

Location **Land Adjacent To Whitings Hill Primary School Whitings Road
Barnet EN5 2QY**

Reference: **15/03139/FUL** Received: 20th May 2015
Accepted: 2nd June 2015

Ward: Underhill Expiry 1st September 2015

Applicant: London Borough Of Barnet

Proposal: Development of site to north east of Whitings Hill Primary School to provide 33 residential units (Use Class C3) comprising 26 houses (2-3 storeys) and an apartment block containing 7 flats (3-4 storeys), accessed from existing vehicular access (serving Whitings Hill Primary School). 49 car parking spaces (surface level), cycle parking, refuse/recycling stores, landscaping and external amenity space

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 000 P00, 100 P00, 101 P09, 102 P08, 103 P02, 104 P00, 110 P03, 111 P03, 112 P04, 137 P03, 150 P04, 151 P04, 152 P02, 180 P04, 181 P04, L201 P02, L202 P02, L203 P02, G/3/1 P02, 2 P02, 3 P02.

Reptile Survey Report, Design and Access Statement (and addendum), Planning Statement (and addendum), Arboricultural Appraisal, Arboricultural Method Statement, Drainage Strategy, Ecological Assessment Revision A September 2015, Highways Design and Access Statement, Transport Statement, Travel Plan, Road Safety Audit, Acoustic Survey, Air Quality Assessment, Archaeological Study, Contaminated Land Survey, Energy Carbon and Waste Statement, Flood Risk Assessment, Waste Statement.

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

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

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

- 3 a) Notwithstanding the details contained within the submission, no development other than site preparation works shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

4 a) Notwithstanding the details contained within the submission, no development other than site preparation works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

5 a) No site works or works in connection with the development hereby approved shall be commenced until the protective measures as set out in the Ecological Assessment Revision A September 2015 to be implemented for the protected species and habitats have been installed and implemented.

b) Protective measures shall thereafter be maintained in accordance with the details within the assessment.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

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

The Statement shall provide for:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;

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

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

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

- 7 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, including foundation design and method of construction, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility, and to protect the amenities of the area and adjacent protected trees in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 8 A Method Statement detailing the remediation requirements set out in the contaminated land survey and 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. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out,

shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

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

- 9 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic fencing to be installed along the site boundary and glazing to be installed to the rear of Plots 7-16 in accordance with the recommendations in the acoustic survey have been submitted to the Local Planning Authority and approved in writing by the Local Planning Authority.

b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and permanently 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.

- 10 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced, other than site preparation works.

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 11 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard

BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

12 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall commence on site until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority.

b) All tree felling and pruning works shall be carried out in full accordance with the approved specifications under this condition and in accordance with British Standard 3998 (Recommendation for Tree Works).

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

13 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

14 a) No site works other than site preparation works shall be commenced until details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

15 a) Before the development hereby permitted is first occupied, details of the means of sub-division of the amenity areas shall be submitted to and approved in writing by the Local Planning Authority.

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

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

16 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed to the flatted building and to the flank elevation at Plot 26 shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

Reason: To safeguard the amenities of future occupants, neighbouring occupiers, and the general locality in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of

Classes A or B of Part 2 of Schedule 2 of that Order shall be carried out between the front elevation of Plots 1-6 and Whitings Road.

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

- 19 The dwellings hereby approved shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

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

- 20 Prior to the first occupation of the development hereby approved, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:
- i. location and layout of car parking spaces;
 - ii. The allocation of car parking spaces;
 - iii. On site parking controls;
 - iv. The method of enforcement of unauthorised parking;
 - v. Locations of disabled parking spaces;
 - vi. Locations of active and passive Electric Vehicle Charging Points and the monitoring of Electrical Vehicle Charging Points, including when additional spaces are required to be brought into operation.

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

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

- 21 Notwithstanding the details hereby submitted or approved, before the development hereby permitted is first occupied turning space and parking spaces for cars and bicycles shall be provided and marked out within the site in accordance with the scheme shown on Drawing No. G/3/6 P02. That area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that parking and associated works are provided in accordance with the Council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012) and 6.1, 6.2 and 6.3 of the London Plan 2015.

- 22 No development shall take place until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 16 shared ownership habitable rooms (4 units) and 28 affordable rent habitable rooms (7 units);
 - ii. the timing of the construction of the affordable housing and its phasing in relation to (a) the occupancy of the market housing on this site, and (b) the construction and occupancy of the affordable housing (affordable rent) at land adjacent to Northway/Fairway Schools (planning application 15/03138/FUL), and (c) the construction and occupancy of the affordable housing for shared ownership at land adjacent Broadfields School (planning application 15/03137/FUL);
 - iii. the arrangements for the transfer of the affordable housing to an affordable housing provider;
 - iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The scheme shall be implemented as approved in its entirety and maintained as such in perpetuity, and the shared ownership units hereby approved shall remain as such, and governed by this approved scheme thereafter.

Reason: To ensure the development hereby approved provides for adequate affordable housing in accordance with Policy DM10 of the Development Management Policies DPD (September 2012) and to ensure that affordable housing is constructed, managed and kept available as affordable housing in perpetuity.

- 23 No development shall take place until a Local Employment Agreement (LEA) has been submitted to and approved in writing by the Local Planning Authority. The agreement shall set out the skills, employment and training opportunities to be delivered from the development and must include all employment opportunities generated by construction.

Reason: To promote a strong and prosperous Barnet and support residents in accessing work, in accordance with Policies CS NPPF, CS8 and CS15 of the Local Plan Core Strategy (Adopted September 2012), and Policy 4.12 of The London Plan 2015.

- 24 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation of Plots 6 or 26.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 25 Before the building hereby permitted is first occupied the proposed windows in the flank elevation of Plot 6 shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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

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

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

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.13 and 5.14 of the London Plan 2015.

27 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012).

28 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

29 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 40% in carbon dioxide emissions when

compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 30 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity area provided on the site shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development.

Reason: To ensure that the development represents high quality design and to accord with policies DM01 and DM02 of the Barnet Local Plan and policy 3.6 of the London Plan 2015.

- 31 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 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 DM01 and DM18 of the Development Management Policies DPD (adopted September 2012).

- 32 Prior to the completion of the sale of 80% of the open market housing units hereby approved by this planning permission, and under planning applications 15/03137/FUL (land adjacent to Broadfields School) and 15/03138/FUL (land adjacent to Northway/Fairway schools), a revised Viability Review shall be submitted to and approved in writing by the Local Planning Authority. The occupation of the final 20% of the open market housing units shall not take place until the revised viability review has been approved in writing with the local planning authority and any additional sums paid to the local planning authority.

Reason: To ensure the development hereby approved provides for adequate affordable housing in accordance with Policy DM10 of the Development Management Policies DPD (September 2012).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for CIL. Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

- 5 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 6 The applicant is advised that due to the large number of schools and school children in the area, site deliveries during the construction period should not take place between 0800hrs - 0900hrs and 1500hrs - 1600hrs. Careful consideration must also be given to the optimum routes for construction traffic and the Traffic and Development section should be consulted in this respect.
- 7 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.
- Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.
- 8 The applicant is advised that Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. Furthermore, with regard to surface water drainage the applicant is reminded that it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- 9 Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the

Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

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

1) Site Preparation Works - Include the following works:

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

2) Ground Works - Include the following works:

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

3) Construction works - Is defined as:

- Superstructure works above the ground floor slab.

4) Affordable Housing Units means the eleven (11) residential units to be provided by the Owner on the Land as Affordable Housing comprising four 2-bed, 4 person units for Shared Ownership and seven 2-bed, 4 person units for Affordable Rent.

5) Affordable Housing means housing designed to meet the needs of eligible households whose incomes are not sufficient to allow them to access decent and appropriate housing on the open market and which is to be made permanently available to persons in Housing Need nominated by the Council.

6) Affordable Rented Units means the seven (7) units forming part of the Affordable Housing Units which are to be let by a Registered Provider (or the Council) at Affordable Rent and "Affordable Rented Unit" shall be construed accordingly.

7) Affordable Rent means rent charged that is subject to rent controls and is required to be offered to eligible householders at a rental level (including service charges) that must be affordable and accessible for households on welfare and/or housing benefit and those subject to the Universal Benefit Cap and which does not exceed 80% of local market rent.

8) Shared Ownership means a form of Affordable Housing whereby a person granted a Shared Ownership Lease can purchase an initial equity share in a Shared Ownership Unit of not less than 25% and not more than 75% and pay rent on the unsold equity with flexibility for such a person to purchase further equity shares in the Shared Ownership Unit up to 100%.

9) Shared Ownership Lease means a lease which accords with the Homes and Communities Agency model form of lease issued from time to time.

Officer's Assessment

1. Site Description

The application site is located on the north western side of Whitings Road, and is directly to the north east of Whitings Hill Primary School. The site has an area of approximately 0.7ha, and was previously part of a larger plot of land including the site of the current school, and the entire plot contained buildings forming Whitings Hill Primary School. The site was redeveloped following a grant of planning permission in 2008, to provide a single modern educational building. The land left over was identified as surplus to educational requirements.

The site slopes up from south east to north west by just over two metres, before dropping away again toward the northern end of the site. The site is vacant and currently covered in grass. There are a number of mature trees adjacent to the site, including a large Oak tree on the street in front of the site, and two other Oak trees along the north-eastern site boundary. The Oak to the front is protected by a Tree Preservation Order.

Whitings Hill school is to the south west of the application site, with its land wrapping around the north-western boundary of the application site. The land beyond the north western boundary of the site is open and contains woodland. The rear gardens of properties fronting Well Road (which have a minimum depth of 27 metres) and Whitings Road abut the north-eastern boundary of the site.

2. Site History

B/00752/08: New replacement primary school. Approved June 2008. Implemented.

3. Proposal

It must be noted that when received in June 2015, this application proposed a total of 36 residential units (29 houses and 7 flats). Access to the site was proposed from the centre of the site's frontage, and would have required the removal of the TPO Oak Tree fronting the site. The scheme has since been revised, with a reduction in unit numbers, the repositioning of the access road and associated internal layout changes. The TPO Oak Tree is now shown to be retained. The scheme now proposes a total of 33 residential units, comprising 26 houses and one block of seven flats. The scheme would include 49 surface car parking spaces, and associated hard and soft landscaping and levels changes.

The proposed accommodation would comprise seven 2-bedroom flats, ten 2-bedroom houses, and sixteen 3-bedroom houses.

The front of the site would contain a terrace of six houses. These would be set back between 9.5m and 13m from Whitings Road and would have a staggered front elevation to ensure distance is kept from the root protection area of the Oak tree to the front of the site. The site would be accessed via the existing vehicular access which serves the school's car park, to the south west of the site's frontage. The new entrance drive would curve around the front dwellings and continue up the centre of the site toward its northern end. Two rows of terraced houses would extend either side of the proposed access road. At the northern end of the site, a block of 7 flats is proposed.

The terraced housing is split into three designs. However each row of terraced houses would be approximately 33.7 metres long. The houses fronting Whitings Road would be 8.5 metres high. They would be two storey houses with mansard-style roofs, and would be three bedroom, five person units. Off street parking would be provided for these units

along the entrance road at the point it curves toward the centre of the site. The houses would each have rear gardens, with a minimum depth of 10.5 metres.

The two rows of terraced houses along the south western side of the central road would also be two storey 8.5 metre high houses with mansard-style roofs. They would be two bedroom, four person units and would have off-street car parking in front driveways. They would have rear gardens with a depth of approximately 7.6 metres.

The two rows of terraced houses along the north eastern side of the central road would also have a maximum height of 8.5 metres, however they would be three storeys with a flat roof. They would be three bedroom, five person units and would have off-street car parking to the front. They would have rear gardens with a minimum depth of 10 metres.

The block of flats would be located to the northern end of the site. It would have a maximum height of 12.2 metres with a flat roof, and would contain seven 2 bedroom, 4 person flats. It would range from 3 storeys at the south elevation, to 4 storeys at the north elevation. It would be set approximately 12.5 metres from the north-eastern boundary of the site and approximately 1.7 metres from the north-western boundary.

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

Planning Statement

- The Primary School Capital Investment Programme was launched to help the council rejuvenate its primary school estate, and comprised the building of a number of community primary schools. The financing was heavily dependent on the sale of surplus land arising from the rationalisation of some of the school sites. Whittings Hill was one site where it had been identified that through better site planning and design, there was surplus education land which could come forward for residential development.
- The need for all forms of new housing in London is well documented, and managing housing growth and the provision of new homes is the first objective set out in Barnet's Core Strategy. The application site, which is now vacant and unused, represents a classic brownfield development opportunity in an established suburban area where the Core Strategy seeks to deliver new housing.
- The density of the scheme is within the range of the London Plan Density Matrix, which sets out suggested densities relative to the public transport accessibility level of a site.
- The scheme would provide a range of housing choice, including smaller two bedroom flats and larger two and three bedroom houses to provide much needed family accommodation.
- The development has been designed to ensure compliance with the council's housing quality policies, minimum floor area requirements and internal site design standards.
- The proposed houses have the opportunity for future extension by utilising mansard style roofs for living accommodation.
- Existing mature trees would be retained and protected, and many new trees planted.
- All dwellings would have an area of outdoor private amenity space. The site is within short walking distance of Whittings Hill Open Space.
- The proposed buildings have been located to ensure that separation distances between facing habitable room windows with existing houses would meet the standard 21 metres, and overlooking distances between habitable room windows and gardens have also been maximised.
- The scheme has been designed to maximise outlook, and sunlight and daylight.
- Noise and air quality assessments have been prepared and submitted.

Design and Access Statement

- The proposals have been initiated to develop the existing brownfield site from redundancy into an asset for the Borough and to serve the local community.
- The scheme promotes high quality design using sustainable construction. Units have been designed to provide modern and spacious living.
- The proposed houses utilise a familiar form of mansard roof and terraced house to complete the streetscape. The mansard roofs allow the future adaption and expansion of the houses without disrupting the composition of the house. High quality brickwork would be used, with zinc standing seam roofs.

Ecological Appraisal, Bat Survey Report and Reptile Survey

- An area of wet, semi-natural broad-leaved woodland is located north of the site. A reed bed to the north of the wooded area contained a central area of open water and was surrounded by abundant stands of common reed. The wetland feature was created as part of the landscaping requirements associated with the construction of the new Whitings Hill school.
- The oak trees in neighbouring gardens and in the site are suitable for roosting bats due to the presence of a large number of woodpecker holes. However no bats were recorded roosting within the trees. It is recommended that at least two bat boxes are erected on the block of flats.
- The rough grassland, scrub and hardstanding within the site provide suitable habitat for reptile foraging and basking. The site and adjoining reed bed habitat are also suitable for grass snake which are often found near water. However the site is poorly connected to other habitat suitable for grass snake. The proposed development would result in the loss of suitable reptile habitat. Mitigation would be required to ensure that reptiles are not negatively impacted by the proposed works.
- Seven visits were made to the site, where reptile surveys were undertaken. No reptiles were recorded and there were no incidental observations of amphibians. However the habitat on site remains suitable to support reptiles. Appropriate methods of working should be employed to ensure work ceases if reptiles are found, and advice sought from an ecologist.
- The diversity of plant species and habitats within the site is poor. The mature oak on the south eastern boundary is considered to be the feature of the highest ecological value within the context of the site.
- Bird nesting opportunities are restricted to the trees, hedgerows and scrub located on site boundaries.
- Pollution prevention measures as detailed within Environment Agency guidelines will be required to protect the reed bed system/woodland area beyond the northern boundary of the site. This could include the use of bunds/silt fencing.

Arboricultural Appraisal and Method Statement

Arboricultural matters are discussed within the assessment of the scheme below.

Transport Statement, Road Safety Audit, Highways Design and Access Statement and Travel Plan

- Proposals have been designed in accordance with both the Design Manual for Roads and Bridges, and the Manual for Streets. All proposed roads and footways within the site are designed to a minimum width of 5.5m and 1.8m respectively.
- The proposed entrance is a simple minor junction layout, linking the proposed access road with Whitings Road at the location of the existing Whitings Hill School car park access.
- The development will provide 49 parking spaces and negate the need for residents to park on any of the surrounding residential streets. Ten of the parking spaces will be

allocated to the flats, and of the remaining 39, ten will be located on the proposed access road.

- The highway network in the vicinity of the site is typically residential in nature with street lighting and subject to a 30mph speed limit.
- Road traffic collisions have been analysed. A total of 16 accidents were recorded in the study area, 15 slight and one serious. Most accidents were attributable to driver error or irresponsible behaviour, and were not located in this part of Whitings Road.
- The parking survey identifies that there is adequate spare safe on-street parking capacity.
- The proposed development is likely to generate around 37 two-way trips in the combined weekday peaks. This equates to 6 arrivals and 8 departures in the morning peak, and 12 arrivals and 11 departures in the evening peak which is considered to have a minimal impact on the highway network during these periods.
- A voluntary travel plan has also been submitted, which suggests that all new residents would receive a welcome pack with details of walking and cycling maps and routes, details of the location of bus stops and routes.

Drainage Statement

- Foul drainage will be discharged into the public sewer in Whitings Road.
- Surface Water flows will be attenuated by means of underground storage tanks which will be located adjacent to Plot 7. The tanks will be designed to attenuate the 1 in 100 year rainfall event.

Contaminated Land Survey

- From evidence in historic maps, from a walkover survey and because the land is on London Clay, the site is classified as low risk with respect to potentially contaminated land.

Air Quality Assessment

- The key pollution source is moderate levels of traffic. No air quality mitigation is required.

Acoustic Survey

- The main noise source is road traffic noise from buses, from access to the school and from children playing.
- It is recommended that the boundaries of gardens that face Whitings Road and the school entrance and playing fields have 2.2m high acoustic fencing to reduce high pitched noises from children playing in the school, and to improve privacy.
- Higher specification glazing should also be installed, along with alternative ventilation.

Flood Risk Assessment

- The site is within Flood Zone 1. The proposed residential development is at low risk for fluvial flood events.
- The eastern boundary of the site is adjacent to an existing surface water flow path. As such, surface water flood risk is considered to be low-medium for the site.
- Many of the proposed properties would have finished floor levels raised above surrounding ground. Those with lower finished floor levels would be protected by the use of kerbs along the road.

Energy, Carbon, Water and Waste Statement

- The proposal has been designed to minimise impacts on the environment through a range of measures including energy efficient design, low water consuming sanitary ware, provision of recyclable waste storage, protection of site ecology and sustainable surface water attenuation.

Statement of Community Involvement

- A public exhibition was held at Whittings Hill School in March 2015. 24 people attended the exhibition.
- Seven written responses were received. Four supported the principle of developing the site and one did not support. Alterations were made to the scheme as a result of this exercise.

4. Consultation

4.1. Public Consultation

As part of the original planning application, consultation letters were sent to 138 neighbouring properties. A site notice was displayed, and a notice was also published in the newspaper.

19 letters of objection were received and one letter of comment. The letters of objection can be summarised as follows:

- The flats will be higher than local houses which will be unsightly.
- Local schools are already full.
- The regeneration at Cricklewood is already creating a large amount of housing and we do not need more.
- The oak tree is a feature tree and the largest tree on Whittings Road. The tree should be kept.
- The site already has three access points and one of these should be used rather than a new access through the tree.
- All houses on Whittings Road are semi-detached, set back from the road with large front gardens. The proposed front terrace is too close to the road.
- Submission drawings are different to those from the public exhibition.
- Some of the proposed houses would overlook the adjacent school.
- The road is parked up during school drop-off and pick-up and the proposal would add to congestion and reduce the safety of children and pedestrians.
- Proposed development would not be affordable.
- Proposed houses and flats would overlook neighbouring properties.
- Proposal would result in a loss of light to neighbouring properties.
- Scale of the proposed development is too great, and buildings are too tall.
- Parking will be adjacent to neighbouring properties and will cause disturbance to neighbours.
- Construction works would result in noise and disturbance to neighbours.

A further comment was received noting that there are existing problems with sewage drains and the proposal could make this worse.

In addition, a response was received from the following:

The Barnet Society

- Firstly, it is disappointing that less than half of the units will be social or intermediate housing. The Design & Access Statement's reference (in 1.1 & 2.0) to affordable housing is vague. Given the few opportunities to build in the north of the Borough but the acute need, we would urge provision of at least 50% social or intermediate housing.
- Secondly, we object to the felling of the fine existing Oak to make way for the proposed access road junction. The case for this particular alignment is not made. As far as we are aware, there is no absolute highways requirement for the junction to align exactly with Mineral Close, and the Oak is set far enough back not to obscure sight-lines.
- The reason for removing the Oak seems more to do with maximising the development potential of the site, yet no cost-benefit analysis is offered in support. Given its location,

market conditions and the attractiveness of the architecture and landscaping in other respects, we are not persuaded that economic viability is an issue. In our view, the Oak is a long-established and delightful local landmark, and would add value to the proposed scheme.

- If an alternative junction position can be proved to be more costly, we would prefer either a switch of the 2- and 3-unit terraces facing Whittings Road or provision of an addition unit elsewhere on the site to the loss of the Oak.

Following the original statutory consultation process, amended documents and plans were received in September 2015 and January 2016, and a new period of public consultation was opened in January 2016. The primary change to this site was the alteration to the layout, with the access road connecting to Whittings Road via the access to the existing vehicular access serving the school's car park, and not through the middle of the site. This results in the mature oak tree on the site's frontage being retained. The number of units proposed was also reduced. The following responses have been received further to the amended scheme.

Two letters of objection received, raising the following comments:

- Whittings road is already chock-a-block with on-street parking and dangerous driving.
- Proposed houses would overlook Whittings School.
- The construction process and occupied site will increase existing parking problems in the area.
- Noise and dust will disrupt the school and neighbours.
- The proposed access will be busy during school drop-off and pick-up times and will be used by significant amounts of traffic

4.2. Consultee Responses

Trees and Landscape

- The Oak (T8 of the Tree Survey Schedule) on the boundary of the street frontage is T1 of the Tree Preservation Order. The revision of the scheme to seek to retain the tree is to be welcomed.
- The Proposed Low Compaction Paving is helpful, but when adequate allowance is made for construction working space; the Proposed Bin / Cycle Stores; and possibly service runs as well, it would be better to move the proposed footprints slightly further back.
- Proposed Standard Tree Planting between parking bays appears to have very restricted available soil rooting volume - it may be advisable to use structural cells to address the conflicting engineering and biomechanical demands. It would also be sensible to ensure that tree species are selected which will not drop flowers and fruit onto cars parked below. Aesculus hip. Baumannii is thought to be particularly susceptible to Bleeding Canker and may not be an appropriate choice.
- On the same drawing some Proposed Standard Tree Planting is close to the bell- mouth, please ensure that this does not have implications for visibility splay.
- The Proposed Drainage Layout WHS - CP - 00 - 000 - DSP-DR-520 001 - P02 is inconsistent with other layout plans, particularly in respect of the Whittings Road frontage and TPO Oak, it should be revised. The Proposed Surface Water Sewer along the eastern side would be within the RPA of Oak T1 and should be repositioned.

Traffic and Development

- PTAL Assessment: The Transport Assessment submitted stated that the PTAL rating for the site is 1b.
- Parking Assessment: The development is required to provide between 36 and 52.5 parking spaces in accordance with parking standards as set out in Barnet's Local Plan

Development Management Policies. Considering that the PTAL for the site is 1b, the proposed provision of 49 parking spaces for the residential use is therefore in accordance with the parking standards. No disabled parking spaces have been identified on the drawing. A condition will be applied to the planning application to ensure that disabled parking is provided in accordance with the London Plan Parking Standards.

- Cycle Parking Provision: 72 cycle parking spaces are proposed which is in accordance with the London Plan parking standards.

- Proposed access arrangement: In principle the proposed modification of access to the existing Whitings Hill Primary School car park at the entrance point to allow the access for the residential development is acceptable on highway grounds. There are two existing accesses to the site off Whitings Road serving as possibly maintenance access roads. These will need to be reinstated to footway level. The works will need to be carried out under S184 or S278 of the highways Act. (1980).

- Electrical Vehicle Charging points: It is proposed that 20% of all car parking spaces will be provided with electric vehicle charging points (EVCP's) with an additional 20% passive provision. This equates to 10 active and 10 passive parking spaces. A condition will be applied to secure the provision of EVCPs.

- Public Transport: The nearest bus stops to the proposed development are Tinder Road served by bus route 384 and Chesterfield Road serviced by bus route 184. Nearest London Underground station is High Barnet approximately 1.4 miles away. The nearest railway station is approximately 2.4 miles away at New Barnet.

- Parking beat survey: Parking beat surveys were undertaken in the vicinity of the site in January 2015 to get a better understanding of parking behaviour in the vicinity of the proposed development. It was observed that potentially there were 83 parking spaces available for legal parking. The highest parking demand was observed during the school drop off and pick up times of approximately 58 parking spaces which about 70% of occupancy. The parking demand during the school peak drop off and pick times observed in the proximity of the Whitings Hill School is consistent with our observation in other schools in the borough. The development has been designed to accommodate the parking needs of the residents within the curtilage of the development by providing parking in accordance with the parking standards to ensure that there is no overspill parking on roads in the proximity of the development.

- Trip Generation: To assess the likely vehicle trips generated as a result of the proposed development the consultants have used industry standard TRAVL and TRICS databases to derive trip rates. The assessment indicated that the development is likely to generate in the region of 37 two way trips in the combined weekday peaks (AM and PM). This equates to 6 arrivals and 8 departures in the AM peak and 12 arrivals and 11 departures in the PM peak which will have a minimal impact on the highway network during these times. The AM peak hour occurred between 07:45 to 08:45 hours and the PM peak hour occurred between 16:45 to 17:45 hours.

- Traffic Impact Assessment: The traffic flow generated by the proposed development would have a minimal impact on road junctions assessed.

- Accident analysis: An analysis of historical collision data revealed 16 accidents in a 5 year period up to 30th September 2014. No accident trend was identified due to the fact that most accidents were attributable to driver error or irresponsible behaviour.

- S278/S184 Agreement: Any works proposed on public highway including any alterations to public highway will be concluded under Section 278 of the Highways Act 1980 and detailed design drawings of the proposals would need to be submitted to the local Highway Authority for approval prior to commencing any works on public highway.

Scientific Services (Environmental Health)

No objections, subject to conditions.

Environment Agency

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

Thames Water

- Thames Water would recommend that petrol/oil interceptors be fitted in all car parking areas.
- No objections with regard to sewerage infrastructure capacity.

Historic England: Archaeology

Having considered the proposals with reference to information held in the Greater London Historic Environment Record, conclusion is that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. There are no recorded archaeological remains in the vicinity.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

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

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

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

The Mayor's London Plan 2015

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

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

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

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

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

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

Barnet's Local Plan (2012)

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

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

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

Residential Design Guidance SPD (adopted April 2013)

Affordable Housing SPD (February 2007)

Planning Obligations SPD (adopted April 2013)

Delivering Skills, Employment, Enterprise and Training from Development through S106 SPD (adopted October 2014)

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

Principle of the proposed residential development

As previously noted, the application site previously contained buildings forming part of a larger Whittings Hill Primary School site. When the site was redeveloped following a grant of planning permission in 2008, the school site was consolidated and the current plot of land vacated. It has remained empty and unused since and has been surplus to educational requirements since the school was redeveloped.

The site is located in an otherwise residential area. The site is not within the Green Belt or Metropolitan Open Land. On this basis, the redevelopment of this previously developed site to provide housing is considered appropriate and acceptable in principle.

Affordable housing provision

Policy DM10 of the Development Management Policies DPD states that having regard to the borough-wide target that 40 per-cent of housing provision should be affordable, the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites providing 10 or more units. The tenure mix which is sought is 60 per-cent social rented and 40 per-cent intermediate.

The applicant has submitted an affordable housing viability appraisal which sets out that, having due regard to the viability of this scheme, a total of 44 habitable rooms (11 units) can be provided as affordable, out of the total of 148 habitable rooms (33 units). This represents 30% of total habitable room numbers (33% of the total unit numbers). Of these, 28 habitable rooms (seven units) would be affordable rented flats, and 16 habitable rooms (four units) would be shared ownership houses (representing a 64%-36% split as required by policy). The Local Planning Authority has commissioned an independent review of the

applicant's viability appraisal and this has confirmed that the above is the maximum reasonable amount of affordable housing which can be provided on site having regard to the scheme's viability.

Notwithstanding the above, the applicant has explained in their submission that the level of affordable housing now proposed is less than that originally proposed when the application was first submitted. This is as a result of a reconfiguration of the site, and increased build costs. However, the applicant has reviewed the distribution of the affordable housing across this site, and the other two development housing sites (land adjacent to Northway/Fairway school and Broadfields school) to ascertain whether changing the distribution of the affordable housing provides opportunities to increase the overall amount of affordable housing provided across the three sites.

Having consulted local agents and reviewed the local market and property values in the areas around the three application sites, it has been suggested that marketability would be significantly improved and sales risks reduced on Broadfield if the site is linked with Northway for affordable housing provision. This would result in higher sales values on Broadfields if it is comprised of private and shared ownership properties only. The additional value created can then be used to provide more affordable units overall across those two sites. The applicant has therefore suggested distributing the affordable housing such that all affordable units at Broadfields are shared ownership, and all units at Northway/Fairway are affordable rent. The resulting cost savings and changes in values would create the ability to increase the affordable housing provision from 32 to 39 units at Broadfields, and from 33 to 45 units at Northway/Fairway. There is no material change to the offer of affordable housing at Whitings Hill.

Impact on the character and appearance of the area

In terms of design, the proposed development would be finished in materials which differ from the surroundings. However the developments surrounding the site are all very different in terms of character, design and facing material. The properties opposite Whitings Hill School and in Mineral Close are two storey red brick buildings with pitched roofs. The properties opposite the application site (north east of Mineral Close) are white-painted chalet-style bungalows, with a low eaves height to their catslide roofs and dormer windows in the roof slope to facilitate first floor accommodation. The properties adjacent to the application site are two storey buildings with hipped roofs and front gable projections. They are in rows of terraces, and finished in a mixture of brick and painted render. The surrounding area therefore has a considerable mix of architectural styles and facing materials. The proposed dwellings would be finished in a buff brick with a zinc roof. Brick panels would add to interest of the front façade.

The proposed dwellings would have two storey eaves heights, and whilst they would be taller than the neighbouring residential properties there would be sufficient separation distance to ensure the proposed development does not appear cramped, or appear to dominate the neighbouring buildings. Instead, due to the architectural design, the separate access and the size of the site, the proposal would appear as a standalone site which still integrates into this context of varied building design and appearance.

The proposed residential buildings would appear, when viewed from Whitings Road, to be of a similar overall scale to the surrounding development. As with the neighbouring properties, the site includes two storey dwellings fronting Whitings Road. The units fronting Whitings Road would be set further back than the existing neighbouring two storey buildings (between 9.6 and 12.3 metres, compared to 6.6-10.6 metres to the neighbouring buildings), in order to provide space for the protected Oak tree. The bin stores would be

narrow single storey structures and are not considered to adversely affect or interrupt this pattern of development. The increased distance back from the street would help to improve their setting and appearance in the street scene.

Further into the site, the development does increase in height and overall scale. However, within the site the proposal comprises four terraces of five dwellings and this would not appear dissimilar to the rows of terraced dwellings on the north side of Whitings Road, or at Well Road and Hill Close.

The block of flats would be located to the rear of the site and would be a part three, part four storey building. The flats would have balconies, and be constructed in brick, and would be at the lowest point of the site. The three storey element would be adjacent to the row of three storey terraced houses, and be of a similar height. The four storey element would be at the north western end of the side, and would transition up in height at an appropriate scale relative to the surrounding development.

Given the different styles of buildings in the area it is considered that the proposed design and material would be appropriate in the area, responding to the mixed character and context of the area. It is considered that the layout of the application site would respect the pattern of surrounding buildings, spaces and streets and would not cause any demonstrable harm to the character and appearance of the area.

The application site has an area of 0.7ha, and would have a density of 47 units per hectare. Having regard to the average number of habitable rooms per unit (4.5) in this suburban context, it is considered that the scheme's density fits comfortably within the London Plan's Density Matrix with 47 units per hectare fitting into the suggested range of 35-55 units per hectare. The PTAL Density matrix should be read in conjunction with Policy 3.4 of The London Plan which states that taking into account local context and character, design principles and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in the matrix. The supporting text to Policy 3.4 explains that it is not appropriate to apply the matrix mechanistically. The density ranges are broad, enabling account to be taken of other factors relevant to optimising potential. Local context, design and transport capacity are important, as well as open space and play. Coupled with the design and appearance of the proposal, being mostly two storeys with areas of green space, and both new and retained trees, it is considered that the density is acceptable and would not be detrimental to the character and appearance of the area.

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

Quality of living conditions for future occupants

The proposed units would exceed the minimum internal size requirements set out in the London Plan. The rooms would also exceed the minimum sizes. In terms of the quality of the internal space, units are all dual aspect. On this basis, the quality of accommodation proposed is considered to be acceptable. The applicant has confirmed the development would meet the requirements of M4(2) of the building regulations, whereby 90% of homes would be accessible and adaptable for wheelchair use, and 10% would meet part M4(3) and would be wheelchair user dwellings.

The proposed dwellings and flats are sited and spaced to ensure that no proposed building would appear overbearing when viewed from any other proposed building within the proposed development. In addition, the buildings have been oriented to ensure there would be no mutual overlooking between units within the site.

In terms of outdoor amenity space for the proposed houses, one unit falls below the outdoor amenity space standard set out in the Sustainable Design and Construction SPD. However, the plot would only fall below the standard by approximately 8 square metres, and would still have a private rear garden area of some 47 square metres. Given that only one dwelling would be fall short of the amenity standard, and that the remaining units in the scheme would meet the requirements, it is not considered that a reason for refusal could be sustained on this ground. In respect of the flats, these would each have a balcony of approximately 10 square metres. In addition, a communal amenity area to the rear of approximately 200 square metres is also available. On this basis, when looking at the combined total of private and communal amenity space, sufficient outdoor amenity space is provided for occupants of the flats.

London Plan Policy 3.6 requires proposals for housing to make provision for play and informal recreation based on the expected child population generated and an assessment of future needs. Using the Mayor's guidance, this scheme is expected to provide approximately 154 square metres of play space. The scheme includes an area of communal amenity space which exceeds this size and is capable of including play features. Conditions are attached which require play features to be provided.

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

In terms of noise impact, the key sources of noise impacting the site are from road traffic and children playing in the school. The submitted Acoustic report recommends specific mitigation measures. The report recommends that the boundaries of gardens that face Whittings Road and the school entrance and playing field have 2.2m high acoustic fencing. Whilst it is accepted that this is relevant and required in respect of the gardens that back onto the school playing field, concerns are raised on planning grounds that a 2.2m high fence along the front boundary of the site with Whittings Road would be detrimental to the character and appearance of this part of the street scene and the wider area, and may cause damage to the protected tree. It is also noted that the report recommends the use of enhanced glazing to the windows in these properties fronting Whittings Road, to ensure adequate protection from road noise, and the use of alternative ventilation to the opening of windows. However, it is noted that Whittings Road is not a heavily trafficked road, and the properties fronting Whittings Road would be set back from the road a similar distance to neighbouring properties. On this basis, it is not considered reasonable or necessary to require the enhanced glazing specification or fencing to be secured by condition to the front properties at Whittings Road.

Impact on the amenities of neighbouring properties

The only neighbouring properties likely to be affected by the proposed built form are the adjacent properties fronting Whittings Road, and the properties which front Well Road.

The Residential Design Guidance SPD notes there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. The proposed development meets these

requirements, with the dwellings to the north-east being 11.5 metres from the rear gardens of properties fronting Well Avenue (which are at least 27 metres in depth) and 36 Whitings Road (which is approximately 4 metres from the boundary with the application site), and 21 metres apart from each other. The proposed block of flats is 12.5 metres back from the boundary with the gardens of properties fronting Well Lane. The proposal would therefore comply with these guidelines and is not considered to adversely affect the privacy of the occupants of any neighbouring property. In respect of visual appearance, the proposed buildings are set a sufficient distance from the nearest neighbouring buildings such that they are not considered to appear overbearing or visually intrusive when viewed from any neighbouring property.

It is noted that the proposed development would include windows in residential properties which face toward the school, whilst at present there are none. However it should be noted that such a relationship is not uncommon, especially in predominantly residential areas. In addition, the dwellings backing onto the school would have 2m high close boarded fences along their rear boundary which would restrict any overlooking from the ground floor windows and the garden. Furthermore, the submitted drawings show additional trees to be planted along the rear boundary and these, along with other enhanced planting, will be secured by a planning condition requiring full details of all proposed landscaping to the submitted to and approved by the Local Planning Authority.

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

The comments of the Tree and Landscape Officer are noted. The retention of the oak tree on the Whitings Road frontage is a welcome alteration to the scheme, and the submitted drawings show the proposed buildings to be located outside of the root protection area (RPA) of the tree. The proposed bin stores to these front properties would be within the RPA of the tree, and a condition is attached requiring details of the construction method and foundation design to minimise any risk to the root system of the tree. As a result of this, and subject to conditions to ensure strict controls over the method of construction and the siting of construction materials and activities, it is considered that adequate protection can be afforded to this tree.

Alterations are required to the proposed drainage strategy to reduce the possible adverse impact on an oak tree on neighbouring land, however these alterations can be secured by planning condition.

Impact on highway safety

The comments of the highway engineer are noted. It is noted that no objections are raised to the proposal by the highway engineer. The proposal would provide 49 parking spaces which fits within the required range of 36-52.5 spaces for a development of this size. As such the proposal would provide sufficient on-site parking to accommodate vehicles associated with the proposal and would not cause any detriment to highway safety outside the site. Subject to conditions to secure the provision of the relevant access and parking areas, no objections are raised.

Impact on biodiversity

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

The ecological report recommends protective fencing to be constructed to ensure the reed bed system and woodland to the rear of the site is protected throughout construction works. The reptile survey found no reptile species on site, however notwithstanding this, the fencing should be converted to be reptile proof if reptiles are found to be present on site during any works. Retained trees are to be protected.

No bats were recorded roosting in the site, and the proposal would not adversely affect bats. However the submitted Ecological Assessment recommends the use installation of bat boxes on the block of flats in order to enhance the natural environment and provide additional roosting opportunities for bats.

Vegetation clearance should be timed to take place between October and February, to avoid bird nesting season. Subject to this, it is not considered that this proposal would be detrimental to bird populations.

Sustainability

The dwellings would all be built to achieve a balance between solar gain and heat loss. In addition, photovoltaics have been specified for the buildings, sited on flat roofs or unobtrusive sloping roofs. Further details of these will be secured by condition. The submitted energy reports confirm the proposal has been designed to improve on 2010 building regulations requirements by 40% and this is in accordance with the requirements of the London Plan.

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

Planning Obligations

The scheme would be liable for the council's Community Infrastructure Levy, chargeable at approximately £167 per square metre. This will be secured through the CIL Regulations and would go toward highways, education, health, community and open space projects in the borough. The scheme would also be liable for Mayoral CIL (approximately £43 per square metre), which goes toward Crossrail.

The development is recommended for approval, subject to the inclusion of the following obligations which will be secured by planning condition. It is not possible for these to be secured by a S106 agreement, as the applicant is the council and cannot enter into a legal agreement with itself.

- Submission of a travel plan and a contribution toward the monitoring of the travel plan.
- Secure a Local Employment Agreement or contribution towards apprenticeships;
- Secure the provision of affordable housing.

5.4 Response to Public Consultation

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

6. Equality and Diversity Issues

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

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

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

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

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

Officers have, in considering this application and preparing this report, had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The site would provide various tenures of housing and units varying in number of bedrooms and overall size. All tenure types have been designed to be accessible and dedicated parking spaces for people with a disability will be provided.

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

7. Conclusion

The proposed development would provide a large number of additional housing units, and a policy-compliant proportion of affordable housing units. It would also bring a redundant site back into use. It would therefore provide much needed residential development which would be in line with local and London-wide planning policies which seek to increase the number of housing units constructed. The occupants of the proposed houses and flats would have access to amenity space, and off-street parking. It is noted that some of the proposed flats fall below the council's standards in respect of amenity space provision, however as discussed above this represents a very small proportion of units and rooms. It is considered that the benefits this scheme would bring, especially in terms of proposed dwelling numbers and affordable housing and the re-use of previous developed land are considered to outweigh the very small number of areas where guidelines are not fully complied with. The proposed development is overall considered to achieve a sustainable form of development and would not cause such harm to the character and appearance of the locality so as to warrant refusal. The application is therefore recommended for approval subject to conditions.

