

Location **Land Adjacent Northway And Fairway Primary School The Fairway Mill Hill London NW7 3HS**

Reference: **15/03138/FUL** Received: 20th May 2015
Accepted: 2nd June 2015
Ward: Hale Expiry 1st September 2015

Applicant: London Borough Of Barnet

Proposal: Development of site to the west of Northway and Fairway Primary School to provide 120 residential units (Use Class C3) comprising 45 houses (2-3 storeys) and two apartment blocks (3-4 storeys) containing a total of 75 flats. Replacement playground, new vehicular access and associated facilities including 145 car parking spaces (surface level and basement), cycle parking, refuse/recycling stores, landscaping, substation 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, 300 P01, 301 P12, 302 P09, 302_1 P03, 303 P03, 304 P00, 310 P04, 311 P05, 302_1 P02, 330 P03, 331 P00, 350 P05, 351 P07, 352 P06, 353 P07, 354 P07, 355 P05, 380 P05, L101 P04, L102 P03, L103 P02, G/1/1 P02, 2 P02, 3 P02, 4 P02, 5 P02, 6 P02, 7 P02, 8 P02.

Reptile Survey Report, Arboricultural Method Statement, Arboricultural Report, Drainage Statement, Design and Access Statement, Design and Access Statement Addendum, Planning Statement, Planning Statement Addendum, Travel Plan, Ecological Assessment, Highway Design and Access Statement, Acoustic Survey, Air Quality Assessment, Contaminated Land Study, Affordable Housing Offer 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 this 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) 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 development shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

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

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

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

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

- 6 a) No site works or works in connection with the development hereby approved shall be commenced until a method statement setting out the methods of site clearance including measures to avoid impacts to protected species, measures to be taken to ensure safe relocation of slow worm from the site, and measures to be taken to minimise impacts on the adjacent Site of Importance for Nature Conservation, including the timing of development works, site clearance works and any special techniques has been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented and thereafter maintained in accordance with the approved details.

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).

- 7 Prior to the first occupation of the development hereby approved, details (including manufacturers specification, light spillage diagrams, scaled plans and drawings detailing the size and direction, and proposed hours of use) of all external lighting to be installed on the elevations of the flatted buildings hereby approved facing the woodland, along with an ecological assessment of the implications of the lighting on the surrounding ecology shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the details approved under this condition and retained as such thereafter.

Reason: In order to protect the character and appearance of the site, and to protect biodiversity and protected species in accordance with Policies DM01 and DM16 of the Development Management Policies DPD (adopted September 2012).

- 8 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.
- xi. Details of protective measures and working practices to be implemented to ensure the protection of protected species in and adjacent to the site.

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

Reason: In the interests of highway safety, protection of biodiversity and protected species, and good air quality in accordance with Policies DM04, DM16 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).

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

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

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

- 10 A Method Statement detailing the remediation requirements set out in the submitted Contaminated Land Survey and Desk Study report 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.

11 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 walls, fencing and other acoustic barriers to be erected on the site along the south-western and north-eastern boundaries of the site in accordance with the recommendations in the acoustic survey, and around the substation hereby approved 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.

12 a) No development other than site preparation works shall take place until a scheme of proposed air and noise pollution mitigation measures to be installed in the buildings hereby approved has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 of the London Plan 2015.

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

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

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

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

- 14 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.

- 15 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.

- 16 a) No site works other than site preparation works and ground 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.

- 17 The roof of the unit identified on the drawings hereby approved as Plot 2 shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 18 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).

- 19 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed on the balconies and amenity areas on the flatted buildings 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).

- 20 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 neighbouring occupiers and future occupants, and character of the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 21 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.

- 22 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.

- 23 Notwithstanding the plans submitted, before development commences details of the layout, gradient and design of the access ramp to the basement car parking area and vertical clearances along the ramp and within the parking area shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

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

- 24 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 Drawing Nos. 064 350 P05, 060 330 P03, 060 331 P00 and G/1/8 P02 and 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.

- 25 No development shall take place until a scheme for the provision of affordable rented 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 rented housing provision to be made which shall consist of not less than 172 affordable rent habitable rooms (45 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 (shared ownership) at land adjacent to Broadfields School (planning application 15/03137/FUL), and (c) the construction and occupancy of the affordable housing both for rent and shared ownership at land adjacent Whitings Hill School (planning application 15/03139/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 affordable rented 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.

- 26 No part of the development hereby approved shall be first occupied until a full residential travel plan to meet TfL's travel plan criteria, along with the mechanism to secure the relevant monitoring costs has been submitted to and approved in writing by the Local Planning Authority. The travel plan will include a package of measures with the aim of reducing reliance on car travel and promoting sustainable travel and increased use of public transport, walking and cycling for occupiers and visitors to the development, and its obligations shall be implemented in full thereafter.

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

- 27 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.

- 28 No development shall take place at this site until development has commenced at the development sites subject of planning application 15/03137/FUL (land adjacent to Broadfields School) and planning application 15/03139/FUL (land adjacent to Whittings Hill school).

Reason: Because this development is acceptable in respect of affordable housing provision only in combination with the provision of affordable housing at land adjacent to Broadfields school and land adjacent to Whittings Hill school, and in the absence of either scheme being implemented would not provide sufficient affordable housing units to comply with Policy 3.19 of the London Plan 2015, Policy DM10 of the Development Management Policies DPD (adopted September 2012), Policy CS4 and CS15 of the Local Plan Core Strategy (adopted September 2012), the Affordable Housing SPD (2009), and the Planning Obligations SPD (adopted April 2013).

- 29 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).

- 30 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).

- 31 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).

- 32 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure and this impact is required to be assessed in accordance with the requirements of Policy DM04 of the Development Management Policies DPD.

- 33 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 replacement public play area on the site, and details of the mechanism to be used to secure the contribution toward the improvements, 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.

- 34 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.

35 a) Prior to the commencement of any work on the substation hereby approved, scaled plans and elevations of the substation shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the dimensions and proposed materials to be used in the construction of the substation.

b) The substation shall thereafter be constructed in accordance with the details approved by this condition and retained as such thereafter.

Reason: To safeguard the character and appearance of the locality in accordance with Policy DM01 of the Development Management Policies DPD.

36 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) 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).

37 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 Broadfields School) and 15/03139/FUL (land adjacent Whittings Hill school), 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 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 written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs.
- 6 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.

- 7 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.
- 8 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.
- 9 The applicant is advised that Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. In addition 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.
- 10 The applicant is advised that a Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- 11 The applicant is advised that, as noted in the submitted Flood Risk Assessment there is a residual risk of reservoir flooding from the Stoney Wood Flood Storage Reservoir. It is recommended that an evacuation route be incorporated into a site-specific evacuation plan.

- 12 The applicant is advised that, in respect of the condition above requiring details of levels to be submitted to and approved in writing by the LPA, the applicant should ensure that the finished floor levels within the site are raised 300mm above ground level to ensure that properties within the development are not at risk of surface water flooding.
- 13 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 Rented Units means the forty-five (45) 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.
 - 5) Affordable Housing Units means the forty-five (45) residential units to be provided by the Owner on the Land as Affordable Housing comprising eight 1-bed, 2 person units and 37 2-bed, 4 person units for Affordable Rent and which are to be transferred to a Registered Provider for housing persons in Housing Need.
 - 6) 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.
 - 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.

Officer's Assessment

1. Site Description

The application site is a vacant plot of land approximately 1.7ha in area, located to the west of Northway and Fairway schools, on the northern side of The Fairway. The Fairway adjoins Ellesmere Avenue and runs between the A1 Barnet Way and the M1 motorway. It is accessed from the A1 Barnet Way only, although there is a point of exit via Pike Road onto the A41 Edgware Way. The site was previously occupied by the Northway Primary School and Fairway Children's Centre. Following a grant of planning permission in 2009, the original two schools were demolished and a new split level primary school building constructed.

The site subject of this application is vacant and disused, and contains a mixture of grassland, woodland and overgrown hardstandings, formerly part of the slab of the school building and the previous school's playground. The site slopes down from The Fairway toward the woodland at the rear (ie toward the north west). There are clusters of trees toward the northern and western ends of the site.

To the west of the application site are existing two and three storey flatted buildings. The new Fairway school is to the east of the site, and to the south, on the other side of the Fairway, is a residential estate comprising two storey semi-detached buildings which comprise both maisonettes and single dwellings. To the north is a fairly dense area of woodland, designated as a Site for Importance of Nature Conservation, with Mill Hill Golf Club beyond.

The eastern corner of the site contains a play area, approximately 0.16ha in area.

2. Site History

H/01051/09: Demolition of existing school and erection of a new split level primary school building comprising of lower and upper ground floor levels, with integrated children's centre, including hydrotherapy pool with photovoltaic cells (solar panels) on the south west sloping roof. External works including construction of new outdoor games courts. Installation of 2No. wind turbines located either side of playing fields. Associated car parking spaces and minibus drop off zones. Approved. Implemented

3. Proposal

It should be noted that when received in June 2015, this application proposed a total of 133 residential units (47 houses and 86 flats). The scheme has since been revised, with a reduction in overall unit numbers, and the redesign of the flatted building to the rear of the site to be split from one building to two separate flatted buildings. The scheme now proposes a total of 120 residential units, comprising 45 houses and two apartment blocks containing a total of 75 flats. The scheme would include 145 car parking spaces (in the basement to the flats, and at street level), and associated hard and soft landscaping and levels changes.

The proposed development would include terraces of two storey houses fronting The Fairway. These frontage dwellings would comprise a 56.5 metre long terrace of 10 properties to the north east of the entrance road, and a 31 metre long terrace of 5 properties to the south west of the entrance. These dwellings would have mansard-style roofs 8.6 metres high, and would be set back from The Fairway approximately 10 metres, sufficient distance to enable two cars to park clear of the highway. The dwelling to the front of the site in the south-western corner would be part two storey, part single storey. These

dwelling would each have private rear gardens between 9.5 metres and 11 metres in depth.

Behind this first row would be two rows of terraced houses facing each other. These would also be two storeys in height with mansard-style roofs. They would be split into individual rows of terraces either 20 metres (three properties) wide, 27 metres (four properties) wide, and 34 metres (five properties) wide. These houses would each have private rear gardens approximately 7 metres in depth.

At the very rear of the site, two blocks of flats are proposed. The flats would be a total of four storeys in height, although it should be noted that the fourth storey of each is set back from the front and rear elevations of the block. The block of flats to the south-west of the site would be approximately 62 metres wide, and 22 metres deep. The block to the north-east would be approximately 46 metres wide by 22.5 metres in depth. There would be a gap of approximately 13 metres between the blocks.

All of the flats would have balconies. In addition, communal amenity space is provided around the outside of the flats and on the rooftop.

In addition, the proposal includes the replacement of the existing children playground with a new and improved facility.

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

Planning Statement and Planning Statement Addendum

- 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. The site was identified as surplus to educational requirements when the school was redeveloped.
- 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 exceeds the range suggested in The London Plan, however this is not considered inappropriate given the spatial configuration and quality of the scheme. The density is a product of a design-led approach which balances the delivery of homes whilst enhancing the character of the area and providing a range of accommodation and appropriate level of affordable housing.
- The scheme would provide a range of housing choice, including smaller one and two bedroom flats and larger two, three and four 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 development would introduce a new frontage to The Fairway comprising a terrace of two-storey family houses divided by a new access road into the site. The proposed layout optimises the regular shape of the site.
- There are instances where standards fall short, for example opposing front and rear elevations. However the quality in these instances and the level of amenity for future occupants would not be compromised. Policy guidance allows for a degree of flexibility,

and meeting all standards would result in a significant reduction in the level of accommodation being provided.

- The proposed apartment block would back onto and overlook the Green Belt, as do many blocks of flats in the northern parts of the borough within the envelope of the built environment. It would be of a scale and height compatible with the adjoining school.
- The proposed houses have the opportunity for future extension by utilising mansard style roofs for living accommodation.
- Hard landscaping would be complemented by soft landscaping where semi-mature tree planting would be used to enhance the established species.
- All dwellings would have an area of outdoor private amenity space.
- 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 and Design and Access Statement Addendum

- 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 adaptation and expansion of the houses without disrupting the composition of the house. High quality brickwork would be used, with zinc standing seam roofs.

Daylight and sunlight report

- The scheme has been assessed in line with the guidance laid out in BRA Site layout planning for daylight and sunlight. In order to complete the assessment a 3D CAD model of the two proposed blocks and the woodland were constructed. The woodland to the rear has been treated as worst case and the canopy considered as giving 25% transmittance in full bloom.
- Of the 86 rooms assessed, 74 will fully comply with the BRE guidelines.
- The four rooms which experience a minor adverse impact in Block 1A are all situated under external balconies which have been provided for amenity purposes. This hinders the windows/rooms ability to see visible sky. One of these rooms serves a bedroom, and demands a lower requirement for daylight as principally occupied at night time.
- The eight rooms which experience a minor adverse impact in Block 1B are all situated under external balconies, which reduce the window's ability to see visible sky. It is noted that 6 of the rooms serve bedrooms which generally demand a lower requirement for daylight as they are principally occupied at night time.
- All rooms which fall below the BRE guidelines are due to the external balconies which naturally inhibit daylight into the rooms due to the canopy effect. Of the 12 rooms which fail, 7 are bedrooms which have a lower requirement for daylight.

Ecological Appraisal, Bat Survey Report and Reptile Survey Report

- A large expanse of broadleaved semi-natural woodland is located immediately north of the site, forming part of the Mill Hill Golf Course. The woodland is designated as a Site of Importance for Nature Conservation. The woodland canopy comprised mature trees.
- The site offers good foraging opportunities for bats and bat boxes are present on trees in the centre of the site. Agreement has been reached with Natural England to relocate the bat boxes to more suitable trees. Bat surveys have found that bats commute and forage across the site, mainly along the site boundaries. It is recommended that the northern site boundary should be maintained as a dark corridor to protect bats. The use of directional lighting will aid the retention of a dark corridor. Bird and bat boxes will be incorporated into the development.

- The site provides some suitable terrestrial habitat for great crested newts, namely the scrub, rough grassland and stone piles located around the site. The on-site pond (located toward the middle of the site) was considered unsuitable for supporting great crested newts. The four waterbodies located within 500m of the site were assessed as being of poor, below average and average suitability of supporting great crested newts. There is an absence of any great crested newts recorded within 2km of the site, therefore the site is unlikely to support great crested newts.
- Reptile surveys recorded one species of reptile on the site - Slow Worm. They were recorded on 30 occasions. Therefore a small population of slow worm is present and believed to be breeding at the site. The observations were confined to the more established vegetation to the north, and may form part of a larger population which may inhabit off-site areas including Mill Hill Golf Club. Development activities must be designed to avoid causing an offence by reckless killing and injury to reptiles.
- Clearance of slow worms requires consideration as to timing, method and effort of removal from donor site, and preparation and management of the receptor site. The removal must take place whilst they are active (between March and September) by means of artificial refuges being placed around the site and checked regularly. A destructive search would then be commenced, with features hand searched and removed under ecological supervision.
- The proposed treeworks to the woodland to the south of the stream (which comprises planted hybrid poplars together with Aspen will allow greater light penetration, decreasing shading of the stream, providing ecological benefit.
- To mitigate for the loss of habitat, the development should include the retention and/or creation of habitat of equal or higher quality, including the incorporation of green roofs, the use of native species, protection of root protection areas and post-construction monitoring of retained/created habitats.

Arboricultural Appraisal and Method Statement

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

Transport Statement, Highways Design and Access Statement and Travel Plan

- The main access to the site will be from The Fairway, opposite the junction with Laleham Avenue. This is the only type of junction that can be considered suitable at this location given the limited width of the site and position of the access road to Laleham Avenue which lies directly opposite the site.
- The proposed housing development will form part of an existing large residential area and benefit from the infrastructure, transportation links and amenities already in place.
- The nearest bus stop to the site at The Fairway/Barnet Way is within half a mile of the site and includes a route which offers a link to Edgware London Underground Station.
- Based on the number and size of residential units proposed, the council's parking standards require the provision of between 126 and 188 parking spaces. The application proposes 145 car parking spaces, of which 82 will be associated with the apartments. Sufficient on-site parking would be provided such that there will be no need for residents to park in the surrounding streets.
- Bicycle parking areas, and electric vehicle charging points, will be made available.
- The site has a public transport accessibility level of 1a which equates to very poor. The nearest pair of bus stops are 280 metres away and located on Barnet Way. The bus services provide good connections to a range of services including superstores and London Underground Station.
- The development is in a mature residential area with footways in good condition.
- Personal Injury Accident data has been reviewed. Three collisions were reported within 300 metres of the proposed development (one a collision involving a driver who blacked out when turning, one a pedestrian hit by a car which pulled into a bus stop and one a

driver sustaining an injury due to driver error. Two collisions were reported at the junction of Ellesmere Avenue and Fernside Avenue - one a child pedestrian crossing the road into the path of an oncoming vehicle and one a driver turning into the path of an oncoming vehicle. Therefore there is no pattern to the accidents occurring, and it is suggested that development traffic would have a negligible impact on the number of accident due to the fact that most were not directly related to traffic volume, but driver error or irresponsible behaviour.

- Parking beat surveys were undertaken and timed so that residential parking in the morning, afternoon and evening could be measured. In the area there are 785 spaces, of which 530 permit unrestricted parking. Occupancy levels in the unrestricted areas are high throughout the day, peaking at 73% between 14:00 and 15:00 at the end of the school day. Parking in undesirable locations peaks at 37% between 06:00 and 07:00.
- The Fairway provides access to both the proposed development and Primary School. Along The Fairway there are 173 parking locations, of which 61 permit unrestricted parking. Nine are available by legally parking on the footway. Parking levels peak at 84% in unrestricted areas at 06:00, and parking in unrestricted areas remains high, averaging 77% throughout the day. Legal parking on footways remains consistent throughout the day, peaking at 33% between 06:00 and 08:00. There is a significant amount of illegal parking along The Fairway and parking is especially high along single yellow lines, peaking at 66% at 09:00 and at 14:30 to 15:30, attributed to school gate parking.
- The drop-off survey reveals that 38 pupils were dropped off in 27 cars between 08:20 and 9:00. In the afternoon 29 pupils were collected in 18 cars. All drop-offs were performed in less than one minute. Parked times for after-school collection is longer.
- The development is predicted to result in 17 arrivals and 21 departures in the morning peak, and 28 arrivals and 23 departures in the evening peak. This generates in the region of 89 two-way trips and is considered to have a minimal impact on the highway network.
- As part of the travel plan, new residents will be provided with a welcome pack.
- A travel plan incentive fund would be made available and each household would be offered £300 toward two of three incentives of Oyster card credit, cycle shop voucher or car club credit.
- Maps of the area will be provided to encourage walking and cycling. Secure cycle parking is provided on site.
- Car sharing and public transport use will be encouraged.

Drainage Statement

- Foul flows are primarily gravity driven with discharge to the public foul sewerage system in The Fairfields via a rising main and on-site pumping station. The pumping station and rising main will be offered to Thames Water for adoption.
- Surface water flows are to be restricted to greenfield runoff rates.
- The surface water drainage strategy has been designed so that all flows from the proposed development are sufficiently attenuated to the 100 year return period event.

Contaminated Land Survey

- The contamination potential for the site is considered to be very low.

Archaeological Desk-Based Assessment

- Utilised as hay meadow throughout the post-medieval period, the site became allotments in the mid 20th century prior to the construction of a school and nursery within the site.
- The site has a low potential for pre-20th century archaeology to be present. If remains are present, 20th century development of the site is likely to have affected them.
- It is unlikely that the development of the site will significantly impact upon the archaeology of the area.

Air Quality Assessment

- The key pollution source is from the nearby A1 and the relatively closer M1.
- Higher specification glazing, air filtration and alternative ventilation to opening a window are all identified as mitigation measures to ensure the sites use for residential development is appropriate.

Acoustic Survey

- The main noise source is from road traffic (A1 and M1) and rail traffic on the Midland Mainline. To a lesser extent, there are also high pitched noises from children playing in the public playground which forms part of the development site. The highest source of noise in the western part of the site at night is from trains. The whole of the site is moderately loud.
- Mitigation is required to reduce the noise impacts. This includes normal height acoustic fencing to reduce noise and line of sight for gardens that face the M1, school play area and access areas, higher specification glazing, and alternative ventilation to opening a window.

Flood Risk Assessment

- The site is in Flood Zone 1 and is predicted to remain dry for fluvial flood events up to the 1 in 1000 year return period event. The site is at low actual risk from tidal, ground water and artificial sources.
- A portion of the site is at residual risk from reservoir flooding.
- An area with high surface water flood risk is predicted along the northern boundary of the site. It is presume that this area is associated with the unnamed ordinary watercourse that is a tributary of Deans Brook.
- The detailed site design should ensure that finished floor levels within the site are raised 300mm above ground level to ensure properties within the development are not at risk of surface water flooding. Developed ground levels, including the road network, should ensure that overland flows are directed away from buildings.
- The proposed development is considered to meet the requirements of the NPPF in respect of flood risk in that risks to the development are reduced to acceptable levels and the proposals will not increase flooding to others.

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

Letters inviting the local community to a public exhibition were issued in March 2015. 17 people attended the exhibition. The scheme has evolved following receipt of feedback from the public exhibition.

4. Consultation

4.1. Public Consultation

As part of the original planning application, consultation letters were sent to 126 neighbouring properties. A site notice was displayed, and a notice was also published in the newspaper.

2 letters of objection were received, raising the following comments:

- Adding new families to the area will create congestion of all sorts.

- Parking in surrounding streets is already an issue.
- Traffic situation will change for the worse.
- The exit to Apex Corner through Pike Road will have added pressure.
- There will be additional pressures on school places and amenities including the adjacent park.
- The land should be used to create some amenity to improve the quality of life for current local residents including modernising the park, creating a sports centre or medical centre.
- The impact of 400+ people on The Fairway would be awful.

In addition, responses were received from the following:

Andrew Dismore AM

- The capacity of the site is beyond the London Plan density matrix of 150-200 homes and must have further consideration.
- In order to squeeze the desired number of units, a compromise has been made on living space. The designs lack sufficient storage space or decent living space for people to live comfortably.
- The plans involve a significant loss of mature trees which is unacceptable. The mature trees offer an opportunity to create a desirable living space where individuals can feel at home.
- Little care or attention has been paid to the layout of the site. There is no separation of children and traffic. The lack of planned amenities suggests no planning or concept of how the new site will affect local communities. The increase in traffic will be dangerous and unwelcome.
- The parking has been designed to incorporate new cars into an already difficult and tight site with limited access.

Mill Hill Preservation Society

- The society is pleased to see that a brownfield site is being used for development and have no objections to the site being used for residential purposes. The proposed mix is reasonable and the high percentage of affordable homes is to be welcomed.
- The scheme as submitted is significantly different to that used for the original public consultation by the developer.
- The proposed density exceeds the density range as set out in the London Plan density matrix by 20%.
- Some living areas are undersized and storage areas have not been considered. This contributes to the overdevelopment of the site in so far as the site is crammed with dwellings of insufficient size for decent modern living.
- Drawings show that all the mature trees, shrubs and hedgerows will be lost. This is outrageous. Individual new trees will be planted but these will be regimented in layout and will not replace the biodiversity of the existing mature trees for many years to come.
- The proposed layout appears to be a rather unimaginative masterplan with limited contribution to the amenity of The Fairway. The central street looks tight for parking, servicing and manoeuvring. The layout of the site is highly regimented and monotonous. There is no 'vista stop' and the long view from Laleham Avenue will only be interrupted by the long run of flats to the north of the site.
- The impact of increased traffic on the adjacent busy roadway will be quite high.
- There has been no attempt made on the site plan to segregate cars and pedestrians. This is a lost opportunity as a more innovative and contemporary approach would be for shared space which integrates pedestrian and vehicular uses.
- The play area is a fixed point in the design, and the rest of the uses do not relate well to it. It would be a generator for a well-landscaped pedestrian, car-free network where safe access could be gained by children from the houses.

- The scheme would benefit from reducing the number of units so that the public central courtyard to the flats could be designed to link through to the children's play area.
- The roads are tight. The parking arrangement to houses along The Fairway mean that residents would have to reverse out onto the busy roadway.
- In spite of its considerable bulk, poor space standards and lack of car-free pedestrian access the actual design of the main block is reasonable. There has been an attempt to reduce the massing on the south side, and the roof garden is also an attraction. With less units and better space standards this block would be acceptable.
- The houses along The Fairway are of reasonable design, but do not blend in with the local vernacular and the choice of brickwork and other materials is going to be a key issue.
- The plan form is regimented with no attempt to break up the uniform mass. The metal roofs look odd and have been likened to air-raid shelters.
- The two blocks at the west end of the internal road are least objectionable in terms of their footprint. However the houses are cramped for space, laid out in a regimented way that shows little imagination.
- The other houses to the east are least acceptable in design terms. They are laid out in an unrelentingly unimaginative fashion and do not provide adequate living environment. The parking is cramped, landscaping unimaginative and space standards are poor.

Following the original consultation exercise, 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 following responses have been received further to the amended scheme:

Four additional letters of objection received, raising the following points:

- Road congestion has increased over the last few years, moving beyond the point of usability.
- There is a lack of nearby facilities for the current community including gardens, park, fitness, medical care centre, children's play area.
- The existing playground should not be removed.
- Proposed development will reduce on-street parking for existing residents.
- Houses are out of character from the neighbouring properties. The design does not reflect the row of houses opposite the development.
- Proposal would invade privacy of neighbours and reduce light.

4.2. Consultee Responses

Trees and Landscape

Whilst the proposed development involves the loss of a number of trees within the site, none of these are included within a tree preservation order.

Traffic and Development

- The Revised Transport Assessment submitted is based on provision of 123 units. However, there has been further reduction in units proposed to 120 units therefore the assessment based on 123 units is considered as worst case scenario.
- Parking Assessment: The development is required to provide between 101.5 and 172 car parking spaces to accord with the Development Management Policies DPD. 145 parking spaces are proposed for the development of which 85 parking spaces including 10 disabled parking spaces are provided at basement level. The remaining parking spaces are proposed at ground level. The parking provision in principle is in accordance with the parking standards as set out in the Barnet Local Plan, Development Management Policies Approved in September 2012.

- The parking spaces proposed for the houses with access from the existing parking lay-by in The Fairway will result in a loss on street parking affecting the existing residents in The Fairway. This is likely to result in further exacerbation of parking pressure and is likely to cause obstruction of the free flow of traffic in the vicinity of the development in The Fairway which already suffers from parking stress.
- Cycle Parking: A total of 167 cycle parking spaces are proposed of which 107 are provided for the apartments and 60 cycle parking spaces are provided for the houses. Any additional demand for cycle parking spaces will be reviewed and monitored on an annual basis by the Travel Plan and will be met by an increase in cycle parking provision. A condition will be placed on the application to secure the provision of cycle parking spaces.
- Accident Analysis: According to the data provided by TfL there is no pattern to the accidents occurring in the vicinity of the proposed development. It is suggested that development traffic would have a negligible impact on the amount of accidents due to the fact that most accidents were not directly related to traffic volume but to driver error or irresponsible behaviour.
- Trip Generation: TRAVL and TRICS databases were used to assess the trip rates for the proposed development to calculate the likely vehicle trips generated as a result of the development proposals. The assessment was carried out based on provision of 123 units. The development is likely to generate in the region of 38 two way vehicular trips in the AM Peak. This equates to 17 arrivals and 21 departures. In the PM peak 51 two way trips are predicted. This equates to 28 arrivals and 23 departures. The predicted trips will have a minimal impact on the highway network during these times. The proposed development is expected to result in reduction by further 3 units therefore the trip assessment provided above is considered as the worst case scenario.
- Travel Plan: A robust Travel Plan is proposed which will include a wide range of measures designed to encourage increased walking, cycling and public transport. A travel Plan incentives of £300 per unit will need to be set aside towards the reduction in the car use, including Oyster card with £150 credit, Cycle shop voucher for £150, Discounts from local cycle and outdoor shops, Cycle training and Doctor Bike events. A contribution of £36,000 for the Travel Plan Incentive and £15,000 towards the monitoring of the Travel Plan objectives will be required.
- Recommendation: The application is recommended for approval on highway grounds subject to the above comments, obligations and conditions and informatives.

Transport for London

- The site is just off Barnet Way which forms part of the Transport for London Road Network (TLRN), as well as being large enough to have significant strategic transport impacts.
- In principle TfL have no objection to this application, however, the following comments, and resulting conditions are requested in order to ensure that the proposals are in line with strategic London Plan policies, as well as providing any adequate mitigation that may be necessary to accommodate any impacts on the transport network.
- Given the low PTAL rating of the site, TfL welcome the retained approach to car parking provision. The ratio of 1.26 cars per unit is acceptable. A carpark management plan should be secured by condition in order to appropriately outline how parking will be provided.
- The applicant has provided a multi-modal trip generation using TRAVL data. Given the low public transport usage TfL would not expect the proposals to have a strategic impact on the transport network.
- A Framework Travel Plan has been submitted which is welcomed. The TP has been assessed by TfL's ATTrBuTE system and deemed to have passed. The final TP should be secured by condition.

Greenspaces

- The play area adjacent to the site is strategically important to the local community which is land locked by the A1 and M1 with very limited access to both play and open space provision. The current site has limited provision in terms of its play value with only 6 items of play equipment and a sizable area of grass which is used by the local community for playing ball games and picnics.
- Our initial position would be to utilise any opportunities to increase play and open space provision in this area by increasing the size of the existing site to meet the growth demand of the new development which would generate a requirement of approximately 540m² of dedicated play space. I have not had the opportunity to calculate any impacts of the development on park provision per hectare/population of the development.
- Where there is existing provision and no opportunity within the development for the requirement of play and open space provision to be met it would be acceptable to upgrade existing facilities to address the shortfall. In this case the development also seeks to utilise some of the existing provision to enable the residential development. Following some reconfiguration of the original proposals with the developer, this impact has been minimised to under 50m² loss of the existing play space and temporary losses during the construction period. To mitigate against this loss and address the shortages in provision the complete re-provision of the Fairway Playground site, that would include extensive improvements in both landscaping, play facilities and the quality of the site would sufficiently address any impacts of the development.
- The service will deliver the new facility with funds provided by the development in conjunction with the existing community, on this basis the service would have no objection to the proposed development and reconfiguration of the play space as this is off-set with the significant improvements in provision that will be delivered to Fairway Playground.

Scientific Services (Environmental Health)

- No objections, subject to conditions requiring details of acoustic and air quality mitigation measures, and contaminated land investigations, being submitted for approval.

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), controlled waters and the water environment.

Thames Water

With regard to sewerage infrastructure capacity, no objections are raised.

National Grid

National Grid has identified that it has no record of apparatus in the immediate vicinity of your enquiry. National Grid therefore has no objection to these proposed activities.

Historic England: Archaeology

This is a major development on the edge of the Edgwarebury and Scratchbury Archaeological Priority Area and I note that the application is accompanied by an archaeological desktop assessment which states that the site has low potential for pre 20th century archaeology. Nevertheless, there is potential for new discoveries in this general area as illustrated by evidence of cropmarks in the wider DBA study area. The DBA arguably over-states conjectural evidence for prehistoric and Roman woodland and the location of the site adjacent to a stream could be a favoured location for early settlement. I agree that the previous Northway school development on the site will have had a negative impact but the western side of the site adjacent to the stream is believed to be undisturbed and retains some potential for new discoveries which could inform understanding of settlement on the London clay.

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

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

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

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

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

The Mayor's London Plan 2015

The Further Alterations to the London Plan, the overall strategic plan for London, sets out an integrated economic, environmental, transport and social framework for the

development of London over the next 20-25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

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

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

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

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

Barnet's Local Plan (2012)

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

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

- Relevant Development Management Policies: DM01 (Protecting Barnet's character and amenity), DM02 (Development standards), DM03 (Accessibility and inclusive design), DM04 (Environmental considerations for development), DM06 (Barnet's heritage and conservation), DM08 (Ensuring a variety of sizes of new homes to meet housing need), DM10 (Affordable housing contributions), DM15 (Green Belt), 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 or the visual amenities of the Green Belt;
- 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 result from the reduction in public open space;
- 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 Northway and Fairway schools. When the site was redeveloped following a grant of planning permission in 2009, the school sites were 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 adjacent to the Green Belt. 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 submitted Planning Statement Addendum sets out that the viability assessment submitted with the application suggests 28% of the proposed development's units would be affordable, equating to 25% of habitable rooms. This would be delivered on site as 33 flats (5 shared ownership 1-bed flats, 8 shared ownership 2-bed flats, 8 affordable rent 1-bed units and 12 affordable rent), with the remaining 42 flats and 45 houses in private ownership.

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 council sites proposed for housing development (land adjacent to Whitings Hill 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.

The Local Planning Authority has commissioned an independent review of the applicant's viability appraisal and this has confirmed that across all three council development sites the maximum reasonable amount of affordable housing would be between a range of 26%-30% of habitable rooms, having regard to all three sites viability.

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 Broadfields 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 the 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. The independent evaluation of the affordable housing being offered suggests that the lower figure is at the bottom range (26%) of what would be viable. However, the offer made is accepted as being 3% above the upper range (30%), in terms of percentage of habitable rooms. The offer made being on the basis the affordable housing provision is split differently between the Northway and Broadfields site as explained previously.

The supporting text to London Plan Policy 3.12 and Barnet's Core Strategy Policy CS4 (both of which relate to the provision of affordable housing) notes that affordable housing provision is normally required on site, and that 'in exceptional circumstances (where a robust justification can be demonstrated for on-site provision...) it may be provided off-site, for example as part of a land use swap. Exceptional circumstances include those where it would be possible to secure a higher level of provision, better address priority needs, and secure a more balanced community'.

The proposed mix improves the viability of the schemes such that 36% of the units proposed (33% of habitable rooms) across all three sites can be provided as Affordable Housing. At Northway/Fairway the level of affordable housing increases to 36% by habitable rooms (38% of units). Therefore, the redistribution of affordable housing across the three sites enables the delivery of an enhanced number of affordable units when compared to the maximum reasonable amount of affordable housing to be provided subject to viability. This enhanced offer represents a benefit to distributing the tenure in this way and represents an exceptional circumstance as required by policy.

Impact on the character and appearance of the area

As already noted, the application site is vacant, having previously contained two school buildings. The proposed redevelopment would bring the site back into use. The proposed residential accommodation would be in the form of houses and flats.

The site would have its access taken opposite the existing junction with Laleham Avenue, to form a new crossroads. Either side of the proposed access would be rows of terraced dwellings. To the north-east would be a row of 10 terraced houses. Each end-terrace

would be three storeys with a flat roof. The mid-terraced houses will be two storeys with a mansard-style roof. The houses would all have a maximum height of approximately 8.6 metres. To the south-west of the entrance would be a similar row of five houses. Four would be arranged in a similar way to those to the north-east, however the southern-most house would be partially single storey and part two storey. Further into the site are two parallel rows of groups of two storey terraced houses. The design and appearance of the proposed buildings would not be identical to the vernacular of the surrounding properties, which are generally two storey semi-detached buildings with hipped roofs. However the site is flanked on one side by a school and on another side by a two storey development. It is of a size which enables it to take on its own character and style. The massing and height of the proposed buildings is broadly in line with that of the neighbouring properties, with the proposed terraces fronting The Fairway set back a similar distance as the existing buildings opposite, to provide off-street parking and reflect the siting of the neighbouring development.

The two storey buildings further into the site would be laid out in rows of up to five terraced houses. The spaces between them help to break up the massing of the development overall, with the spaces commensurate with spaces between existing neighbouring groups of buildings. These central houses would have parking provided in on-street bays.

To the very rear of the site are the two apartment buildings. These contain four storeys of accommodation, with the fourth storey on each set back from the front elevation and proposed to be clad in a different material in order to break up and reduce the massing of the overall building. The fourth floor to the larger apartment building (to the west of the site) is split into two separate sections to further reduce its massing. The apartment blocks share one single basement car parking area which extends below both. Whilst one block has a greater width than the other, the larger block has been designed with a stepped front elevation, to ensure the main façade of each block appears of a similar width to retain some sense of symmetry. The additional width is set back from this main façade. The apartment building would have balconies and enclosed balconies both to all elevations.

Policy DM15 requires development to not have a detrimental impact on the visual amenity of the Green Belt. Development should respect the character of its surroundings. The application includes a new block of flats set approximately 10 metres from the boundary of the application site with the Green Belt. The applicant's planning statement notes that the proposed apartment block would back onto and overlook the Green Belt 'as do many blocks of flats in this part of the borough within the envelope of the built environment'. It is also argued that the proposal would be of a scale and height compatible with the adjoining school. Long range views of the apartment block would be obscured by existing trees and vegetation.

The site has a PTAL rating of 1b. This site has an area of 1.7 ha, and would have a density of 69 units per hectare, and 206 habitable rooms per hectare. Given its accessibility level, the London Plan's Density Matrix suggests an appropriate density as being between 50 and 75 units per hectare, and between 150 and 200 habitable rooms per hectare. The proposal therefore fits comfortably within the unit per hectare level. Whilst the number of habitable rooms per hectare does exceed the recommendation in the matrix, this is only by six. In addition, it should be noted that the PTAL density matrix is not a static tool and must be read in conjunction with the London Plan Policy 3.4 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 mechanically. The density ranges are broad

and this enables 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. The design of the scheme ensures play space would be provided, as well as properties with private garden areas which would be congruous with the character and appearance of the existing neighbouring buildings. Therefore, the proposal is considered to comply with the requirements of Policy 3.4 of the London Plan.

As noted above, the scheme provides a mix of unit sizes including one and two bedroom flats, and two, three and four 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. 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 basement car park is accessible by lift from all floors of the flatted building, providing access from residential units to the dedicated disabled parking spaces.

In terms of the quality of the internal space, the houses are all dual aspect. It is noted that a number of the flatted units are single aspect, with 15 of those single aspect flats facing toward the north of the site and to the woodland belt beyond the northern site boundary. The single aspect nature of these units has the potential to reduce opportunities for through air flow, and for good levels of light to be received. However, it is noted that the single aspect units would each have balconies, enabling future occupants to have some private outdoor amenity space. In addition, these units (like all other units within the scheme) have tall floor-to-ceiling windows to maximise the amount of light which can penetrate into the rooms. Only four of the single-aspect units would include rooms which would not receive sufficient daylight to comply with the BRE guidelines. Given this small number, the slight shortfall and the other considerable benefits of the scheme (discussed below), it is not considered that this would warrant a reason for refusal in this instance.

The houses on site all have private gardens. In respect of flats, areas of communal space are provided around the perimeter of the flatted building.

Having regard to the number of units and the proposed tenure split, the development is expected to yield a total of 32 children and in accordance with the London Plan this results in the need to provide 541 square metres of play space.

Whilst housing developments of this size are usually required to provide additional play space (in this case 541 square metres has been calculated in accordance with the London Plan), it is considered appropriate in this particular case to take the unique opportunity of significantly upgrading the large existing public play space area which forms part of the site. In this respect a financial contribution is being made to upgrade the public playground facility.

In addition, reconfiguring the play space to reduce the existing provision of 1,611m² by only 46m² allows the provision of an additional two bedroom affordable housing unit. The benefit of providing a 2 bedroom affordable housing unit and the proposed significant upgrade in the public playground is considered to outweigh the small net loss of playground space. The proposed playground space to be provided combined with the

significant upgrade in the facilities to be provided is considered sufficient space to accommodate children's play in accordance with the London Plan. The details of the proposed upgrade are reserved by condition.

The distances between facing dwellings within the development, and the rear terrace of dwellings and the block of flats falls below the council's 21m guideline in respect of separation distances (18m between the front and middle terraces, 15.5m between front-elevations of the middle- and rear- terrace, and 15m between the rear terrace and the block of flats). However reducing separation distance below standard has given the opportunity to ensure the maximum number of dwellings, including affordable units, is delivered. Moreover, the houses proposed are all dual aspect. In addition, all but two of the proposed houses have sufficient outdoor amenity space within private rear gardens to comply with guidance. The two that fall below the guidance have a shortfall of only approximately 2 square metres (53 square metres is provided, below the guideline of 55 square metres). It is not considered that such a minor shortfall in outdoor amenity space would result in any demonstrable harm to the amenities of future occupants. Furthermore, given the areas of the gardens are on the whole in compliance with the amenity space requirements, it is considered that on balance this amenity space provision offsets the reduced garden lengths and building separation distances.

In respect of the flats, all would have balcony space, which would comprise either an enclosed balcony/winter garden feature or a conventional open balcony. Having regard to the requirement to provide 5 square metres of outdoor amenity space per habitable room, the proposed balconies would not provide sufficient outdoor amenity space on their own to service each flat. There would be a shortfall of approximately 211 square metres (1274 square metres provided, whereas guidance requires 1395 square metres) which would need to be provided in the form of communal outdoor amenity space. It is noted that the area to the rear of the apartment blocks (over 900 square metres) would be clear of development, is specified to be grassland. Whilst the final detailed landscaping scheme is to be secured by condition, this area is of sufficient size to be utilised as a communal amenity area, which would be at a lower level to the proposed apartments such that, in combination with its level of use would not result in overlooking toward occupants of these apartments. Overall, the amenity space provision is therefore considered to comply with guidance.

In respect of both air and noise, the submitted assessment reports set out that mitigation measures are required in order to ensure the proposed development has a satisfactory quality of air and noise environment. The mitigation measures proposed are to be secured by condition and subject to this, no objections are raised in respect of the quality of the environment for future occupants.

Impact on the amenities of neighbouring properties

The Residential Design Guidance SPD notes there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. The proposed development meets these requirements. Plots 2 and 17 would be adjacent to existing residential properties. In respect of Plot 2, this has been designed as a part single storey, part two storey building. The two storey massing of this building is set away from the existing neighbouring property such that the proposal would not appear overbearing or visually intrusive when viewed from this neighbouring property. Internally, whilst windows are proposed which would face toward the neighbouring property, these windows would be conditioned to be obscurely glazed and fixed shut to ensure the privacy of the occupants of Nos. 17-20 Fairway Court.

Plot No. 17 would be adjacent to Nos. 11-16 Fairway Court. Given this adjacent relationship, this building is not considered to appear overbearing or visually intrusive when viewed from this neighbouring property, and would not be detrimental to the privacy of the occupants of this property.

All other proposed buildings are set sufficient distance from the nearest neighbouring properties such that they would not adversely affect the privacy or amenities of the occupants of the neighbouring properties.

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

The proposed development would involve the loss of all existing trees within the site. The majority of the trees within the site (26) are graded as C - of minor value, with 2 trees or groups graded A and 5 trees or groups graded B. Ten are graded as U. Class C trees are defined as trees or groups of rather low quality, but capable of retention for at least approximately 10 years (eg until new planting is established). C-grade trees do not represent a significant constraint to development. In this instance, it is considered acceptable that the existing on-site trees be removed, having regard to the quantum of development their removal would facilitate. In addition, the application includes a significant level replanting of trees throughout the site, and the provision of replacement landscaping is secured by condition.

A number of the trees are required to be removed due to decay, or for tree management purposes rather than as a direct requirement of this development. Whilst the loss of a row of aspen would result in a loss of visual amenity, these are located at the very rear of the site adjacent to the woodland. In addition the removal would bring more natural light to the stream, bringing the potential for ecological benefits and more ecological diversity.

Overall, it is considered that the loss of the on-site trees is acceptable having regard to the small number of trees worthy of retention, the ecological benefits of the removal of some of the trees, and the substantial replacement planting which is proposed as part of the application.

Impact on open space

The NPPF (Para 74) states that existing open space...should not be built on unless (i) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or (ii) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or (iii) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Policy CS7 of Barnet's Core Strategy and Policy DM15 of Barnet's Development Management Policies echo these requirements. In Addition, policy 7.18 of the London plan 2015, places particular emphasis on the importance of protecting open spaces networks. The London Plan recognizes the importance of local open spaces to local communities within built-up areas.

Barnet's Open Space, Sports and Recreational Facilities Assessment provides qualitative and quantitative evidence of the Boroughs open space network and its intrinsic values. It provides a basis for improving the quality and potential uses of open spaces to cater for increasing demand arising from growth and the changing needs of the community. The document identifies the Fairway Children's Playground as a NEAP (Neighbourhood Equipped Areas for Play). The Assessment Report notes that the play area is not very

accessible. This is because the site is not well located in relation to public rights of way and cycle routes.

The existing play area has an area of approximately 0.16ha and the application would result in a reduction to approximately 0.15ha (a reduction of approximately 46 square metres). However, the applicant has committed to improve the offering of the existing play area. The equipment and surfacing would all be replaced with new, modern facilities and these would increase and improve the usability of this open space, increase the quantity of equipment and increase the quality of the area as a whole. On this basis, it is not considered that the loss of open space is objectionable.

Impact on highway safety

The site has a poor rating of public transport accessibility. The site is required to provide between 101.5 and 172 car parking spaces and proposes 145 parking spaces. This number falls within the acceptable range as required by policy and is acceptable.

Parking levels in the area peak at 73% between 14:00 and 15:00, corresponding with the end of the school day. However, the proposed development would accommodate the parking needs of its residents and would not adversely affect highway safety in the vicinity. The scheme is estimated to generate in the region of 17 arrivals and 21 departures in the morning peak, and 28 arrivals and 23 departures in the afternoon peak. These will have a minimal impact on the highway network.

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 submitted ecological report sets out that the proposal will require the relocation of existing bat boxes. This will need to be undertaken under the terms of a license from Natural England and will be subject of a condition. Similarly, the relocation of slow worm populations outside of the site will require the relevant license and due process to be undertaken. Clearance of slow worms requires consideration as to timing, method and effort of removal from donor site, and preparation and management of the receptor site. The removal must take place whilst they are active (between March and September) by means of artificial refuges being placed around the site and checked regularly. A destructive search would then be commenced, with features hand searched and removed under ecological supervision. This will be secured by condition.

The creation of new habitat to mitigate against the loss of existing habitat will be secured by condition, with the ecology report suggesting this should include the use of native species. Subject to the use of conditions in accordance with the suggestions in the ecological reports, no objections are raised to the proposal.

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.

Archaeology

Historic England have noted that whilst the applicant's desk-based archaeological assessment (DBA) states that the site has low potential for archaeology, there is potential for new discoveries in this general area as illustrated by evidence of cropmarks in the wider DBA study area. The location of the site adjacent to a stream could be a favoured location for early settlement. The previous Northway school development on the site will have had a negative impact but the western side of the site adjacent to the stream is believed to be undisturbed and retains some potential for new discoveries which could inform understanding of settlement on the London clay. Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates the need for field evaluation to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that a condition could provide an acceptable safeguard.

Planning Obligations

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.
- Secure affordable housing.
- Secure commitment to upgrade playground space.

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.

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 high 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, overlooking distances and in respect of sunlight and daylight received, however as discussed above this represents a very small proportion of units and rooms. In addition, the flatted building would have some impact on the visual amenities of the Green Belt given its proximity to the Green Belt boundary. However it is not considered that this impact would result in any demonstrable harm to the visual amenity of the Green Belt. The development would also result in the loss of a number of trees. However 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, and in combination with the related developments adjacent to Broadfields School and Whitings Hill School considered to achieve a sustainable form of development which 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.

