below the policy target of 40%, is fully justified through the financial viability provided by the applicant. Whilst the development would have an impact on the residential amenity of some of the neighbouring occupiers, officers consider that the impact would not be so significant as to warrant refusal of the application. The level of parking provided at the site is above London Plan standards however is in line

with local standards and those set out within the CAAP and as such is considered to be acceptable.

- 17.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to a Stage 2 referral to the Mayor of London and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out in Appendix 1 of this report.

**Appendix 1: Site Location Plan**



**Planning Application 15/04442/FUL: Imperial House**

**Appendix 2: Conditions**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents unless otherwise agreed in writing by the Local Planning Authority:

GA.00

GA.01 (Revision B)

GA.02 (Revision A)

GA.03 (Revision B)

GA.04

GA.05

GA.06

GA.07

GA.08

GA.09

GA.10

GE.00 (Revision A)

GE.01 (Revision A)

GE.02 (Revision B)

GE.03 (Revision A)

GS.01

GS.02

GS.03

GS.04 (Revision A)

GS.05 (Revision A)

GS.06 (Revision A)

GS.07 (Revision A)

GS.08

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 application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

- 3) Notwithstanding the details shown on the plans, hereby approved, no development (other than demolition, site clearance and ground works) shall be undertaken unless and until:

- (a) details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority; and
- (b) a sample panel shall be constructed on site, inspected and approved in writing by the Local Planning Authority.

The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

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

- 4) Notwithstanding the details shown on the plans, hereby approved, no development shall commence (other than demolition, site clearance and ground works) unless and until detailed bay studies at an appropriate scale (1:10, 1:20 or 1:50) showing details of the construction of the below features have been submitted and approved in writing by the Local Planning Authority:

- window reveals
- residential core entrances
- brickwork shadow gaps
- parapets, fascias and brick on edge details
- projecting and recessed balconies
- rainwater goods

The development shall be carried out and constructed in accordance with the detailed bay studies and schedules approved. For the avoidance of doubt, any features shown on these bay studies where they represent specific parts of the development shall be taken to represent all features of that type throughout the development unless otherwise stated.

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

- 5) Prior to the commencement of development (other than demolition, site clearance and ground works), details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out and constructed in accordance with the approved details.

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

- 6) Notwithstanding the details submitted in the drawings hereby approved no phase of the development is to commence (other than demolition, ground works and site clearance) unless and until details of the levels of the proposed buildings, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before any of the residential units approved are occupied.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

- 7) Notwithstanding the details shown on the plans submitted and otherwise hereby approved none of the buildings of the development hereby permitted shall be occupied until details are submitted to the Local Planning Authority and approved in writing which specify:
- (a) the siting and design of all privacy screens that are to be installed as part of the development (including the set back/planting located to the rear of the first floor amenity areas of Block C); and
  - (b) a schedule of the parts of the development hereby permitted that are to be used for amenity purposes and those which are to be restricted access for maintenance only.

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

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

- 8) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development (other than demolition, site clearance and ground works) shall be commenced until details are submitted to and approved in writing by the Local Planning Authority which specify the details of boundary treatments to be installed within the development. These details shall include materials, type and siting of all boundary treatments. The development shall be implemented in full accordance with the approved details prior to the first occupation of any residential unit and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of the future occupiers of the proposed residential dwellings and in the interests of the appearance of the development, in accordance with policies DM01 and DM02 of the Barnet Local Plan.

- 9) Notwithstanding the details shown on the plans submitted hereby approved, 10% of the residential units provided shall be easily adaptable for wheelchair use or to 'Wheelchair Homes' standards. A plan showing the location and layout of such units shall be submitted to and approved in writing by the Local Planning Authority prior to any development (other than demolition, site clearance and ground works) being commenced. The wheelchair units shall thereafter be constructed as such.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan and policy DM02 of the Barnet Local Plan.

- 10) Prior to the commencement of any development (including demolition, site clearance and ground works), a Demolition and Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

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

- 11) Prior to the first occupation of the development, hereby permitted, parking shall be provided in accordance with Drawing GA.00 submitted with the planning application. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

- 12) Prior to the first occupation of the development, hereby approved, a Car Parking Management Plan including a drawing showing parking allocation shall be submitted to and agreed in writing by the Local Planning Authority.

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.

- 13) Prior to the first occupation of the development, hereby approved, full details of the electric vehicle charging points to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include for the provision of 20% active and 20% passive parking spaces with electric vehicle charging facilities. The development shall be implemented in full accordance with the approved details prior to first occupation and maintained thereafter.

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.

- 14) The approved development shall make provision for a minimum of 149 cycle parking spaces as shown on Drawings GA.00 and GA.01 (Revision B) for residential use in accordance with London Plan Cycle Parking Standards. Detailed drawings and specifications of the cycle storage facilities shall be submitted to and approved in writing to the Local Planning Authority prior to the first occupation of the development, including details of visitor cycle parking to be provided associated with the commercial premises. The cycle storage facilities shall be provided in accordance with the approved details prior to the first occupation of the development and shall be thereafter permanently retained as such.

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



- 15) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development (other than demolition, site clearance and ground works) shall be commenced until details of the refuse and recycling collection arrangements have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling strategy shall thereafter be implemented in accordance with the approved strategy.

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

- 16) Prior to the first occupation of the development, hereby approved, a full Delivery and Servicing Plan (DSP) shall be submitted to and approved by the Local Planning Authority. Deliveries and servicing shall thereafter be carried out solely in accordance with the approved details.

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

- 17) (a) Prior to the commencement of development (including demolition, site clearance and ground works), a revised air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. It shall have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.
- (b) A scheme for air pollution mitigation measures based on the findings of the report shall thereafter be submitted to and approved by the Local Planning Authority prior to the commencement of development (other than demolition, site clearance and ground works).
- (c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition prior to the first occupation of the development.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and Policy 5.3 of the London Plan 2015.

- 18) Part 1

Prior to the commencement of development (including demolition, site clearance and ground works):

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

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

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

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

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

## Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

19) A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological evaluation 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 Part A, then before development, other than demolition to existing ground level, commences the applicant (or their heirs and successors in title) shall secured the implementation of a programme of archaeological investigation 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 or demolition shall take place other that in accordance with the Written Scheme of Investigation approved under Part (B).

D) The development shall not be occupied 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 Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF

20) Prior to the commencement of development (other than demolition, site clearance and ground works) a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and outlines measures to be implemented to address its findings, shall be submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. The measures approved under this condition shall be implemented in their entirety prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

21) Prior to the commencement of the development (other than demolition, site clearance and ground works) details of all extraction and ventilation equipment to be installed as part of the development have been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that

the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. The development shall be implemented in accordance with details approved under this condition before the first occupation of the development and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 22) The level of noise emitted from the plant machinery, hereby approved, shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

- 23) Prior to the commencement of the development (other than demolition, site clearance and ground works), a report shall be undertaken by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. The measures approved under this condition shall be implemented in their entirety prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

- 24) Notwithstanding the details shown on the plans submitted, hereby approved, the development shall not be occupied until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing. The details approved by this condition shall be implemented in their entirety prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

- 25) No development (other than demolition, site clearance and ground works) shall take place until details of mitigation measures to show how the development will be constructed so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority. This sound insulation shall ensure that the levels of noise generated as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. The mitigation measures as approved under this condition shall be implemented in their entirety prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

- 26) No development (other than demolition, site clearance and ground works) shall take place until a strategy setting out how the development could enable future connection to any District Heating Network has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details as approved.

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

- 27) No development (including demolition, site clearance and ground works) shall take place until details comprising a scheme of measures to be put in place to ensure that the clearance of the site and construction of the development hereby approved is compliant with development plan policy and legislation on the protection of breeding birds, bats, common toads and reptiles shall be submitted the Local Planning Authority and approved in writing. The site clearance works and construction of the approved development shall be carried out in full accordance with the scheme of measures approved for each phase under this condition.

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

- 28) Notwithstanding the details contained in the submitted Design and Access Statement, prior to commencement of the development (other than demolition, site clearance and ground works), details of the proposed green and/or brown roofs (to include extent/siting, design specifications, planting/seeding plans and maintenance arrangements) shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details for each phase and shall thereafter be retained and maintained as such.

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

- 29) No development (other than demolition, site clearance and ground works) shall take place until a drainage strategy detailing all on and off site drainage works including Sustainable Urban Drainage Systems, such as permeable paving, attenuation measures and rainwater harvesting) to be carried out in respect of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. No foul, surface or ground water shall be discharged from the development hereby approved into the public sewer system until the drainage works referred to in the strategy have been completed in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with policy CS13 of the Barnet Local Plan and policies 5.13 and 5.14 of the London Plan.

- 30) No development (other than demolition, site clearance and ground works) shall take place until a detailed scheme of hard and soft landscaping (to include green and brown roof details) and means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping and means of enclosure submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed;
- details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;
- means of planting, staking and tying of trees, including tree guards, planter depths and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use;
- existing site contours and any proposed alterations to these such as earth mounding;
- details of all proposed hard landscape, including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings;
- timing of planting;
- details of all proposed boundary treatments, fencing, gates or other means of enclosure to be erected at the site.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

- 31) All work comprised in the approved scheme of hard and soft landscaping be shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building.

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 32) Any trees, hedges 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 and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

- 33) Notwithstanding the details shown on the plans otherwise hereby approved:

- a) Prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity space of the development shall be submitted to the Local Planning Authority and approved in writing.

The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and the play space shall thereafter be permanently retained.

Reason: To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy 3.6 of the London Plan.

- 34) Prior to the first occupation of the development, hereby approved, details and specifications of all external lighting to be installed as part of the development shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the approved details prior to the first occupation of the development and thereafter be permanently maintained as such.

Reason: To ensure that appropriate lighting is provided as part of the development in accordance with policy DM01 of the Barnet Local Plan and 5.3 of the London Plan.

- 35) No development (other than demolition, site clearance and ground works) shall take place until, a scheme for the provision of communal/centralised satellite/cable and television reception equipment to be installed within the development (including any external or rooftop installations required) has been submitted to, and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details approved and the equipment shall thereafter be permanently retained and made available for use by all occupiers of the development.

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

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

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

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

- 37) No development (including demolition, site clearance and ground works) shall take place until, details of any public highways to be stopped up under Section 247 of the Town and Country Planning Act shall be submitted to, and approved in writing by, the Local Planning Authority. The public highways shall be stopped up, and if necessary re-provided, in accordance with the approved details.

Reason: To ensure that adequate public access is provided throughout the development, in line with the requirements of policy CS9 of the Barnet Local Plan and policy 6.10 of the London Plan.



