

**LOCATION:** Premier Place, 102-124 Station Road And Car Park To Rear,  
Edgware  
Middlesex  
HA8 7BJ

**REFERENCE:** 16/0112/FUL Received: 13/01/2016  
Accepted: 21/01/2016

**WARD:** Edgware Expiry: 13/04/2016

**APPLICANT:** Premier House Ltd

**PROPOSAL:** Demolition of 120-124 Station Road and full planning permission for the rebuilding and extension of 102-120 Station Road to provide 1,705sqm retail floorspace (Use Class A1/A2) including a new frontage to Approach Road; redevelopment of rear car park for new buildings ranging in height from 3 to 17 storeys with podium level to provide 122 flats (Use Class C3) and a further 150sqm of new retail floorspace (Class A1/A2/A3) to Church Way. The provision of car parking, landscaping and amenity areas and environmental improvements to Station Road and Approach Road, a pedestrian site access from Station Road and Approach Road and vehicular site access from Church Way

## **APPLICATION SUMMARY**

The proposed development would entail the comprehensive redevelopment of the site to provide a residential-led mixed use development. The scheme would comprise 122 residential units accommodated within a number of buildings ranging from 3 to 17 storeys in height located on a podium deck. The development would also involve the provision of 1855 square metres of retail floorspace, a net increase of 625 square metres over and above the existing provision. The development would provide 96 car parking spaces within an undercroft parking area.

The application follows on from a previous application in 2014 which was refused on a number of grounds. The current scheme has been significantly reduced from the previous scheme in an effort to address these reasons for refusal.

Edgware is identified within the Core Strategy as being suitable for tall buildings, in this case it is considered that the location of the building being located to the rear of the existing street frontage, together with height and the form of the tall building is appropriate for its context. The scheme would involve improvements to the street frontage on Station Road and on Approach Road, delivering on the objectives of the Edgware Town Centre Framework (ETCF).

The viability assessment submitted in support of the application was independently reviewed on behalf of the Council by Knight Frank, following some iteration it was agreed that the scheme would deliver 20% of the units as affordable equating to 24 units. This level of provision is considered to be good given the town centre location and is fully supported by financial viability. In addition, the quality of the accommodation provided would be high with

a good percentage of dual aspect units, all units meet or exceed space standards and amenity space requirements.

In transport terms, the development would provide 96 parking spaces which would be shared between the development and the existing Premier House residential development. Across the site, none of the 1 bedroom units would be allocated a space, 2 of every 3 (a ratio of 0.65) of the 2 bedroom units would be allocated a space and all of the 3 bedroom units would be provided with a parking space.

Given the high PTAL rating and the location of the application site within a major town centre less than 100 metres from Edgware Interchange, it is considered that the level of parking provided is appropriate and in accordance with Policy CS9 of the Core Strategy.

The development would not have an unacceptable impact on the residential amenity of any of the surrounding occupiers. In regard to the daylight/sunlight impact, this is fully supported by an assessment from Waterslades. The application is therefore considered acceptable in sustainability terms and is compliant with London Plan standards.

The Waterslades report goes into each of the aforementioned issues in greater depth, however, in conclusion officers consider that the scheme is acceptable and would help to deliver the ETCF objectives and aid the regeneration of Edgware Town Centre. The application is therefore recommended for approval subject to conditions and a Section 106 Agreement.

## RECOMMENDATION

Approve the application subject to:

### Recommendation 1

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

(a) Legal Professional Costs Recovery

The Council's legal and professional costs of preparing the Agreement and any other enabling arrangements will be covered by the applicant.

(b) Enforceability

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

(c) Employment and Enterprise

The applicant will enter into a Local Employment Agreement with the Council and will commit to providing the following minimum number of places:

End use jobs - 8

Progression into employment, less than 6 months – 8

Progression into employment, more than 6 months – 5

Apprenticeships – 10

Work experience – 16

School / College / University site visits – 99

School / College workshops – 82

The Local Employment Agreement would be subject to discussion with the Council and would be agreed prior to the commencement of development.

(d) Affordable Housing

The provision within the development of a minimum of 20% (by unit number) of homes as affordable housing, providing a minimum of 24 residential units with the following mix:

- Social Rent: 66.6% (16 units)
- Intermediate Housing: 33.3% (8 units)

(e) Affordable Housing Review Mechanism

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

(f) Edgware Urban Design/Public Realm Study

£100,000 monies towards detailed design work as part of a comprehensive urban design and public realm masterplan for Edgware Town Centre.

(g) Pedestrian Legibility Contribution

Contribution of £10,000 towards improving pedestrian legibility in the vicinity of the site.

(h) Travel Plan

The applicant shall enter into a Residential Travel Plan for the residential uses on the site that seeks to reduce reliance on the use of the private car along with a Travel Plan monitoring contribution of £20,000. The Residential Travel Plan would be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives (up to a maximum of £36600) for the first occupier of each residential unit. Incentives to comprise of a voucher to a minimum value of £300 per dwelling to be spent on Car Club Membership, an Oyster Card with a pre-loaded amount and/or Cycle Scheme vouchers.

(i) Traffic Management Order

Contributions of £2,000 towards the amendment of Traffic Management Order (TMO) to ensure that the new occupants are prevented from purchasing parking permits

(j) Car Club

Provision of a car club with 2 car club spaces.

(k) Highway Works

Any works on public highway if required to facilitate the development would need to be carried out under S278 of the highways Act 1980.

(l) Monitoring Contribution

A S106 monitoring contribution of £3180.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, subject to Stage 2 approval from the Mayor, the Assistant Director of Development Management and Building

Control approve the planning application reference 16/0112/FUL under delegated powers and grant planning permission subject to the conditions and informatives set out in Appendix 1 and any changes to the wording of the conditions considered necessary by the Service Director for Development Management and Building Control.

## **MATERIAL CONSIDERATIONS**

### **Key Relevant Planning Policy**

### **Introduction**

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

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

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

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

## **The London Plan**

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

### Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

### London's Places:

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

### London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) and 3.13 (Affordable Housing Thresholds).

### London's Economy:

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

#### London's Response to Climate Change

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

#### London's Transport

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

#### London's Living Places and Spaces

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

#### Implementation, Monitoring and Review:

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

### **Barnet Local Plan**

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management

Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

#### Core Strategy (Adopted 2012):

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

- CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)
- CS3 (Distribution of growth in meeting housing aspirations)
- CS4 (Providing quality homes and housing choice in Barnet)
- CS5 (Protecting and enhancing Barnet's character to create high quality places)
- CS6 Promoting Barnet's Town Centres
- CS7 (Enhancing and protecting Barnet's open spaces)
- CS8 (Promoting a strong and prosperous Barnet)
- CS9 (Providing safe, effective and efficient travel)
- CS10 (Enabling inclusive and integrated community facilities and uses)
- CS11 (Improving health and well-being in Barnet)
- CS12 (Making Barnet a safer place)
- CS13 (Ensuring the efficient use of natural resources)
- CS14 (Dealing with our waste)
- CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

- DM01 (Protecting Barnet's character and amenity)
- DM02 (Development standards)
- DM03 (Accessibility and inclusive design)
- DM04 (Environmental considerations for development)
- DM05 (Tall Buildings)
- DM06 (Barnet's Heritage and Conservation)
- DM08 (Ensuring a variety of sizes of new homes to meet housing need)
- DM10 (Affordable housing contributions)
- DM11 (Development principles for Barnet's town centres)
- DM13 (Community and education uses)
- DM14 (New and existing employment space)
- DM15 (Green belt and open spaces)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

Edgware Town Centre Framework

The framework provides the basis for managing and promoting positive change in the town centre and offers a significant opportunity to secure infrastructure improvements to support existing businesses, address traffic issues and enhance the attractiveness of Edgware as a place to live, work and shop. The aims of the framework are as follows:

- address the mixture of land uses in the town centre, focusing on main town centre uses of retail, leisure, entertainment (cinemas), offices, and hotels but also including residential uses
- create a strategy, which promotes and maximises existing and future movement opportunities including public transport and pedestrian and cycle connections
- promote a safer and more secure environment in which all sectors of the community can have a sense of ownership of and pride in the town centre
- create a clear role for the town centre in the context of the planned growth at Brent Cross and other centres

- identify and take account of the opportunities and constraints for sustainable development

The framework was prepared in consultation with land owners, local businesses, residents and other stakeholders to help shape the future of Edgware town centre.

Supplementary Planning Guidance and Documents:

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

Local Supplementary Planning Documents:

Sustainable Design and Construction (April 2013)

Residential Design Guidance (April 2013)

Planning Obligations (April 2013)

Affordable Housing (February 2007 with updates in August 2010)

Strategic Supplementary Planning Documents and Guidance:

Barnet Housing Strategy 2015-2025

Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)

Health Issues in Planning (June 2007)

Wheelchair Accessible Housing (September 2007)

Planning for Equality and Diversity in London (October 2007)

All London Green Grid (March 2012)

Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

Housing (November 2012)

National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF).

This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance.

The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications which are considered to accord with the development plan. In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010:

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

## **1.0 Site Description**

- 1.0 The application site comprises ground floor commercial units 102-124 Station Road and the surface car park to the rear. The surface car park to the rear is accessed from Church Way and has capacity for 145 car parking spaces, primarily for occupants of Premier House, although approximately 40 spaces are leased to off-site users. The site has a total area of 0.57 hectares.
- 1.1 The site is bounded to the north and east by the Broadwalk Shopping Centre and to the south by Church Way, which serves as an access to the Broadwalk car park. To the west is Station Road (A5100), the main commercial street in Edgware town centre, which is mainly made up of 2 and 3 storey buildings, generally with retail and food and drink uses on the ground floor and offices/residential above. Nos.102-124 Station Road are located within the primary shopping frontage.
- 1.2 The site also incorporates Premier House, a 14 storey building previously in a primarily office use (Use Class B1). The building has recently undergone conversion to provide 133 residential units along with associated external works including recladding and the creation of some inset balconies. The conversion of the property was approved through a prior approval application, the details of which are set out in Section 3.0 of this report.
- 1.3 Edgware Underground Station (Northern Line) and local bus station are located some 200m to the north of the site, giving the site a public transport accessibility level (PTAL) of 6a (on a scale of 1-6, where 1 is poor and 6 is excellent). The site is within Flood Zone 1, with a low annual probability of flooding.
- 1.4 Edgware is designated as one of 35 major centres in the London Plan and the only one in Barnet. A Town Centre Framework (ETCF) was adopted by the Council in June 2013, which provides specific guidance for development principles within Edgware Town Centre.

## **2.0 Proposed Development**

- 2.1 Permission is sought for the demolition of 120-124 Station Road and the rebuilding and extension of 102-120 Station Road to provide 1,705sqm retail floorspace (Use Class A1/A2) including a new frontage to Approach Way, the redevelopment of the car park to the rear to provide new buildings ranging in height from 3 to 17 storeys accommodated on a podium level. In all, the development would provide 122 residential units (Use Class C3) and a further 150sqm of new retail floorspace (Class A1/A2/A3) to Approach Way. The development would also provide 96 car parking spaces at ground floor level below a podium deck incorporating hard and soft landscaping and communal amenity space.
- 2.2 The development would comprise of four distinct blocks, Blocks A, B, C and D, which would stand at 4, 5, 6 and 17 storeys in height respectively. All of the buildings would be located upon a podium level with undercroft car parking and podium level communal amenity space. Building D, the 17 storey element, would be located to the south east corner of the site away from the street frontage with Blocks C, B and A

being visually separated from Block D and located in a linear form along the southern boundary of the site and stepping down in height from 6 to 3 storeys.

- 2.3 The development would provide a total of 122 residential units located throughout the four blocks. The residential component would comprise the following accommodation:

<b>Unit Type</b>	<b>Number of Units</b>
1-bedroom	48
2-bedroom	61
3-bedroom	13
<b>Total</b>	<b>122</b>

- 2.4 The scheme would also entail improvements to the street frontage on Station Road, this would be achieved through internal and external refurbishments, rebuilding and/or rear extensions to the existing Station Road retail units. In addition the existing retail units on the corner of Church Way and Approach Way, 120-124 Station Road, would be replaced with a new double-height retail unit with a glazed active frontage to Approach Way. The replacement building would be curved in plan and slightly pulled back resulting in a wider pavement along Approach Way. A new retail unit of 150 square metres would also be provided at ground floor level of Block A, fronting onto Approach Way. In all, the development would result in retail floorspace totalling 1855 square metres, a net increase of 625 square metres on the existing provision.

- 2.5 The podium level of the development would be accessed from a stairwell and would accommodate communal amenity space, hard and soft landscaping and the children's playspace. Access to the podium deck would be restricted to occupiers of the development. In all, the scheme would deliver the following

- 1,281 square metres of private amenity space
- 1,000 square metres of communal amenity space
- 460 square metres of children's playspace

- 2.6 At undercroft level, the development would comprise a total of 96 vehicular parking spaces with access and egress from Approach Way. A dedicated servicing and delivery bay would also be provided at undercroft level, to the rear of the retail units.

### **3.0 Relevant Planning History**

- 3.1 The following applications relate directly to the application site:

- 3.2 Application: H/05793/13

Application Type: Outline Application

Description: Demolition of 120-124 Station Road and outline planning permission (with all matters other than access reserved) for new buildings from 7 to 19 storeys with podium level to provide up to 165 flats (Use Class C3), up to 1,450sqm flexible community floorspace (Use Class D1/D2), 275sqm of retail / restaurant floorspace

(Use Class A1/A2/A3), and new shopfront to the Church Way facade of the existing retail unit at 102-106 Station Road. The provision of pedestrian site access from Station Road and Church Way, and vehicular access from Church Way.

Decision: Application Refused

Decision Date: 11/06/2014

The application was refused for the following reasons:

1. The proposal would, by reason of its physical relationship to Station Road, lack of proposals to improve the appearance of the street frontage and Premier House, coupled with a lack of a formal undertaking to secure public realm and transport infrastructure, fail to adequately contribute towards the Council's objectives for the regeneration and renewal of Edgware Major Centre. The proposal would therefore be contrary to policy CS6 of the Barnet Local Plan Core Strategy (September 2012), policy 2.15 of the London Plan (July 2011, October 2013 and January 2014) and the Edgware Town Centre Framework (June 2013).
2. The proposed tall buildings would, by reason of design, height, scale and mass coupled with the parameters sought and failure to provide adequate justification or a robust framework for future reserved matters submissions, represent visually prominent and obtrusive features on the skyline and could cause unacceptable harm to the setting of heritage assets and local microclimatic conditions. The proposal would therefore not constitute a sustainable form of development and would be contrary to policies CS NPPF, CS5, DM01, DM05 and DM06 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (July 2011, October 2013 and January 2014) and the Barnet Sustainable Design and Construction and Residential Design Guidance Supplementary Planning Documents (April 2013).
3. The proposal would, by reason of its design, height, scale and mass coupled with the parameters sought and failure to provide a robust framework for future reserved matters submissions, represent a discordant and visually obtrusive form of development that would fail to respect its local context and the pattern of development in Edgware Major Centre, to such an extent that it would be detrimental to the character and appearance of the area. The proposal would therefore not constitute a sustainable form of development and would be contrary to policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policies 3.4, 7.4, 7.6 and 7.7 of the London Plan (July 2011, October 2013 and January 2014) and the Barnet Residential Design Guidance Supplementary Planning Document (April 2013).
4. The proposal would, by reason of its layout, design, height, scale and mass coupled with the parameters sought, represent a cramped form of development that would result in inadequate daylight and sunlight being received at a significant proportion of the proposed flats, to the detriment of the amenities of future occupiers of the development. The application would therefore not

constitute a sustainable form of development and is found to be unacceptable and contrary to policies CS NPPF and DM01 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policy 3.5 of the London Plan (July 2011, October 2013 and January 2014) and the Barnet Sustainable Design and Construction and Residential Design Guidance Supplementary Planning Documents (April 2013).

5. The proposal would, by reason of its lack of outdoor amenity space provision and lack of justification for the usability of the proposed roof terraces and rooftop play space, result in a poor standard of accommodation for future occupiers of the development and would fail to make adequate provision for children's play and informal recreation, to the detriment of their amenities. The application would therefore not constitute a sustainable form of development and is found to be unacceptable and contrary to policies CS NPPF, DM01 and DM02 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policy 3.5 and 3.6 of the London Plan (July 2011, October 2013 and January 2014), the Barnet Sustainable Design and Construction and Residential Design Guidance Supplementary Planning Documents (April 2013) and Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance (September 2012).
6. The proposal would, by reason of its layout and proximity to the Broadwalk Shopping Centre and Station Road properties, coupled with the parameters sought, represent a cramped form of development that would result in poor outlook from a significant proportion of the proposed flats and a lack of privacy, to the detriment of the amenities of future occupiers of the development. The application would therefore not constitute a sustainable form of development and is found to be unacceptable and contrary to policies CS NPPF and DM01 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policy 3.5 of the London Plan (July 2011, October 2013 and January 2014) and the Barnet Sustainable Design and Construction and Residential Design Guidance Supplementary Planning Documents (April 2013).
7. The proposal, by reason of insufficient car parking provision for the proposed residential and community centre uses, would be likely to lead to increased kerbside parking outside of the Controlled Parking Zone to the detriment of free flow of traffic and highway and pedestrian safety. The application is therefore unacceptable and contrary to policies DM17 and CS9 of the Barnet Local Plan Core Strategy and Development Management Policies (both adopted September 2012).
8. The proposal, by reason of unsatisfactory assessment of trip generation and the Church Way/Station Road junction, would be likely to result in adverse conditions impacting on highway safety. The application is therefore unacceptable and contrary to policies DM17 and CS9 of the Barnet Local Plan Core Strategy and Development Management Policies (both adopted September 2012).

9. The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area despite the application proposing to make such a contribution. The application is therefore unacceptable and contrary to policies CS NPPF, CS4, CS15 and DM10 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012), policies 3.12 and 3.13 of the London Plan (adopted July 2011 and October 2013), the Barnet Planning Obligations (adopted April 2013) and Affordable Housing (adopted February 2007 and August 2010) Supplementary Planning Documents and the Mayoral Housing (adopted November 2012) Supplementary Planning Guidance.
10. The application does not include a formal undertaking to secure the delivery of a Travel Plan for the development proposed, to minimise increases in road traffic from the proposal and encourage the use of sustainable modes of transport, and the provision of the funding needed to monitor and review a Travel Plan of this nature. The application is therefore unacceptable and contrary to policies CS NPPF, CS9, CS15 and DM17 of the Barnet Local Plan Core Strategy and Development Management Policies Document (both adopted September 2012); policies 6.1 and 6.3 of the London Plan (adopted July 2011 and October 2013); and the Barnet Planning Obligations (adopted April 2013) Supplementary Planning Document.
11. The proposal, by reason of the provision of long sections of blank ground floor frontage along the north east and south east elevations and lack of definition between public and private space, would not provide a safe and secure environment for people to live and work in and would not reduce opportunities for crime and fear of crime. The application would therefore not constitute a sustainable form of development and is found to be unacceptable and contrary to policies CS NPPF, CS12 and DM02 of the Barnet Local Plan Core Strategy and Development Management Policies (September 2012), policy 7.3 of the London Plan (July 2011, October 2013 and January 2014) and the Barnet Sustainable Design and Construction and Residential Design Guidance Supplementary Planning Documents (April 2013).
12. The application does not include a formal undertaking to secure the making of a financial contribution needed to ensure the delivery of the planning obligations which are necessary for the development to be found acceptable:
  - Junction improvements along Station Road;
  - Improved public open space around Edgware Station;
  - Improved public realm along Station Road;
  - Improved bus interchange;
  - Pedestrian and cycle environment improvements, including Legible London;and
  - Improvements to local bus stops, including DDA compliance.

The application is therefore unacceptable and contrary to London Plan policies 6.3, 6.9 and 6.10, policies DM17 and CS9 of the Barnet Local Plan

Core Strategy and Development Management Policies Document (adopted September 2012), the Barnet Planning Obligations (adopted April 2013) Supplementary Planning Document and the Edgware Town Centre Framework (June 2012).

- 3.2 The following application relates to Premier House which does not form part of the application site however is intrinsically linked to the development and is relevant to the consideration of the current scheme.

Application: H/02513/14

Description: Change of use from Class B1(office), floors 1 to 6 and 8 to 13, to Class C3 (residential) (112 units).

Decision: Prior Approval Required and Approved

Decision Date: 04.07.2014

#### **4.0 Consultations**

- 4.1 As part of the original consultation exercise 665 letters were sent to neighbouring occupiers in January 2016. The application was also publicised via a site notice and a press notice was published. The consultation process carried out for this application is considered to have been entirely appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and Barnet's own adopted policy on the consultation to be carried out for schemes of this nature.

- 4.2 As a result of the consultation, 10 responses were received from neighbouring occupiers, all of which objected to the application.

#### **4.3 Summary of Neighbour Objections**

- 4.4 The material planning considerations contained within the objections received from neighbouring residents are summarised below:

- The development is too high at 17 storeys and would be out of character with its surroundings;
- The development would be overly dominant and would result in a loss of outlook for neighbouring residential occupiers, including at Centurion House;
- The development represents overdevelopment of the site;
- There is insufficient parking provided by the development which would result in an increase in indiscriminate parking in the wider town centre;
- The development would result in increased congestion within the town centre;
- Insufficient publicity was given to the application and consultation should have taken place over a wider area;
- There is no provision for servicing and deliveries to the commercial units;
- The open space provided is solely for the use of residents and would not provide any benefit to the wider town centre;
- The development would result in a loss of privacy for surrounding residents.

#### **4.4 Summary of Responses from External Consultees**

- Transport for London (TFL)

- TfL supports the access arrangements proposed in terms of both the pedestrian and vehicular access;
  - Notwithstanding a significant reduction on the current level of car parking, TfL is of the view that the proposed level of car parking is unnecessary for a flatted development in such a highly accessible location. TfL recommends that the development should be car free, save for spaces to serve accessible dwellings. TfL also recommends the imposition of a Section 106 car-free obligation, consistent with London Plan Policy 6.13.
  - TfL is not satisfied with the trip generation analysis presented in the transport assessment. The approach to trip generation does not accord with TfL's guidance, which requires TRICS sites of no more than five (5) years unless agreed with TfL. The transport assessment utilises TRAVL sites which are more than 5 years and therefore would not qualified as suitable sites for deriving the person trip rates for the proposed development;
  - To satisfy the London Plan requirements a minimum of 214 cycle parking spaces must be provided. 196 long-stay cycle parking places are required for the residential use, with a further 3 cycle parking spaces for visitors. 5 long-stay and 9 short-stay cycle parking must be provided for the retail use;
  - TfL notes the proposed public realm improvements in Station Road and Church Road and view this as a positive contribution to the wider pedestrian environment. These should be secured by Barnet Council by planning obligations or section 278 agreements as appropriate;
  - A Travel Plan, Construction Logistics Plan and a Delivery and Servicing Plan should be secured by condition;
  - TfL supports the proposed development subject to the above issues being satisfactorily addressed. That said, TfL considers that a development in highly accessible location is a suitable location for car free development as demonstrated by the low take up of existing parking.
- Metropolitan Police Crime Prevention Design Advisors – No objection subject to compliance with Secured by Design requirements.
  - Greater London Authority (GLA) –
    - Principle of redevelopment supported;
    - Housing mix and density acceptable;
    - Further information required on affordable housing following independent review;
    - Tall building supported;
    - Urban design impact acceptable subject to S106 clause retaining architects of same calibre.
    - Further information required on transport impacts (subsequently provided and accepted).
  - Natural England – No comments
  - Thames Water – No objection subject to Grampian condition

#### 4.7 Summary of Internal Responses

- Environmental Health Team – No objection received subject to noise, contaminated land and air quality issues being mitigated through conditions.

- **Transport and Highways** – Given the high PTAL rating and subject to S106 clause preventing future occupiers from applying for parking permits, the overall level of parking provision is considered to be acceptable

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

- 5.1 The application seeks permission for the redevelopment of the site to provide a residential led mixed use development comprising of 122 residential units and 1855 square metres of commercial floorspace. The site is located in a prime location within Edgware Town Centre which is identified within the London Plan (2015) as a Major Centre, the only such centre within the borough.
- 5.2 Policy 2.15 of the London Plan requires development within Major Centres, amongst other requirements to sustain and enhance the vitality and viability of the centre, to accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations and to promote access by public transport, walking and cycling. With its excellent public transport accessibility, Edgware is well placed to deliver high density mixed use development that can deliver the above objectives, and in this case it is considered that the scheme would be in accordance with Policy 2.15.
- 5.3 Barnet Local Plan policy CS6 also seeks to realise development opportunities for Edgware and seeks to ensure an efficient use of land and buildings in town centres by encouraging a mix of compatible uses including retail, leisure and residential that adds to vibrancy of those areas. In relation to Policy CS6, officers consider that the mix of the land uses including residential is appropriate for the location.

### Edgware Town Centre Framework

- 5.4 In 2013, the Council adopted the Edgware Town Centre Framework (ETCF), which identifies opportunities for enhancement of retail, leisure and entertainment uses in Edgware town centre. The ETCF has been prepared in consultation with the community and is a material consideration for planning applications in the area.
- 5.5 The ETCF sets out a vision for Edgware town centre to be a ‘successful and thriving place with new and expanded shops around the Broadwalk Shopping Centre integrated with Station Road and the surrounding residential suburbs by new streets and connections’. It identifies some key sites within the town centre that can contribute to the objectives of the framework, including the application site, as well as a list of infrastructure that requires funding to deliver. The document sets out a number of specific objectives for the development of the application site and also sets out the challenges involved with the redevelopment of the site. One of the challenges is outlined as follows:

*“The car park site can only be comprehensively redeveloped if it is combined with the frontage along Station Road. There is therefore a need for land assembly. The land owners will need to come together in order to deliver a comprehensive scheme and fully realise the potential of the site.”*

- 5.6 Previous application H/05793/13 failed to incorporate the land at 126-140 Station Road and thus was refused in part due to its lack of physical relationship to Station Road and lack of proposals to improve the appearance of the street frontage and

Premier House. The explanatory text within the committee report explained that part of the reason for this was the failure to incorporate the aforementioned land. The current application does not incorporate the relevant land at 126-140 Station Road and thus the scheme still fails to have any proper relationship with Station Road.

- 5.7 Within the planning statement submitted in support of the application by Dalton Warner Davis, it is stated that *“the owners of properties at 126-40 Station Road have previously been consulted; however, currently they have no plans for redevelopment primarily due to leasehold constraints.”*
- 5.8 Officers must therefore make a balanced judgement on whether it is appropriate and reasonable to resist the current application on the failure to incorporate the land at 125-140.
- 5.9 The Design and Access Statement submitted shows how the adjoining site could be developed in congruence with the currently proposed scheme. The applicant has also submitted a supplementary note which sets out the reasons why it has not been possible to bring the two sites forward together for development. These are set out below:
- The occupiers of 126-140 Station Road enjoy long leases until 2026 and 2027 and provide and as such provide a long term rental yield to the landowners, disincentivising the owners from developing the land;
  - The application site requires a podium deck to accommodate the parking requirement so it would not be feasible to create any ground level linkages between the site and Station Road even if the land were incorporated into the scheme;
- 5.10 Pragmatically, officers recognise that the current scheme coming forward in isolation would provide a less comprehensive development of the town centre sites as envisaged by the ETCF. However, the granting of permission for the redevelopment of the Premier Place site may provide the momentum and incentive needed for the land acquisition issues of the 126-140 Station Road site to be resolved and for the site to come forward for redevelopment. Should this not be the case, officers consider that the granting of permission for the current scheme would not preclude future redevelopment of the 126-140 site at a scale which was appropriate for its location and surrounding constraints.
- 5.10 Therefore, in conclusion it is clear that the scheme would not strictly address the challenges faced by the site as outlined in paragraph 5.5, nevertheless, the potential benefits of a comprehensive scheme involving both sites must be balanced against the inherent and tangible benefits that would be provided were the current scheme to be approved. Having made a balanced judgement, officers consider that the long term forestalling of development of the Premier Place site on the basis of a lack of land assembly of the Station Road properties would be counter-productive to the wider regeneration objectives for Edgware Town Centre.

- 5.11 In relation to Premier House, this has since undergone conversion to residential including extensive recladding of the external elevations which has improved its aesthetic appearance. The current scheme would seek to refurbish, rebuild and/or extend the existing Station Road retail units to provide improved modern retail premises totalling 1,705sqm which would contribute towards the regeneration objectives of Edgware town centre and would address the previous reason for refusal in this regard specifically.

#### Residential Density

- 5.12 London Plan policy 3.4 seeks to optimise the housing output of sites taking into account local context and character, the design principles in chapter 7 of the London Plan and public transport capacity. Taking into account these factors, Table 3.2 of the London Plan sets out a density matrix which serves as guidance for appropriate densities in different locations dependent on the aforementioned factors.
- 5.13 The application site is best described as 'central' defined within the London Plan as "areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre."
- 5.14 In terms of density, the Barnet Residential Design Guidance SPD confirms that rooms exceeding 20sq.m will be counted as two habitable rooms. On this basis the current scheme would provide a total of 344 habitable rooms (hr). Nevertheless, given that the site has historically included the Premier House site which is currently undergoing conversion to residential use following a prior approval it is considered appropriate to include these units in the calculations. The Premier House development will deliver a total of 302 hr under the Prior Approval scheme.
- 5.15 The overall site area (inclusive of Premier House) is 0.64 hectares and taking into account the above, the density of both schemes combined would be 1009 hr/ha. This figure is at the upper end of the indicative range (650-1100hr/ha) provided in the London Plan density matrix for a site in a central (i.e. town centre) setting and a public transport accessibility level of 6a.
- 5.16 There would be a combined total of 646 hr on site and thus average habitable rooms per unit equates to 2.7 hr/unit. Using this figure, the London Plan density matrix therefore suggests a figure of between 215-405 units per hectare. The combined units for both schemes (122 at Premier Place and 121 at Premier House) equates to a total of 243 units. Using the site area of 0.64 hectares, the density of the combined schemes is therefore 380 units per hectare which falls within the range set out within the London Plan density matrix.
- 5.17 The density is towards the upper end of the acceptable range which is considered to be appropriate given that the site enjoys a high PTAL of 6A and represents a prime town centre development site. High density residential use as part of a mixed use development in this location would represent the optimal use for the site and in this

regard it is considered that the application is in accordance with Policy 3.4 of the London Plan.

## 6.0 Housing / Quality of Accommodation

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

### Dwelling Mix

6.2 Policy DM08 of the DMP – DPD states that new residential development should provide an appropriate mix of dwellings and with regards to market housing states that 4 bedroom units are the highest priority and 3 bedroom units are a medium priority.

6.3 The development proposes 122 residential units with the following mix of units

Unit Size	Number of Units	% of Units
1 bedroom	48	39%
2 bedroom	61	50%
3 bedroom	13	11%

6.4 It is considered that the mix of units being provided with a biased towards 1 and 2 bedroom units is appropriate for the town centre location. Nevertheless, the development would still provide 13 x 3 bedroom units which would make a contribution towards the borough priority for 3 bedroom, family sized housing.

6.5 Furthermore, family sized units are defined as being those with 2 or more bedrooms and in this case all of the two bedroom units provided are capable of being occupied ~~as such~~. With this in mind and with 66 of the 81 units (82%) being family sized accommodation it is considered that the application would provide a suitable range of dwelling sizes and types to address housing preference and need in accordance with the abovementioned policy. It should also be noted that previous application H/05793/13 proposed a broadly similar mix of units which was considered to be acceptable.

### Affordable Housing

6.6 London Plan 2015 Policy 3.12 seeks the maximum reasonable amount of affordable housing to be negotiated. The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more

dwellings. Council policies seek a tenure split of 70% social rented and 30% intermediate housing.

- 6.7 The application was accompanied by an ‘Affordable Housing and Economic Viability Assessment’ produced by BNP Paribas (BNPP) which set out that no affordable housing provision could be supported by the development and thus an initial offer of 0% affordable housing was proposed.
- 6.8 The Council instructed Knight Frank to undertake an independent review of the Affordable Housing Statement. Knight Frank carried out the review and disagreed with assumptions made within the assessment. The assumptions that Knight Frank disagreed with in the BNPP document can be summarised as follows:
- The sales values of the proposed units are understated;
  - The rental yields of the commercial units are understated;
  - The Benchmark Land Value is understated;
  - Commercial agency fees are overstated;
  - The profit level assumed on the commercial element is excessive;
  - Post practical construction sales period understated;
  - Proportion of off plan sales understated.
- 6.9 Knight Frank tested the viability of the scheme using their adjusted inputs as set out above and came to the conclusion that the development could support the provision of affordable housing. Following discussions and the submission of additional evidence to justify the adopted assumptions, it was agreed by the parties that the scheme could support 20% affordable housing equating to 24 units.
- 6.10 The affordable housing would have the following composition:
- 16 x Social Rented Units (66% )
  - 8 x Intermediate Units (34%)
- 6.11 In summary, officers consider that the proposed affordable housing provision of 24 units equating to 20% of the total residential offer is a good level and is fully justified by financial viability. The relative tenure split of the units is also broadly in line with the Council’s objectives. The application is therefore in accordance with Policy CS4 of the Core Strategy and is acceptable in terms of affordable housing.

#### Residential Space Standards

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

Table 1.0 – Residential Internal Space Standards Requirements

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

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

#### Wheelchair Housing Standards

- 6.15 Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific considerations. All units should have 10% wheelchair home compliance, as per London Plan policy 3.8. In this regard, a condition be attached to ensure that a minimum of 12 units are constructed as wheelchair accessible in accordance with both the Planning and Design and Access Statements. In their Stage 1 response, the GLA requested clarification on the location and the layout of the wheelchair units so any condition would be worded appropriately so as to ensure these details are also required.

#### Amenity space

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

Table 1.1 – Outdoor Amenity Space Requirements

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

- 6.17 The development proposes a mix of private and communal amenity areas and the planning statement submitted in support of the application incorporates an assessment of the level of amenity space provided in relation to the requirements of both the London Plan SPG and the Barnet SPD.
- 6.18 The communal amenity space would be provided within the central courtyard above the podium deck and would incorporate the amenity space, allotments and children's playspace. The deck would only be available to residents of the currently proposed Premier Place development with an access controlled entrance to Station Road and private access from the units onto the podium deck.
- 6.19 Using the methodology associated with Table 2.3 of the SPD, the development would comprise 447 habitable rooms which would necessitate the provision of 2235 square metres of amenity space. The Planning Statement from Dalton Warner Davis sets out that the development would provide the following amenity space:
- 1,281 square metres of private amenity space
  - 1,000 square metres of communal amenity space
  - 460 square metres of children's playspace
- 6.20 The development would therefore comprise an overall amenity provision of 2741 square metres which is in excess of the 2235 square metre requirement. The development is therefore fully accordant with the amenity requirements of the SPD and is acceptable in this regard.
- 6.21 It should be noted that previous application H/05793/13 was refused partly on the basis that the rooftop amenity areas would have been inappropriate and not fit for purpose. This aspect of the scheme has been removed with all amenity space accommodated at podium level, directly addressing and overcoming the previous reason for refusal.

#### Children's Play Space

- 6.22 The development would have a Child Yield of 46 children as per the Mayor's Child Yield Calculator. The Mayor's Shaping Neighbourhoods: Informal Play and Recreation SPG requires a provision of 10 square metres of playspace per child. The Proposed Development meets this target and provides two separate children's play areas on the podium amounting to 460sqm. In this regard, the level of children's playspace provided is accordant with the requirements of the Mayor's Shaping Neighbourhoods: Informal Play and Recreation SPG and the application is therefore acceptable.
- 6.23 Nevertheless, the application does not incorporate details of the equipment to be provided. Therefore if permission were to be granted a condition would be attached requiring the submission of details of the play equipment to ensure it is of an appropriate type and quality.

## Noise

- 6.24 In relation to the noise impacts on the proposed development, the application is accompanied by a Noise Impact Assessment produced by Environmental Noise Solutions. The Noise Impact Assessment has the following purposes:
- To determine the ambient noise levels at the application site during representative periods of the daytime and at night;
  - To assess the potential impact of the ambient noise climate on the proposed development (with reference to the National Planning Policy Framework); and
  - To provide recommendations for a scheme of sound attenuation works, as necessary, to ensure that the future occupants of the proposed development do not experience any unacceptable loss of amenity due to noise.
- 6.25 The assessment identifies that the ambient noise climate across the majority of the application site is due to local road traffic, with further contributions from activities at the Broadwalk Shopping Centre and Sainsbury's Service Yard. The assessment goes on to state that a scheme of sound insulation works has been developed to protect the proposed residential element of the development from the ambient noise climate in accordance with the requirements of the NPPF. The assessment then concludes that the ambient noise climate is not considered to represent a constraint to the proposed development of the application site.
- 6.26 The Council's Environmental Health officers were consulted on the application and largely agree with the findings of the assessment from Environmental Noise Solutions identifying the traffic as the main source of ambient noise. Environmental Health officers have recommended conditions relating to noise insulation measures for the residential units which would be attached if permission were granted. Subject to these conditions it is considered that the application would be acceptable in terms of noise.

## Privacy

- 6.27 The development comprises of four distinct blocks (Blocks A, B, C and D) which range in height from 3 to 17 storeys and are laid out in a largely linear form along the east boundary of the site. In terms of neighbouring uses and potentially sensitive relationships which may compromise the privacy of future occupiers, the most sensitive relationship is that between the existing Premier House development and the facing elevations of Blocks B and C.

### Block A

- 6.28 The windows of Block A would enjoy a perpendicular relationship to the windows of both Premier House and Block B and to the west would adjoin Church Way. In this respect there would be no privacy concerns for future occupiers of this part of the development.

### Block B

6.29 The windows to the west elevation of Block B would be located directly opposite the facing elevation of Premier House which has undergone conversion to residential and thus comprises habitable windows on the south elevations. The relevant windows of Block B comprise the following:

- Duplex units – 1 kitchen window at 1F level + 2 bedroom windows at 2F level
- Third floor units – 2 units with kitchen window and 1 unit with bedroom window
- Fourth floor units - 2 units with kitchen window and 1 unit with bedroom window

6.30 The aforementioned windows of Block B are located approximately 25 metres from Premier House which is in excess of the 21 metre minimum set out within the Sustainable Design and Construction SPD. Given this separation distance, it is considered that the layout of the development in relation to Premier House would not give rise to an unacceptable loss of privacy for future occupiers of the residential units within Block B.

6.31 To the rear of Block B, the first floor of each of the duplex units would incorporate 2 windows serving the main living/dining area. These windows would front onto the access road leading to the upper level of the Broadwalk Shopping Centre adjacent. Adjacent to Block B the access road is at ground level and thus there would be no privacy concerns arising.

#### Block C

6.32 The front windows of Block C would be located approximately 20 metres from the facing elevation of Premier House however would not be directly opposite, being located on a slightly oblique angle. Whilst there is a slight shortfall of 1 metre below the minimum SPD standard for facing windows, it is considered that this slight shortfall is mitigated by the oblique relationship.

6.33 At first floor level of the northern part of Block C, 2 of the units would each incorporate 2 bedroom windows that would front onto the Broadwalk vehicular ramp. The sections provided with the application show that at this point the starts to ascend up to the height of the roof of the Broadwalk Centre. Nevertheless, given that the access is vehicular only and is a thoroughfare it is considered that any activity on the access road would be kinetic rather than stationery which would minimise opportunities for overlooking of the ground floor windows. In this regard it is considered that the layout of the development in relation to the access road to The Broadwalk Centre would not give rise to an unacceptable loss of privacy for future occupiers of the residential units.

#### Block D

6.34 To the front of Block D, the closest separation distance is approximately 15 metres between 2 bedroom windows of 1 x 2 bedroom unit at first floor level and the rear windows of 128-130 Station Road. It is understood that the rearmost of the windows are not in residential use and as such it is considered that the level of harm in terms

of privacy would be somewhat reduced. Furthermore, the windows would front onto a private amenity space which could be enclosed by a privacy screen which would further minimise the potential for overlooking. Details of the privacy screen would be required by condition if permission were granted.

- 6.35 There would be 1 x 3 bedroom unit at first floor level of Block D with a living/dining/kitchen which would enjoy a similar relationship to the vehicular ramp of the Broadwalk as the bedroom windows of Block C. In line with the view taken in relation to the bedroom windows it is considered that this relationship would not result in an unacceptable loss of privacy for future occupiers.

#### Daylight

- 6.36 A daylight/sunlight assessment has been submitted in support of the application by Waterslade which is inclusive of an assessment on the levels of both daylight and sunlight that would be received by all units of the proposed development.
- 6.37 The daylight/sunlight assessment submitted by Waterslade sets out the Average Daylight Factor (ADF) figures for each residential habitable room of the proposed development.
- 6.38 The daylight/sunlight assessment shows that the ADF value for each habitable room within the proposal. Of the 334 rooms tested 317 (95%) strictly adhere to the BRE ADF guidelines. There are 6 second floor bedrooms in Block B that do not achieve the recommended target ADF of 1.0% as they have their access to direct skylight restricted by the access deck to the flats above. The remaining 11 rooms are all combined living/kitchen/dining rooms, 9 of which will achieve the 1.5% ADF target value for a living room, which is their principal use.
- 6.39 Given the urban location of the application site, it is considered that the levels of daylight compliance achieved in the scheme would be good. Of those windows which fail to strictly adhere to the BRE Guidelines, it is considered that the marginal failure in the 6 bedrooms can be tolerated given the secondary habitable nature of the room use whilst the living/kitchen/dining rooms would achieve the target value of 1.5 % for the principal living room use.

#### Sunlight

- 6.40 In relation to sunlight the results show a spread of values, with 48% of the living rooms (60 out of 125) achieving the recommended 25% of total APSH with at least 5% in winter.
- 6.41 It is therefore clear that some windows will receive low sunlight levels due to their orientation and particular location with the scheme whilst some rooms would their access to sunlight restricted by recessed balconies. Nevertheless, it is accepted that in such an urban location there will be instances where the optimal use of the site and provision of external amenity space in the form of balconies would provide benefits that would outweigh a degree of failure in terms of the BRE guidelines.

- 6.42 The situation is not unusual in a modern urban development and overall the sunlight availability will be good for a development such as this.

#### Outlook

- 6.43 A dual aspect unit has many inherent benefits including cross ventilation, a choice of views, access to a quiet side of the building, and a greater flexibility in the use of rooms. The Mayor has outlined within design guidance that dual aspect should be the first option that designers explore for all new developments. In this regard, the development proposes 118 of the units as dual aspect, equating to 97% of the units which is considered to be an excellent ratio and would help to provide a very good standard of outlook for future occupiers. It should be noted that none of the single aspect units proposed would be north facing.
- 6.44 Previous application H/05793/13 was refused partly on the basis that the proximity of the development to the Broadwalk Shopping Centre and the Station Road properties would result in poor outlook from a significant number of flats. Previously a community centre was proposed at first floor level which has now been removed from the scheme and duplex apartments are now proposed at first and second floor level of Block B with 2 bedroom units at first and second floor level of Block C.
- 6.45 In the determination of the previous application, the reason for refusal related to the residential units at second floor level which would have comprised habitable rooms with the primary outlook onto the 2 storey facing elevation of the Broadwalk Centre 13 metres away, giving a poor and unacceptable level of outlook. The introduction of residential accommodation to first floor level now means that the following windows would be located below the height of the Broadwalk Centre building opposite:

#### First Floor Level

- 3 x living/dining room windows
- 8 x bedroom windows

#### Second Floor Level

- 7 x bedroom windows

- 6.46 It should be noted that the duplex units are dual aspect and would have outlook to the north onto the private amenity spaces on the podium deck at first floor level and onto decking at second floor level. Following officer review of the application, the layout of the duplex units at first floor level has been revised to incorporate a living/dining room covering the full depth of the unit and thus having a dual aspect with the primary outlook over the private amenity space to the front. It is considered that the dual aspect of the primary living space would provide an acceptable standard of accommodation with only the secondary window having outlook onto the Broadwalk Centre.

- 6.47 This would leave 8 bedroom windows at first floor level which would have sole outlook onto the Broadwalk Centre. The units within which the bedrooms are contained are dual aspect units with the primary habitable rooms located to the north and overlooking the podium deck. Given that the bedrooms are secondary habitable rooms and given the low number of bedrooms relative to the overall number of habitable windows provided with the development, it is considered that on balance the reduced outlook from these 8 windows can be tolerated.
- 6.48 At second floor level, Blocks B and C would incorporate 7 bedroom windows with sole outlook to the south onto the facing elevation of the Broadwalk Centre. Again, these windows are secondary habitable rooms and should be afforded less weight than if they were primary living areas. The primary habitable room of each of these flats at second floor level would have a good outlook to the north over the podium level and as such the occupiers of each flat would not be confined to a sole south facing outlook due to the dual aspect of the units. In this regard it is also considered that the reduced outlook from the 7 bedroom windows can be tolerated and would not outweigh the wider benefits of the scheme.

## **7.0 Design and Appearance**

### Tall Building (Block D)

- 7.1 London Plan Policy 7.7 sets out the approach to tall buildings in London requiring that appropriate locations are identified in Local Plan's. The policy sets out design criteria that tall buildings should comply with. Further to this, London Plan paragraph 7.25 defines a tall building as one that is substantially taller than its surroundings, or significantly changes the skyline.
- 7.2 Core Strategy Policy CS5 identifies this part of the borough as being suitable for tall buildings as part of the Edgware The location of the tall building is therefore acceptable in principle. Nevertheless, Policy Development Management Policy DM5 states that, where acceptable in principle, tall buildings must satisfy 5 criteria which are addressed in turn below.
- i) An active street frontage
- 7.3 The form and layout of the application site means that the tall building is located on a podium level, behind the properties of 126-140 Station Road. The layout of the development with the podium deck is derived from the policy requirement for the site to reprovide a similar quantum of car parking as currently exists. Given the costs involved in excavating an underground car park, such a solution in this location would be unlikely to be cost effective and if provided would be likely to impact on the viable level of affordable housing. It is therefore accepted that the ground level parking and podium deck is an appropriate response to the policy need to provide car parking within the development.
- 7.4 The location of the tall building and its lack of a street frontage is also derived from the shape of the site and the fact that the properties at 126-140 Station Road are

outside of the ownership of the applicant. For the reasons set out within section 5 of this report, it had not been possible for the two sites to come forward together and as such it is not possible for a street frontage on Station Road to be provided with the tall building.

- 7.5 Nevertheless, the location of the tall building is considered to be appropriate given that it would be set back from the street frontage thereby reducing its visual impact on the street scene and minimising its impact on the surrounding residential occupiers. In this regard it is considered that it is not strictly appropriate for the tall building to have a street frontage. It should also be noted that previous application H/05793/13 accepted that the location of the tall building behind the street frontage, on a podium deck was acceptable.
- ii) Successful integration into the urban fabric
- 7.6 The application site is located within Edgware Town Centre where the most prominent building in the locality is that of the existing Premier House tower at 14 storeys which the development, at 17 storeys, would exceed. Nevertheless, it is considered the positional relationship between the two buildings would avoid any unacceptable cumulative impact given that there are limited viewpoints in which the two buildings would present together as singular mass due to the separation distance and the location of the proposed tower to the rear of the site.
- 7.7 Edgware is identified as being suitable for tall buildings and The Tall Buildings Study of London Borough of Barnet (2010) recognises that tall buildings typically relate better to the urban form in these areas, particularly where they are more sensitively located relative to the public realm. In this case, given the location of the tall building relative to the public realm, and given its relationship to Premier House it is considered that it would integrate successfully into the urban fabric. It should also be noted that the GLA were supportive of the scheme in strategic urban design terms including the tall building.
- iii) A regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- 7.8 There are also no strategic views or identified local viewing corridors which would be adversely affected by the development.
- iv) Not cause harm to heritage assets and their setting
- 7.9 The nearest heritage assets to the application site are the Grade II listed St Margaret's Church, the Grade II listed Railway Hotel on Station Road (50m to the south of the site) and the Watling Estate Conservation Area (350m to the south east). Edgware High Street Conservation Area, which also contains a number of listed buildings, is located 100m to the west of the site, within the London Borough of Harrow. Previous application H/05793/13 was refused on the basis that the tall building could cause harm to the setting of the aforementioned heritage assets.

- 7.10 With regards to the Grade II listed buildings and the Edgware Road Conservation Area, when viewed from the south the backdrop setting of these buildings is dominated by the existing Premier House. This can be clearly seen in the CGI's provided by the applicant which include a long view from Station Road, adjacent to the junction with the A5.
- 7.11 When viewed in this context, the proposed tall building would present to right hand corner of the Premier House building with the majority of the silhouette being subsumed within the massing of the existing Premier House building. It is therefore considered that any harmful impact on the setting of these heritage assets as a result of the proposed development would not be significantly over and above that which already exists. In this regard it is considered that the previous reason for refusal has been addressed through the reduction in height of the tall building element.
- v) That the potential microclimate effect does not adversely affect existing levels of comfort in the public realm
- 7.12 The previous application was also refused partly on the basis that the development would result in an unacceptable impact on local microclimate conditions. In order to address this issue, the application is accompanied by a Microclimate (Wind) Report by Tsengi Building Simulations which sets out that an assessment was carried out using Computational Fluid Dynamics (CFD) simulations with several scenarios based on local climactic data being tested. A number of points located throughout the proposed development and on the adjacent highway were identified as being those where activity would take place and the assessment was carried out using these points. The results within the report are presented in accordance with standard practice for wind microclimate studies using the Lawson Scale of pedestrian comfort.
- 7.13 The results show that on all the points assessed, the pedestrian comfort levels would only exceed acceptable wind conditions as set out in the Lawson Scale by 0.02% in the case of two private amenity areas within the new development. The results of the report are summarised in Table 1.3 below:

Table 1.3

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

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

CABE/English Heritage Advice on Tall Buildings

- 7.15 As well as the Barnet DMP – DPD outlined above, the London Plan and CABE set out criteria which tall buildings should adhere to. Most of these criteria are similar to those of Policy DMO6 and are set out below with a brief assessment:
- 7.16 *Context:* As outlined in paragraphs 7.6-7.7 above, it is considered that the proposed tall building would harmonise with the existing urban fabric and would be congruent within its context.
- 7.17 *Historic Assets Impact:* As outlined in paragraphs 7.9-7.11 above, the height and location of the tall building and its separation distance from the nearby heritage assets would ensure that the impact on their setting would not be significant.
- 7.18 *Relationship to Transport:* The development has a PTAL of 6A which is the highest PTAL rating and is located within 100 metres of Edgware Transport Interchange. In terms of its transport accessibility, the site is therefore ideally located for accommodating a tall building.
- 7.19 *Architectural Quality:* Brick would be the dominant material of the tower and the massing of the tower would be broken through the use of smaller vertical blocks with differing depths and treatment. Balconies would be integral and recessed into the elevations contributing to well-ordered and logical elevations. Subject to the quality of the materials being used being secured through condition and subject to the retention of a similarly reputable architect to discharge conditions, it is considered that the architectural quality of the tall building would be good.
- 7.20 *Sustainability:* The application is supported by an energy statement which confirms that the development will accord with London Plan guidelines relating to CO<sub>2</sub> emissions. The sustainability of the scheme is discussed fully within section 9 of this report.
- 7.21 *Design Credibility:* The scheme is designed by a reputable architecture team and is supported by an established consultancy.
- 7.22 *Contribution to Spaces and Facilities:* The development contributes ground floor active frontages to Station Road and Approach Road, in line with the ETCF aspirations for the site. The development also provides a good level of communal amenity space for future occupiers.
- 7.23 *Environmental Effect:* No significant adverse impacts are identified including microclimate, overshadowing, night-time appearance, vehicle movement or to neighbour's amenity. This is clearly set out in paragraph 7.12-7.14 of this report.
- 7.24 *Contribution to Permeability:* The development would be located on a podium deck that would be accessed from access controlled stairwell on Station Road. Due to the policy requirement to provide car parking with the development and the podium deck, it is not feasible or appropriate for the development to create any new connections to the

7.25 *Well-Designed Environment:* The scheme would deliver robust, well designed buildings that would be connected by high quality hard and soft landscaping on the podium level. It is considered that overall, these combine to create a well-designed environment.

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

7.26 Previously refused application H/05793/13 proposed a linear building form along the southern site boundary ranging from 3 to 6 storeys in height. In the assessment of the application, it was considered that the heights and the massing of this element of the development were excessive and offered a singular built mass to the south of the site with no visual relief.

7.27 The heights of the blocks step up in height from the 3 storeys of Block A to the 6 storeys of Block C. This stepping of the building heights is considered to be appropriate and in urban design terms would provide a visual transition from the 17 storeys of the tall building to the 3 storey buildings to the Approach Way frontage. Whilst contributing to this visual transition, it is also considered that the reduced height of the buildings prevents Blocks A-C from being overly dominant in the context of the communal amenity area and Premier House

7.28 The massing of Blocks A-C is also mitigated by the visual separation between the blocks which has been introduced. It is considered that the separation of Block C from Block D and Block A from Block B would aid the visual permeability of the development and lessen its massing.

7.29 It is acknowledged that scale and height of the buildings would exceed that of most of the building typologies in the surrounding vicinity which mostly stand at 2-3 storeys. Nevertheless, in this case it would not be appropriate for the development to strictly reproduce this scale given that the application site represents a prime development opportunity within a major town centre. High density enabling residential development and resultant increased building scale and height to deliver the objectives of the ETCF is therefore considered to be appropriate in this location.

#### Conclusion

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

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

#### **Daylight/Sunlight**

8.1 The applicant has submitted a Daylight/Sunlight report from Waterslade (June 2015) which is inclusive of daylight, sunlight and overshadowing assessments of the impact

of the proposed development on both neighbouring occupiers and future occupiers of the development itself.

### Daylight

- 8.2 The standardised assessment methodology for daylighting is set out within the BRE document Site Layout Planning for Daylight and Sunlight (BRE, 2011). Within this document it is set out that the primary tool is the Vertical Sky Component (VSC) and that the target value for windows to retain the potential for good daylighting is 27% or more than 0.8 times its former value.
- 8.3 The assessment from Waterslade relies on the basis that the application site is located within an urban context and as such the target VSC level in such an environment should be correspondingly lower given the tight urban grain and the increased scale of the buildings. Waterslade have therefore adopted a revised VSC target value of 18% which they consider to be appropriate for the location.
- 8.4 In response to this revised VSC target value, it is accepted that the BRE guidelines are predicated on a suburban environment and that a less prescriptive approach may be adopted in an urban environment. Indeed, paragraph 1.6 of page 1 of the guidance states the following: *“The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of the factors in layout design. In special circumstances the developer or planning authority may wish to use different target values...”* With the above in mind and cognisant of the urban context within which the application site is located, it is considered that the reduced VSC target value is reasonable.

### 136-140 Station Road

- 8.5 The car park site is currently in an undeveloped state and as such it is inevitable that the neighbours immediately adjoining the site would experience a noticeable proportional loss in terms of daylight given the high extant VSC levels. In the case of 136-140 Station Road there would be a number of windows that would experience a proportional loss of less than 0.8 times their former value which would not be in strict accordance with BRE guidelines.
- 8.6 Nevertheless, the BRE target levels are meant to be used as a guideline rather than applied strictly and mechanistically. Each of the windows affected would still retain a VSC level of over 20% which is considered to represent a good level of daylight for such a central urban location. In this regard it is considered that the extent of the daylight loss to these properties would not be so significant as to warrant refusal of the application on this basis.

### Premier House

- 8.7 In relation to the Premier House building which is currently undergoing conversion to residential use, the daylight analysis from Waterslades shows that all windows above 3<sup>rd</sup> floor level would achieve the target VSC levels. Below 3<sup>rd</sup> floor level there would be a total of 20 windows that would fail to achieve the revised target VSC level of 18% and would experience a proportional reduction of less than 0.8 times the former value.
- 8.8 The majority of the windows are located under balconies which restrict their access to direct skylight and as such it is inexorable that the windows would have restricted levels of daylight. Three windows which are unencumbered by balconies, would also receive lower levels. However these windows are located at first floor level and are located in close perpendicular proximity to the Premier House tower and as such also have restricted levels of daylight as a result. In this regard it is considered that the harm caused by the additional reduction to all of these windows would not be so significant as to warrant refusal of the application on this basis.

#### 27-65 Station Road

- 8.9 The ground floors of these properties are in commercial use, however it is understood that upper floors may contain residential elements and as such the daylight assessment from Waterslades incorporated as an assessment of the impact on these properties.
- 8.10 The daylight analysis shows that all of the windows serving these properties will comfortably achieve the BRE VSC criteria demonstrating that these properties would continue to receive very good daylight amenity after the development.

#### Century House, 69 Station Road

- 8.11 Century House, located to the north of the application site is in residential use at 2nd floor level and above and as such was also incorporated into the daylight analysis.
- 8.12 The daylight analysis shows that all of the windows serving these properties will comfortably achieve the BRE VSC criteria demonstrating that these properties would continue to receive very good daylight amenity after the development.

#### **Sunlight**

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

#### 136-140 Station Road

- 8.16 The sunlight analysis undertaken as part of the Waterslades assessment shows that in relation to 136-140 Station Road, only one window would not fully comply with the BRE APSH criteria.
- 8.17 The window falls short of compliance in relation to winter sun, however, in such an urban location it is accepted that this is not unusual. Given the marginal nature of the non-compliance, it is considered that the overall sunlight amenity to these properties will remain very good after development.

#### Premier House

- 8.18 The sunlight analysis shows that 5 rooms of Premier House would not achieve the target BRE levels for APSH as outlined above.
- 8.19 Of the windows identified that would not achieve the BRE target guidelines, 1 of the windows is located underneath a balcony which restricts access to direct sunlight and 3 of the windows are located at first floor level and are located in close perpendicular proximity to the Premier House tower. It is considered that the existing situation and the restricted access to direct sunlight with these windows identified means that the additional harm resulting from development is not so significant as to warrant refusal of the application on this basis.
- 8.20 One further window falls marginally short of the BRE target guidelines due to a reduction in winter sun however will still retain good levels of sunlight in the summer. Given the retention of the good levels of summer sun, only a marginal failure in winter sun and the urban location of the application site, officers consider that this failure can be tolerated in the wider context of the development.

#### 27-65 Station Road

- 8.21 The sunlight analysis undertaken shows that the upper floor windows of 27-65 Station Road would continue to receive very good sunlight amenity with each window comfortably achieving the BRE APSH criteria. The majority will continue to receive over 1.5 times the recommended levels of sunlight after development.

#### Century House, 69 Station Road

- 8.22 The sunlight analysis undertaken shows that the upper floor windows of Century House would continue to receive very good sunlight amenity with each window comfortably achieving the BRE APSH criteria. The majority will continue to receive over 1.5 times the recommended levels of sunlight after development.

#### **Outlook**

- 8.23 The proposed development varies in height between 3 and 17 storeys, descending in height from the 17 storeys of Block D to the east of the site to the 3 storeys of Block A to the west of the site. In terms of relationships to surrounding residential

development, the most sensitive neighbour would be Premier House which is currently undergoing conversion to residential and incorporates windows which directly overlook the development.

- 8.24 Floors 1-5 of Premier House would incorporate windows to the south elevation which would be located below the maximum height of the facing elevation of Blocks B and C. In this regard there would be a loss of outlook from the existing unencumbered outlook over the roof of the Broadwalk Centre to the south. Nevertheless, there would be a separation distance of approximately 25 metres to the facing elevation of Blocks B and C which is in excess of the 21 metre minimum set out within the Sustainable Design and Construction SPD. In this regard it is considered that the south facing windows at floors 1-5 of Premier House would still retain a good outlook.
- 8.25 The residential windows of 136-140 Station Road are located at first floor level and would be located directly opposite the north elevation of Block D which would rise to 17 storeys in height. The separation distance from the windows to Block D would be 15 metres which is below the minimum guidelines as set out within the Sustainable Design and Construction SPD. Given the positional relationship and the separation distance it is clear that there would be a significant loss of outlook to these windows. The residential windows identified are located above retail premises, within a major town centre and currently enjoy an unencumbered outlook due to the extant state of the undeveloped car park. The application site has been identified as a development site and it is considered that any development of an appropriate scale would be likely to result in a marked loss of outlook for the windows in question. The benefits of redeveloping the town centre site must be therefore weighed against the harm caused by the loss of outlook to these windows and in this case it is considered that the harm is outweighed by the benefits. It should also be noted that previous application H/05793/13 which proposed a 22 storey building in the same location was not refused on the loss of outlook to these windows.
- 8.26 Century House would be located approximately 60 metres away from the 17 storeys of Block D. Whilst it is the case that the development would be visible from the south facing windows, it is considered that the separation distance would be sufficient to ensure that the 17 storey height would not be unacceptably harm the outlook for existing and future occupiers. It should also be noted that previous application H/05793/13 which proposed a 22 storey building in the same location was not refused on the loss of outlook to the windows of Century House.
- 8.27 Likewise, the properties at 27-65 Station Road are located a minimum of 75 metres from the 17 storeys of Block D and it is considered that this is sufficient to ensure any loss of outlook is not significant.

### **Privacy**

- 8.28 The most sensitive relationship between the proposed development and neighbouring residential properties would be that between Blocks B and C and the south elevation of Premier House and between the Block D and the rear windows of 126-140 Station Road.

- 8.29 Only those windows at floors 1-4 of Premier House would be located directly opposite the facing windows of Blocks B and C. The separation distance between Premier House and these windows Blocks would be approximately 25 metres which is in excess of the minimum guidelines for facing habitable windows as set out within the Sustainable Design and Construction SPD. In this regard it is considered that the separation distance would be sufficient to ensure that future occupiers of Premier House would not suffer any unacceptable loss of privacy as a result of development.
- 8.30 In terms of the windows on the upper floors of 126-140 Station Road, these would be located approximately 15 metres from the first floor windows to the north of Block D. whilst this is below the minimum guidelines as set out within the SPD, the first floor windows of Block D would be located behind an enclosed private amenity area which would provide a degree of screening and would avoid mutual overlooking and consequent loss of privacy for the occupiers of 126-140. It should also be noted that previous application H/05793/13 which proposed north facing windows in a similar location on Block D was not refused on the loss of privacy to neighbouring occupiers.

### **Noise**

- 8.31 The applicant has commissioned as Noise Impact Assessment from Environmental Noise Solutions Ltd which sets out the likely noise impacts of the development and which has been reviewed by the Council's Environmental Health officers.
- 8.32 Conditions are suggested which would require the submission of noise mitigation measures to control noise from plant machinery and equipment installed in association with the retail and residential uses. This condition would ensure that there would be no unacceptable noise pollution for future occupiers of the development and occupiers of both Premier House and 126-140 Station Road.
- 8.33 Given the scale of the development, it is likely that there would be potential for significant noise from construction. If permission were to be granted, in order to ensure that the construction process would be managed appropriately including the provision of noise mitigation measures, a condition would be attached requiring the submission of a construction method statement.

### **9.0 Sustainability**

- 9.1 London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy
  - Be clean: supply energy efficiently
  - Be green: use renewable energy
- 9.2 Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that

sustainable design standards are integral to the proposal, including its construction and operation.

- 9.3 Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor’s energy hierarchy.
- 9.4 With regards to the energy hierarchy set out within London Plan Policy 5.2, it is considered that the application is broadly in accordance. The application is accompanied by an Energy Statement from AJ Energy Consultants which sets out that the scheme will incorporate energy efficiency measures and Combined Heat and Power (CHP) and photovoltaic panels.
- 9.5 The scheme would incorporate a range of passive design features and demand reduction measures to reduce the carbon emissions. Both air permeability and heat loss parameters will be improved beyond the minimum values required by building regulations. Other features include low energy lighting and mechanical ventilation with heat recovery.
- 9.6 It is also outlined within the energy strategy that the scheme is proposing to significantly reduce heat loss through thermal bridging. In consultation with the GLA, further details were requested in relation to the processes that would be put in place to ensure that the performance levels associated with the thermal bridging would be achieved. In this regard, a condition is attached requiring these details to be submitted by condition. A condition is also attached requiring the submission of details outlining measures to be incorporated to reduce the overheating risk for the residential dwellings.
- 9.7 There are no existing or planned district heating networks within the vicinity of the proposed development however it is proposed to ensure that the development is designed to allow future connection to a district heating network should one become available and a condition is attached to this end. The applicant is also proposing to install a site heat network which would be supplied from a single energy centre 73 m2 in size and located on the ground floor. A condition is attached to ensure that all units being provided would be supplied by the network.
- 9.8 Based on the energy assessment submitted and inclusive of the energy efficiency measures, CHP and the photovoltaic panels, the scheme would deliver the following overall carbon dioxide emissions:

	<b>Total residual regulated CO<sub>2</sub> emissions</b>  (tonnes per annum)	<b>Regulated CO<sub>2</sub> emissions reductions</b>	
		(tonnes per annum)	(per cent)
Baseline i.e. 2013 Building regulations	212		
Energy Efficiency	183	29	14%
CHP	153	30	14%
Renewable energy	133	20	10%

<b>Total</b>		79	37%
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- 9.9 Overall, the incorporation of all of the measures outlined would equate to a reduction of 37.2% for the scheme which exceeds the 35% improvement requirement under the London Plan.

Other Sustainability Issues

- 9.10 With regards to the Code for Sustainable Homes (CSH), the government issued a Written Ministerial Statement which confirmed that the scheme has been withdrawn with immediate effect. Therefore planning applications, other than those which have already been approved with a CSH condition, are no longer required to comply with the code.
- 9.11 In relation to the non-residential floorspace, the Council supports the use of Building Research Establishment Environmental Assessment Method (BREEAM) which is used to measure the environmental performance of non-residential buildings and a standard of 'Very Good' is required in all new non-residential developments. A BREEAM pre-assessment is appended to the Sustainability Statement which confirms that the office floorspace could achieve a standard of 'Very Good'. If permission were to be granted, a condition would be attached to ensure that the development achieved this standard on implementation.

**10.0 Planning Obligations**

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

Affordable Housing

- 10.3 In accordance with policy 3.12 of the London Plan and Policies CS4, CS15 and DM10 of the Barnet Local Plan, officers recommend that the following number and mix of affordable housing unit types and sizes are secured by S106 Agreement at the application site:
- 20% (by unit number) representing a minimum of 24 units with a split of 66.6% Social Rent (16 units) and 33.3% Intermediate Housing (8 units).
- 10.4 Officers also recommend that a review mechanism should be included in the S106 agreement should permission be granted. This mechanism would ensure that if circumstances changed and the scheme became more economically viable, a correspondingly appropriate additional financial contribution and/or additional affordable housing would be made to the Council.

### Employment and Training

- 10.5 In accordance with development plan policies which seek contributions to employment and training from schemes the proposal would be required to deliver employment and training opportunities through a Local Employment Agreement.
- 10.6 If permission were granted, the employment agreement would need secure the following minimum levels and would also set out specifically how the applicant would achieve this.
- End use jobs – 8
  - Progression into employment, less than 6 months – 8
  - Progression into employment, more than 6 months – 5
  - Apprenticeships – 10
  - Work experience – 14
  - School / College / University site visits – 79
  - School / College workshops – 62
- 10.7 The LEA would be subject to discussion with the Council and would be agreed prior to the commencement of development.

### Travel Plan and Travel Plan Monitoring

- 10.8 In accordance with policy DM17 of the Local Plan the applicant would be required to enter into a Strategic Level Travel Plan for the residential development which would seek to reduce reliance on the use of the private car and promote sustainable means of transport.
- 10.9 The Residential Travel Plan provided would be required to include the appointing of a Travel Plan Champion and the use of (financial) Travel Plan incentives (up to a maximum of £36600) for the first occupier of each residential unit. These incentives are discussed in further detail in the relevant section of this report but would comprise of a voucher to a minimum value of £300 per dwelling to be spent on Car Club Membership, an Oyster Card with a pre-loaded amount and/or Cycle Scheme vouchers all designed to encourage the use of more sustainable modes of transport.
- 10.10 A contribution of £20000 would be required towards the monitoring of the Travel Plans for the development. This contribution would enable the Local Planning Authority to continue to monitor the scheme to ensure the development is making reasonable endeavours to meet travel related sustainability objectives in accordance with policy DM17 of the Local Plan.
- 10.11 In line with the incentives above, the provision of a car club and the allocation of 2 car parking spaces within the site to be provided and retained for use by the car club would also be required.

### Monitoring of the Section 106 Agreement

- 10.12 The delivery of the planning obligation from the negotiations stage to implementation can take considerable time and resources. As the Council is party to a large number of planning obligations, significant resources to project manage and implement schemes funded by planning obligation agreements would be required. The Council would therefore require the payment of £3180 towards the costs of undertaking the

work relating to securing the planning obligations recommended in line with the adopted SPD for Planning Obligations.

#### Traffic Management Order

- 10.13 The application would be required to provide £2000 funding towards Contributions towards the amendment of Traffic Management Order (TMO) to ensure that the new occupants are prevented from purchasing parking permits.

#### Edgware Urban Design/Public Realm Study

- 10.14 The Council has secured government funding through the One Public Estate initiative. Part of the funding secured will contribute towards a public realm, landscape and urban design masterplan for Edgware Town Centre which in turn will provide a detailed framework of public realm and urban design enhancements. The current application will have an irrevocable impact on the townscape within its context and as such it is considered appropriate that a contribution is made towards funding the detailed design work stage of the masterplan. To this end, a figure of £100,000 has been agreed with the applicant.
- 10.15 The masterplan would help to guide and stimulate the regeneration of Edgware Town Centre and in this regard it is considered that the contribution secured could bring tangible benefit to Edgware Town Centre.

#### Community Infrastructure Levy

- 10.16 The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) at a rate of £135 per square metre. Because of the nature of the way in which CIL is calculated it is only possible to estimate the contribution which will finally be made through the Barnet CIL at the time planning applications are determined.
- 10.17 The CIL liability of the scheme is determined by the amount of new floorspace being provided, deducting both the social housing element and the office floorspace, both of which are exempt from CIL liability.

### **11.0 Flood Risk / SUDS**

- 11.1 Policy CS13 of the Barnet Core Strategy states that “we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels”.
- 11.2 The application has been accompanied by a Flood Risk Assessment produced by EAS. The report identifies and assesses the risks of all forms of flooding to and from the development and concludes that the proposal would not adversely effect on site or neighbouring properties. The application has also been accompanied by a Drainage Feasibility Report (also from EAS) which considers peak flow rates and the potential for SUDS and surface water storage.
- 11.3 The site is generally within Flood Zone 1, with no significant surface water flood risk at the site. Nevertheless, following initial investigation, Thames Water have identified

an inability of the existing waste water infrastructure to accommodate the needs of the current application. Thames Water have therefore requested a 'Grampian Style' planning condition be attached to any permission imposed requiring the submission of a drainage strategy detailing any on and/or off site drainage works for approval. Accordingly, a condition would therefore be attached if permission were granted.

## **12.0 Contaminated Land**

- 12.1 The application site has a historical commercial/industrial land use and as such the Council's Environmental Health officers have requested a condition requiring site investigation works to be carried out prior to the commencement of development and subsequent mitigation should it be required. Such a condition would be attached if permission were granted.

## **13.0 Crime Prevention / Community Safety**

- 13.1 Development plan policies require new developments to provide a safe and secure environment for people to live and work in and reduce opportunities for crime and fear of crime.
- 13.2 Previous application H/05793/13 was refused partly on the basis that the blank frontages to the north-east and south-east elevations would fail to provide a safe and secure environment. The layout of the current scheme has retained the louvred elevations to the north-east and south-east elevations; however, an area of landscaping has been incorporated adjacent to the elevations which would prevent potential assailants from having an environment in which to lurk with anonymity. Officers therefore consider that the previous reason for refusal has been addressed and overcome and the proposed development would not provide an unsafe environment for future occupiers or increase opportunities for crime in the locality.
- 13.3 To this end, the Metropolitan Police were consulted on the application and had no objections to the application subject to a condition requiring compliance with Secured by Design guidelines. A Secured by Design condition is attached accordingly.

## **14.0 Transport / Highways**

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

### Car Parking

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

### Table 1.4

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

- 14.3 Explanatory text provided in the parking addendum sets out that all developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit.
- 14.4 Car parking standards for residential development are also set out in the Barnet Local Plan and recommend a range of parking provision for new dwellings based on the on a sites Public Transport Accessibility Level (PTAL) and the type of unit proposed. Policy DM17 of the Local Plan sets out the parking requirements for different types of units with the range of provision is as follows:
- Four or more bedroom units - 2.0 to 1.5 parking spaces per unit
  - Two and three bedroom units - 1.5 to 1.0 parking spaces per unit
  - One bedroom units - 1.0 to less than 1.0 parking space per unit
- 14.5 The application site comprises of 145 parking spaces including 59 spaces allocated to the Premier House Prior Approval which consists of 121 units. At the time of the application being made, 117 of the 121 units at Premier House had been sold and only 7 parking spaces have been taken up. Based upon the existing sales and interest expressed to date it is expected that a maximum of 10 parking spaces will be allocated to two-bed units.
- 14.6 The current scheme proposes to provide a total of 96 spaces which would be allocated between the Premier House residential development and the new Premier Place application to make best use of this available parking.
- 14.7 It has been suggested that considering the sale of new residential properties in Premier House has so far resulted in a low take up of parking provision, an assumption has been made that none of the 1 bed flats will require parking, as was previously agreed as part of the Premier House application.
- 14.8 It is also assumed that the proposed 12 Premier Place three bed flats should have a guaranteed parking space if required, which would require 12 spaces. This leaves 67 Premier House and 62 Premier Place two-bed units. Or a total of 129 two bed units to share a remaining 84 parking spaces or 0.65 spaces per dwelling, or approximately 2 spaces for every 3 dwellings, or 40 spaces for Premier Place and 44 spaces for Premier House.
- 14.9 The applicant has therefore proposed to provide parking to the following standard applied across Premier House and Premier Place Residents:

- One bed flats car free;
- Two bed flats: 2 space for every 3 dwellings – providing 40 spaces for Premier Place; and
- Three bed flats: 1 space per dwelling – providing 12 spaces for Premier Place

14.10 Also a S106 Agreement will need to be in place to amend the Traffic Management Order (TMO) to ensure that the new occupants of Premier House and Premier Place are prevented from purchasing parking permits. £2,000 contribution will be required towards the amendments to the TMO to mitigate the likely detrimental impact of the proposed development on available parking in the vicinity of the development site.

14.11 Therefore taking into consideration the location of the site within a PTAL rating of 6a and the proposed limits on purchase of parking permits the proposed development would be acceptable on highway grounds.

#### Vehicular Access

14.12 The basement car park would be accessed via a ramp from Approach Road which represents public highway up to the back of the pedestrian refuge at the signalised junction with Station Road whilst beyond the pedestrian refuge the road is in private ownership. In this regard, the applicant would therefore need to seek approval from the owners of Church Way for any highway works associated with the proposed development. Nevertheless, subject to the applicant being able to secure the necessary approval, neither LBB Transport and Highways nor TFL have any objection to the location and layout of the vehicular access.

#### Cycle Parking

14.13 The development would provide 202 cycle spaces for the residential element located in purpose built enclosures at ground floor level in cycle stores within the car park and 80 spaces provided on first floor level in Block D. However, to satisfy London Plan requirements a minimum of 214 spaces must be provided with 196 of those spaces being for long-stay in association with the residential use, with a further three visitor stands. The short-stay cycle parking provided in Station Road and in the car park would satisfy the London Plan minimum requirement the residential and retrieval uses.

14.14 Revised drawings were submitted showing the required numbers of parking spaces as outlined in TFL comments. A condition would be attached to secure the delivery of the cycle storage

#### Vehicular Trip Generation

14.15 Residential Trip Rates were assessed using industry standards TRAVL which is now part of TRICS data base. Following initial comments from TFL, the methodology used was revised to incorporate assessment of existing sites which satisfied the following criteria:

- Less than 5 years old;
- Located within an Outer London borough;
- Located within a town centre or edge of town centre; and
- With a PTAL 3-6.

- 14.16 The sites identified are located in a town centre location in Brentford and an edge of centre location in Kingston. Both of these sites are considered to be appropriate and were used to calculate the likely trip rates of the development. The trip generation rates indicated that the development would result in the following increased journeys:
- 15 car trips in the morning peak hour;
  - 14 car trips in the evening peak hour; and
  - 129 car trips over a typical day.
- 14.17 Both LBB Transport officers and TFL are satisfied that these increases would not result in an unacceptable impact on the surrounding highway network.

Public Transport Impact:

- 14.18 The application site enjoys a PTAL of 6A, being located less than 100 metres from Edgware Interchange, inclusive a number of bus routes and the Northern Line underground station. It is considered that the level of increase would not be significant given the number of daily journeys undertaken through the interchange.

PERS Audit:

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

Refuse Collection

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

Deliveries and Servicing

- 14.21 The application is accompanied by a Delivery and Servicing Management document which shows that deliveries and servicing would be undertaken using a dedicated area within the undercroft. This arrangement is considered to be acceptable by LBB and transport and TFL however a final version of the document would be secured by condition if permission were granted.

## **15.0 Conclusion**

- 15.1 In conclusion officers consider that, on balance, the development is acceptable having regard to the relevant local, regional and national policies. The principle of the redevelopment of the site and the provision of a residential-led mixed use scheme is acceptable and in accordance with the ETCF aspirations for the site. The height, density and scale of the development are considered to be appropriate for the town centre location and have successfully addressed and overcome the reasons for refusal of the previous scheme. The level of affordable housing secured is fully justified by a financial viability appraisal and is considered to represent a good level of provision. The development would not have an unacceptable impact on the amenity of surrounding occupiers and would provide a good standard of

accommodation for future occupiers. The development is acceptable in transport and sustainability terms.

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



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

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

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

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

- 3) Notwithstanding the details shown on the plans, hereby approved, no development (other than demolition, site clearance and ground works) shall be undertaken unless and until:
  - (a) details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority; and
  - (b) a sample panel shall be constructed on site, inspected and approved in writing by the Local Planning Authority.

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

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

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

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

The development shall be carried out and constructed in accordance with the detailed bay studies and schedules approved. For the avoidance of doubt, any

features shown on these bay studies where they represent specific parts of the development shall be taken to represent all features of that type throughout the development unless otherwise stated.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 11) Prior to the first occupation of the development the parking shown on Drawing No. 138(GA) 00 Rev.PL1 shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

- 12) Prior to the first occupation of the development, 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 between the approved scheme and Premier House, including provision of a minimum of 44 spaces for Premier House;
- iii. on-site parking controls and charges;
- iv. the enforcement of unauthorised parking; and
- v. disabled parking spaces.

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

Reason: To ensure that the car parking spaces are provided and managed in an appropriate way and to ensure that adequate parking is retained for existing and

future residents of Premier House in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

- 14) Prior to the first occupation of the development, a minimum of 214 cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and shall thereafter be used for any purpose other than for the parking of cycles associated with the development.

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

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

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

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

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

- 17) The CHP plant hereby approved must not exceed the Band B Emission Standards for CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the installation of the CHP, evidence to demonstrate compliance with these emission limits shall be sent to and approved in writing by the Local Planning Authority for approval. The CHP plant shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

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

Reason: To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development in accordance with the Sustainable Design and Construction SPD (adopted April 2013).

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

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

- 20) Prior to the commencement of the development (other than demolition, site clearance and ground works) details of all extraction and ventilation equipment to be installed as part of the development have been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. The development shall be implemented in accordance with details approved under this condition before the first occupation of the development and retained as such thereafter.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2011

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

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

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

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

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

25) Part 1

Prior to the commencement of development (including demolition, site clearance and ground works) other than for investigative work:

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

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

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

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

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

Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be

submitted to, and approved in writing by the Local Planning Authority prior to the commencement of development (including demolition, site clearance and ground works).

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 2011.

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

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

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

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

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with

policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

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

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

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

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

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

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

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

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

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

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

- 32) No development (other than demolition, site clearance and ground works) shall take place until, a scheme for the provision of communal/centralised satellite/cable and television reception equipment to be installed within the development (including any external or rooftop installations required) has been submitted to, and approved in

writing by the Local Planning Authority. The development shall be implemented in accordance with the details approved and the equipment shall thereafter be permanently retained and made available for use by all occupiers of the development.

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

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

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

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

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

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

- 35) The opening hours of the commercial units, hereby approved, shall be restricted to the following unless otherwise approved in writing by the Local Planning Authority:
- Monday to Saturday (8am-10pm)
  - Sundays and Bank Holidays (10am-6pm)

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 36) The commercial units, hereby approved, shall be used for use class A1 (Retail) or A2 (Financial and Professional Services) and no other purpose 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.

### **Appendix 3: Informatives**

- 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. 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) If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Crossover Team at London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 3) The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access which will need to be constructed as a heavy duty kerbed access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant. To receive a copy of our Guidelines for Developers and an application form please contact: David M Smith, Clerk of Works, Traffic & Development Section – Traffic and Development Section, London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 4) Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.
- 5) The applicant is advised that the development is located on or will have an impact on the Strategic Road Network (SRN). The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.
- 6) The applicant is advised that A1 Watford Way is part of Transport for London Road Network (TLRN). The proposed scheme is likely to have an impact on A1. Therefore the applicant is advised that Transport for London is consulted as part of the application to ensure that their view is taken into consideration.
- 7) The costs of any associated works to the public highway, including reinstatement works, will be borne by the applicants and may require the applicant to enter into a 278 Agreement under the Highways Act 1980. Detailed design will have to be approved by London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 8) The report submitted to the LPA should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance - Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007); 5) The report should also have regard to the air quality predictions and monitoring results from the Stage Four of the

Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. 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 to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve. The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.
- 10) The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.
- 11) The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:
  - 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
  - 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;
  - 3) BS 8223: 2014 – Guidance on sound insulation and noise reduction for buildings: code of practice;
  - 4) Department of Transport: Calculation of road traffic noise (1988);
  - 5) Department of Transport: Calculation of railway noise (1995);
  - 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

Noise Levels – For information

Please supply the following information for all extraction units (including air conditioning, refrigeration):

1. The proposed hours of use of the equipment.
2. The sound pressure levels of the ventilation/ extraction system to be installed in decibels dB(A) at a specified distance from the equipment.
3. Details of where the equipment will be placed i.e. within or outside of the building, marked on to a scale map.

4. Details of silencers to be fitted, and other sound insulation measures to reduce any noise impacts on neighbours including their noise reduction in dB(A).
5. Distance away from noise sensitive premises and the nature of these premises e.g.: offices, housing flats or storage.

12) In relation to the car parking provision, you are advised that the level of parking approved under Prior Approval ref: H/02513/14 at Premier House should be amended to reflect the changes hereby approved. Any necessary amendments to the associated Unilateral Undertaking should be carried out through a Deed of Variation.