

LOCATION: 112-132 Cricklewood Lane,
London
NW2 2DP

REFERENCE: 16/0601/FUL Received: 01/02/2016
Accepted: 01/02/2016
WARD: Childs Hill Expiry: 02/05/2016

APPLICANT: Cricklewood Developments Limited

PROPOSAL: The erection of a part 3, part 6, part 8 storey building comprising 122 no. residential units and 279 sqm (GIA) of commercial floorspace, including the provision of private and communal amenity space, landscaping, car parking, cycle parking, refuse storage areas and other associated development

APPLICATION SUMMARY

The application seeks permission for the redevelopment of the site to provide a residential –led mixed use development comprising of a part 3, part 6, part 8 storey building with 122 residential units and 279 square metres of commercial floorspace.

The application site comprises a series of buildings ranging in height, form, use and layout and located on the sites forming 112-132 Cricklewood Lane. These buildings include an old single storey, pitched roof warehouse building currently in use as a place of worship (Use Class D1); a vehicle repair garage with front forecourt and a 4 storey vacant office building (Use Class B1).

The existing site incorporates employment floorspace which, even though vacant, merits protection under Policy DM14. The application is supported by an employment floorspace analysis and a structural survey of the buildings currently providing the employment floorspace are in dilapidated state and require significant works to bring them up to a modern standard. Such works to refurbish the buildings, to retain the existing employment uses on site and to bring them to a modern standard would be unlikely to be viable and consequently the site would be likely to remain in a dilapidated and under developed state unless a comprehensive development comes forward. On this basis, and taking into account that some employment floorspace would be retained on site, it is considered that on balance the reduction in employment floorspace is acceptable.

The existing site also incorporates an occupied community facility, currently occupied as a place of worship by an Islamic charity. As a community facility, the use necessitates protection under Policy DM13 which requires the retention of

reprovision of any community use. The current occupiers of the community building have been in discussions with the applicant with a view to securing an alternative site for Islamic centre. The occupiers are fully committed to a relocation strategy and are actively working with the applicant to facilitate the relocation. At the time of the report being written, no site had yet been secured and as such a Grampian style planning condition has been attached to the permission stating that no development shall take place until an alternative site has been secured. Subject to this condition, the application is in accordance with Policy DM13.

The scheme would deliver 21 affordable housing units, representing 17.2% of the total number of units. The affordable housing statement submitted in support of the application was subject to an independent review carried out on behalf of the Council by BNP Paribas. BNP Paribas are satisfied that the current level of affordable housing being offered is the maximum that can be offered. A small surplus was identified however the surplus was not of a size which could enable the delivery of any additional affordable housing. The surplus has been secured as contributions within the Section 106 Agreement.

Core Strategy Policy CS5 identifies parts of the borough that are suitable for tall buildings and defines tall buildings as those that are 8 storeys or over. In this case the application proposes a development incorporating buildings of up to 8 storeys in height and Cricklewood is not identified as one of those areas suitable for tall buildings. The application therefore represents a departure from development plan policy and was advertised as such as part of the consultation. Notwithstanding the departure, it is considered that the tall building is of a high quality design and is located in a location which lends itself to an identity corner. The building would introduce a high quality aesthetic and increase visual legibility to this part of Cricklewood. The visual impact of the development is discussed fully in Section 7 of this report.

In terms of transport, the PTAL rating for the site is 4 the parking provision is calculated as approximately 126 parking spaces which would need to be provided to meet the parking standards. The development proposes to provide 82 parking spaces which would fall short of the requisite standard by 44 spaces. It is therefore likely that there would be overspill parking onto the surrounding streets. Parking surveys were therefore carried out and submitted in support of the application which identified capacity of 185 spaces within the CPZ streets with peak utilisation of 31%. Supplementary parking surveys were carried out in relation to the unrestricted street to the south of the application site which identified a total of 200 unrestricted spaces with a maximum parking demand of 89%.

Following review of the Transport Assessment and surveys, LBB Transport officers consider that a contribution of £2,000 would be necessary to mitigate the likely

adverse impact of the development on roads in the vicinity of the site within the CPZ by exempting the occupiers of the new development from purchasing permits.

It is likely that due to lack of on-street parking controls the roads to the south of the application site would be adversely affected by the overspill parking resulting from the proposed development. It is therefore considered that in order to ensure that the likely adverse impact on the pocket of roads just outside of the CPZ can be mitigated; a contribution of £35,000 should be secured under S106 to extend the existing CPZ to cover these roads.

Subject to both of these items within the Section 106 Agreement, LBB Transport officers are satisfied that the level of parking provided with the development is acceptable and would not result in increased parking stress for surrounding streets.

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:

Legal Professional Costs Recovery

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

Enforceability

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

Affordable Housing

The provision within the development of a minimum of 21 of homes as affordable housing, providing the following

- 13 Affordable Rented Units
- 8 Shared ownership units

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.

Employment and Enterprise

Progression into employment, less than 6 months – 8
Progression into employment, more than 6 months – 5
Apprenticeships – 12
Work experience – 19
School / College / University site visits – 95
School / College workshops - 88

A Local Employment Agreement is needed. The LEA would be subject to discussion with the Council and would be agreed prior to the commencement of development. Please refer to p.10 of the SPD on Delivering Skills, Employment and Enterprise Training (SEET). The SEET should provide information pertaining to how the developer will deliver the placement numbers outlined.

Transport / Public Realm

Section 278 - Any works on public highway including alteration to existing shall be implemented under a S278 Agreement.

Travel Plan Incentives - Travel Plan Incentives Fund comprising a Travel voucher/s per residential unit up to the value of (£300) to be spent on 2 of the following (total contribution of £36600/122 x £300):

- £150 Oyster card
- Subsidised Car club membership to the value of £150 and/or towards car club hire
- Bike voucher to the value of £150

Travel Plan Monitoring - A contribution of £15,500 towards monitoring the objectives of the Travel Plans will be required for a single phase development. Please note that the contributions would need to be reassessed for a phased development.

S278 - Any works on public highway associated with the development proposal including provision of a new accesses or alteration to existing accesses shall be implemented under S278 Agreement.

CPZ Contribution – Contribution of £35,000 towards extension of CPZ

Provision of a car club in accordance with the submitted transport statement.

A contribution of £2000 for a traffic management order exempting future residents from applying for a parking permit.

Monitoring Contribution

£ 2613 contribution (3% of total of contributions) (index linked) towards the costs of undertaking the work relating to securing and monitoring the planning obligations.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1 the Assistant Director of Development Management and Building Control approve the planning application reference 16/0601/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)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

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)
Barnet Housing Strategy 2015-2025 (February 2016)

Strategic Supplementary Planning Documents and Guidance:

Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Health Issues in Planning (June 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
Housing (November 2012)

National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance.

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

The Community Infrastructure Levy Regulations 2010:

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

1.0 Site Description

- 1.1 The application site comprises a series of buildings ranging in height, form, use and layout and located on the sites forming 112-132 Cricklewood Lane. These buildings include an old single storey, pitched roof warehouse building currently in use as a place of worship (Use Class D1); a vehicle repair garage with front forecourt and a 4 storey vacant office building (Use Class B1).
- 1.2 The site is located to the south side of Cricklewood Lane, opposite the junction with Gillingham Road. To the south-west of the site is a Virgin Active gym and leisure centre (Use Class D1) whilst to the north-east is a working men's club (Use Class A4). To the opposite side of Cricklewood Lane, to the north and north-west of the site are two places of worship, the Sadhu Vaswani Centre and St. Agnes Catholic Church (both Use Class D1). The application site adjoins residential properties to the south on Besant Road and Harman Drive.
- 1.3 The site is located approximately 200 metres from Cricklewood Station which forms part of the Thameslink line and is connected to London St Pancras Station and is located approximately 500 metres outside of Cricklewood Broadway which is designated as a District Centre. The site is not located within a Conservation Area and does not incorporate and listed buildings. The site is located within Flood Risk Zone 1.

2.0 Proposed Development

- 2.1 Permission is sought for the comprehensive redevelopment of the application site to deliver a residential-led mixed use scheme comprising of 122 residential units and 279 square metres (GIA) of B1 floorspace.
- 2.2 The development would be accommodated within a range of buildings ranging from 3 to 8 storeys. The scheme would be separated into two distinct blocks with Block A to the front of the site rising to 8 storeys at the north east corner of the site. 6 storey wings with the top two floors set back would adjoin the 8 storey element and would step down to 4 storeys adjacent to the Virgin Active Gym building to the west of the site. The development would be largely of a brick construction with a grey/dark grey materials palette with the exception of the set-back top floors which would incorporate a lighter contrasting cladding system.
- 2.3 Block A would be laid out in a horseshoe manner around a central courtyard providing communal amenity and children's playspace. The central courtyard would be located at podium level with ground floor parking located underneath accessed from a vehicular access point to the north east elevation. Cycle parking and refuse storage would also be accommodated within purpose built enclosures at ground floor level.
- 2.3 To the rear of the site, Block B of the development would extend to 3 storeys in height with access to the building from an estate road running parallel to the north elevation of the block and separating it from the larger Block A. Vehicular parking and refuse storage would be located to the front of the block, adjacent to the road. A mix of private and communal amenity space would be provided to the rear of the block, adjacent to the site boundary.
- 2.4 In all, the development would provide 82 car parking spaces along with 225 dedicated cycle parking spaces.

3.0 Relevant Planning History

- 3.1 The following applications are considered to be relevant in the consideration of the application, with the applications being set out starting with the most recent.
- 3.2 F/00553/11 (112-114 Cricklewood Lane) - Extension to the time limit for implementing planning permission C01059E/08 dated 15/08/08 for 'Demolition of existing buildings and erection of six storey 121 bedroom hotel with ancillary cafe / bar, kitchen, dining room and business meeting rooms, and basement car park on two levels with spaces for 60 cars. Application approved 13/05/2011 subject to S106.

- 3.3 C01059E08 (112-114 Cricklewood Lane) - Demolition of existing buildings and erection of six storey 121 bedroom hotel with ancillary cafe / bar, kitchen, dining room and business meeting rooms, and basement car park on two levels with spaces for 60 cars. Application approved 15/08/2008 subject to S106.
- 3.4 C00402Q (120 and 134 Cricklewood Lane) - Change of use of 134 Cricklewood Lane from recording studio (B1) to trades hall (D2) and change of use of 120 Cricklewood Lane from a trades hall (D2) to a recording studio (B1). Application approved 02/06/04.
- 3.5 C02550AJ (r/o 112-120 Cricklewood Lane) - Continued use of former workshop (including vehicular repairs), store and warehouse as use for public worship (D1). Application approved 21/11/00.
- 3.6 C01059A (112 Cricklewood Lane) - Change of use of part of Ground Floor from mixed warehouse and storage (Class B8) and workshop (Class B1) use to a light industrial and research development use (Class B1). Application approved 02/08/94.
- 3.7 C00142K (114 Cricklewood Lane) - Use of part of first floor for class B1 (Business) use and retention of rear extension, access balcony and staircase to class B1 (business) use. 6 parking spaces along Cricklewood Lane frontage. Application approved 15/06/94.
- 3.8 C00402J (120-132 Cricklewood Lane) - Change of use of existing trade hall club to offices and existing offices to club. Application approved 07/01/92.
- 3.9 C02550U (r/o 112 Cricklewood Lane) – Rebuilding of warehouse to provide new warehouse and ancillary offices. Application approved 18/01/89.

4.0 Consultations

- 4.1 As part of the original consultation exercise 419 letters were sent to neighbouring occupiers in February 2016. The application was also publicised via site notices 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, 28 objections and 21 letters of support were received. A summary of the comments received is set out below.

Summary of Neighbour Objections

- 4.3 The material planning considerations contained within the 28 objections received from neighbouring residents are summarised below:
- The development is too high at 8 storeys and would be out of character with its surroundings;
 - 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 likely traffic associated with the development would result in increased traffic and congestion on Cricklewood Lane and the surrounding road network;
 - The development would result in a loss of privacy for occupiers of the residential properties to the south;
 - The development would increase strain on local infrastructure;
 - Construction noise from the development will result in disturbance to surrounding occupiers;
 - The development would result in a detrimental impact on the residential amenity of the adjoining residential occupiers in terms of sunlight, daylight and privacy.

Summary of the Letters of Support

- 4.4 The 21 letters of support received in support of the application can be summarised as follows:
- The development would improve the appearance of the area;
 - The development would deliver much needed new homes to the area;
 - The relocation of the place of worship and the associated car parking and noise problems would be of benefit to the area;
 - The development would bring much needed investment and kick start regeneration of the area;
 - The existing buildings are an eyesore and in need of redevelopment such as this.

Summary of Responses from External Consultees

- 4.5 The following responses were received from external consultees as a result of the consultation exercise:
- Metropolitan Police Crime Prevention Design Advisors – No objection subject to compliance with Secured by Design requirements.
 - Natural England – No comments
 - Thames Water – No objection subject to Grampian condition

Summary of Internal Responses

- Environmental Health Team – Concern raised in relation to the noise levels on the external balconies fronting onto Cricklewood Lane. The response to these comments is set out within the relevant section of this report along with a summary and discussion of the associated issues.
- 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 122 no. residential units and 279 sqm (GIA) of commercial floorspace. The existing site comprises of community and employment uses and as such the scheme would involve the loss of the community use and a reduction in the quantum of the employment floorspace.

Loss of Community Floorspace

- 5.2 Given the loss of the community floorspace inherent in the application, Policy DM13 of the Development Management Policies Document is relevant. Policy DM13 states that the loss of a community or educational use will only be acceptable in exceptional circumstances where new community or education use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location or there is no demand for continued community or education use, and that the site has been marketed effectively for such use.
- 5.3 The existing community use represents a place of worship which operates within a former warehouse building. No planning permission was granted for the use however the use has become lawful through the passage of time, having operated continuously for a period of over 10 years. Therefore, irrespective of the fact that no planning permission was granted in the first instance, the community use is lawful and should be afforded protection under Policy DM13 as set out above.
- 5.4 The application does not propose to retain any element of community floorspace and as such the applicant has submitted a community floorspace assessment produced by Jones Lang Lasalle (JLL) which provides justification for its loss. The document sets out a range of sites which are could be utilised as replacement community facilities, these sites are summarised in Table 1.0 below:

Table 1.0

Address

13 Waxlow Road, NW10 7NU
106 Brent Terrace, NW2 1BZ
Units 6 and 11, 1000 North Circular Road, Staples Corner Business Park, NW2 6LU
Denmark House, West Hendon Broadway, NW9 7BW
Victory, Great Central Way, Wembley, NW10 0BN
Wembley North Conservative Club, Churchill Hall, Hawthorne Ave, Harrow, HA3 8AG
Land Between 179 & 183 West Heath Road, NW3 7TT
28 Dorset Square, NW1 6QG
Tileyard Road, N7 9AH
Unit 6, Abbey Road, NW10 7SU
Building 3 (NLBP), Brunswick Park Road, N11 1GN
1 – 8 Capitol Way, NW9 0EQ
Corner of Blackbird Hill, NW9 8RR
26 – 28 Dorset Square, NW1 6QG
Manor Park Works, NW10 4JJ
Advance House, North Circular Road, NW10 7SH
17 – 27 Stirling Road, W3 8DJ
Units 14-19 Fleetway West Business Park, Wandsworth Road, UB6 7LD

- 5.5 The applicant has outlined that an interest free loan facility has been offered to the occupiers of the community building in order to try to enable them to find a replacement facility. In addition to the sites outlined above and identified within the JLL report, the Islamic Group which currently occupies the site have engaged with their own commercial agents who are also actively looking for sites to relocate to. The Islamic Group are fully committed to a relocation strategy and commercial discussions with the applicant are ongoing in terms of this being secured.
- 5.6 Nevertheless, at the time of the report being written, no alternative site had been secured and as such it is considered that it would be necessary for the Council to attach a ‘Grampian’ style planning condition in order to ensure that the reprovision of the community use is secured prior to the implementation of the development. Grampian Conditions derive from the decision in Grampian Regional Council v City of Aberdeen (1984) which provided that a condition precluding the implementation of development permitted by a planning permission until some step had been taken is valid.
- 5.7 The report from JLL also sets out that the building currently being used for by the Islamic Charity is not suitable for reuse for any other purpose under the D1 use class. Given that the building is not a purpose built community facility and is currently in a dilapidated state, officers accept that this is the case.

- 5.8 Subject to the suggested Grampian style condition, officers consider that the application is in accordance with Policy DM13.

Loss of Employment Floorspace

- 5.9 With regards to the reduction in the employment floorspace, Policy DM14 states that outside of a Locally Significant Industrial Site, Industrial Business Park or Business Location as shown on the Proposals Map the loss of a B Class use will only be permitted where it can be demonstrated that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken. The existing site incorporates the following employment premises:

- Warehouse with attached offices, listed as 112 Cricklewood Lane (vacant);
- Car wash and mechanics, listed as 114 Cricklewood Lane (occupied);
- Office, listed as 120 Cricklewood Lane (vacant).

- 5.10 In this case, the applicant has not carried out any marketing of the aforementioned premises, instead attempting to justify the reduction in employment floorspace through the report produced by JLL. The key argument within the document relates to the current state of the office units and the costs associated with bringing the offices back to a modern standard being prohibitive.

- 5.11 The applicant has provided supplementary figures which indicate the indicative costs associated with the renovation of the offices which set out that to bring the offices up to a modern standard would cost approximately. This figure is supported by a structural analysis of the office accommodation which sets out the following problems which would require remediation:

- The rainwater goods servicing the premises are beyond reasonable repair and currently allow water to penetrate internally.
- The main roofs including the skylights and front dormer windows are beyond reasonable repair and require replacement. This is likely to include some structural replacement/alteration of the steel portal frames providing support to the existing roofs.
- The building suffers vandalism and notices indicate that squatters had taken residence as recently as December 2015.
- The rear portion of the warehouse is fire damaged showing partial roof collapse and indicating significant, structural damage to the brick built elements of the building.
- The front elevation shows some inward leaning at roof height and should be checked and stabilised to prevent further movement.

- Internally the warehouse and offices are in a poor and derelict state and require significant repair and upgrading works
- Internally the office building appears to suffer water ingress resultant of the previous issues raised. Internal fixtures, fittings and fixtures are in a dilapidated state and require significant works to make the building fit for purpose.
- Based on the structural survey, it is likely that upgrades will need to be carried out to the building envelope and services in accordance with Part L regulations (consumption of fuel and power). The premises are likely to require upgrading works undertaken in order to comply with The Energy Act 2011, which prevents the letting of properties which perform badly in this regard after April 2018.

5.12 It is also noted within the report that despite the car wash and mechanics premises being occupied the building would require significant improvements, similar to those outlined above, in order to remain in order to be brought to a modern standard.

5.13 Officers consider that the realities of delivering a comprehensive redevelopment of the buildings which form the application site would necessitate a predominantly residential led mixed use development and a relative loss of the existing employment floorspace. For the reasons set out above, a 'light touch' redevelopment of the site to retain the existing employment uses on site and bring them to a modern standard would not be economical.

A preliminary assessment of the refurbishment costs, indicated that costs of £1,509 per sqm for the offices and £798 per sqm for the factory/warehouse. Working on the basis of the existing floorspaces, this would give indicative refurbishment costs of £18.9m for the offices and circa £10m for the factory warehouse. Consequently the site would be likely to remain in a dilapidated and under developed state unless a comprehensive development comes forward.

5.14 It should also be noted that the floorspace being provided with the development would be flexible and would be of a size that would encourage small start-up businesses. The applicant is also making a financial contribution that is commensurate with the level and quality of the floorspace being lost, whilst also not impinging on the overall delivery of the scheme and the quantum of affordable housing being delivered.

5.15 Having regard to all of the above, it is considered that the proposed development is in accordance with Policy DM14.

Residential Density

- 5.16 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.
- 5.17 The application site is best described as ‘urban’, defined in the London Plan as areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a district centre or, along main arterial routes.
- 5.18 In terms of density, the Barnet Residential Design Guidance SPD confirms that rooms exceeding 20sq.m will be counted as two habitable rooms. In this regard, the application site is approximately 0.64 hectares in area with the development proposing 122 residential units and 474 habitable rooms. The site also enjoys a PTAL of 5.
- 5.19 Using the aforementioned figures, it is possible to extrapolate that the scheme would deliver 3.88 habitable rooms per hectare. Using the London Plan density matrix, it is clear that this would suggest a density of 45-185 units per hectare would be acceptable. In terms of habitable rooms, 200-700 habitable rooms per hectare is suggested as being acceptable. In this case the development would slightly exceed these density ranges with 191 units per hectare and 741 habitable rooms per hectare.
- 5.20 Notwithstanding the fact that the scheme density would slightly exceed the ranges set out within the density matrix, it should be recognised that the density standards should not be applied mechanically. Whilst the London Plan density matrix is a useful guide it must be recognised that density should not be used as a tool in isolation to judge the appropriateness of a development, rather density is an outcome of the design and development process. In this case, the scale and layout of the development is appropriate and as such the manifestation of the increased density is considered to be acceptable.

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

Table 1.1

Unit Size	Number of Units	% of Units
1 bedroom	25	21%
2 bedroom	73	60%
3 bedroom	24	19%

6.4 It is considered that the mix of units being provided is appropriate for the location. The scheme would deliver a good proportion of family sized units, contributing towards the objectives of Policy DM08.

Affordable Housing

6.5 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.

6.6 The application was accompanied by an 'Affordable Housing and Economic Viability Assessment' produced by Fairview which sets out that out of the 122 proposed units, 21 (17.2%) would be affordable. There are already 7 residential units within the site and as such the net increase of units is 115 units, and therefore the 21 affordable units represent 18.3% affordable housing in terms of net additional units.

6.7 The affordable housing statement was subject to an independent review from BNP Paribas. There were some differences between the two parties in terms of the assumptions made within the document, mostly relating to the

benchmark land value. Nevertheless, the alternative figures adopted by BNPP produced only a small surplus above the viability benchmark. The surplus was not so significant as to enable the provision of additional affordable housing on site.

- 6.8 Given that the scheme is delivering 17.2% of the residential units as affordable, it is considered appropriate to incorporate a review mechanism within the Section 106. The review mechanism would enable the viability of the scheme to be reappraised at an appropriate point following implementation. If any additional surplus is identified and if deemed viable to do so, an additional payment would then be made to the Council to contribute towards the provision of additional affordable housing.
- 6.9 The aforementioned affordable housing provision would be written the Section 106 Agreement through relevant clauses and triggers to secure delivery. It is therefore considered that the affordable housing provision is the maximum that can be secured and is therefore acceptable and in accordance with Policy 3.12 of the London Plan and Policy CS4 of the Core Strategy.

Residential Space Standards

- 6.10 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 1.2 – Residential Internal Space Standards Requirements

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

- 6.11 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.
- 6.12 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

- 6.13 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. The provision of the wheelchair units would be secured by condition with the location and the layout of the units also required.

Amenity space

- 6.14 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 1.3 – Outdoor Amenity Space Requirements

Outdoor Amenity Space Requirements	Development Scale
For Flats: 5m2 of space per habitable room	Minor, major and large scale
For Houses: 40m2 of space for up to four habitable rooms 55m2 of space for up to five habitable rooms 70m2 of space for up to six habitable rooms 85m2 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

- 6.15 The development proposes a mix of private and communal amenity areas and the application incorporates a Landscape Design Strategy setting out the details of this pr
- 6.16 Within Block A, the communal amenity space would be provided within the central courtyard above the podium deck and would incorporate a mix and hard and soft landscaping along with children’s playspace. A further communal amenity space incorporating children’s playspace would be provided to the rear of Block B, adjacent to the boundary with the Besant Road properties.

- 6.17 Using the methodology associated with Table 2.3 of the SPD and set out in Table XX.XX above, the development would comprise 474 habitable rooms which would necessitate the provision of 2370 square metres of amenity space. The development would provide the following:
- 1,178 square metres of communal amenity space;
 - 915 square metres of private amenity space in the form of balconies
- 6.18 The development would therefore comprise an overall amenity provision of 2083 square metres which falls below the 2370 square metre requirement derived from SPD requirements. It is therefore clear that there would be a shortfall of 287 square metres. This shortfall would represent a shortfall of just over 10% which is not considered to be a significant shortfall. The site is located in close proximity of several areas of public open space to the south east of the site including UCS Sports Ground and Hampstead Cemetery. The CIL contributions attracted by the development could be partly used to fund improvements to these amenity areas to mitigate any additional impact.

Children's Play Space

- 6.19 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.
- 6.20 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

- 6.21 In relation to the noise impacts on the proposed development, the application is accompanied by a Noise Impact Assessment produced by Grant Acoustics. The report sets out the likely noise impacts on future occupiers of the development and the methodology used was agreed with Council Environmental Health officers in advance.

- 6.22 The report was subsequently reviewed by Council Environmental Health officers who agreed with most of the assumptions and conclusions. It is clear from the report that it is likely that future occupiers would experience noise impacts from the commercial uses on the ground floor including internal noise, external plant noise or outbreak noise and delivery noise if not controlled adequately. It has been confirmed that mechanical ventilation will be used due to the extant noise levels adjacent to the site. Conditions suggested by Environmental Health officers would be included if permission were granted and subject to these conditions, it is considered that internal noise transfer and noise impacts associated with the commercial units at ground floor could be adequately mitigated.
- 6.23 However, with relation to external noise some concern was raised with regards to the noise levels of the external balconies adjacent to Cricklewood Lane. It has been identified that the noise levels would be very high for the entire façade of the building fronting onto Cricklewood Lane, being 73dBA on first floor decreasing to 68dBA on the fourth floor mainly due to noise from vehicular traffic on Cricklewood Lane. For this reason it has been suggested by Environmental Health officers that winter gardens are incorporated into the scheme in order to reduce the noise levels to a level which in line with WHO standards.
- 6.24 It should be noted that all of the units that would incorporate a balcony fronting onto Cricklewood Lane would also have access to the communal amenity space within the courtyard where the ambient noise levels would be low. Given that the balconies would not provide the sole external space for future occupiers, it is considered that the higher noise levels can be tolerated. Whilst the inclusion of winter gardens would inexorably reduce noise levels, officers consider that their inclusion would unacceptably compromise the aesthetic quality and composite design of the development to an extent that would outweigh the benefits derived from the reduction in noise levels.

Privacy

- 6.25 The most sensitive relationship in terms of adjacent windows would be between the facing windows of the south elevation and Block A and the north elevation of Block B at Levels 0 to 2. The windows located within the north elevation of Block B would be bedroom windows with the primary habitable windows to south, overlooking the communal amenity space, whilst those windows to the south elevation of Block A would largely serve the primary living areas of the respective units.
- 6.26 The SPD on Sustainable Design and Construction advises a minimum separation distance of 21 metres between facing habitable windows. In this

case the separation distance would vary between 12 and 16 metres which would clearly fall short of the recommended minimum distance.

- 6.27 Nevertheless, it should be recognised that the site represents a brownfield site in an urban location and as such it may not be appropriate to apply the SPD recommended minimum separation distances mechanistically. The dual aspect of the Block B units would ensure that future occupiers would not be restricted to solely the outlook to the north with its proximity to the windows of Block A, lessening the extent of the resultant harm. The separation distances largely stand at 16 metres which, whilst below the prescriptive minimum distances set out in the SPD, would still represent a good separation distance in such an urban location.
- 6.28 For the reasons set out above and in order to maximise the development potential of the site, it is considered that the shortfall below the prescriptive standards recommended within the SPD can be tolerated.
- 6.29 A condition would be attached requiring the submission of details of the privacy screens to be used on the private balcony areas to ensure that they are of an adequate quality in terms of aesthetics and opaqueness.

Daylight

- 6.30 A daylight/sunlight assessment has been submitted in support of the application by CHP Surveyors Ltd 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.
- 6.31 The daylight/sunlight assessment submitted by CHP sets out the Average Daylight Factor (ADF) figures for each residential habitable room of the proposed development at ground floor and first floor level on the basis that if those at first floor level are in compliance then those above would also be in compliance.
- 6.32 The daylight/sunlight assessment shows that within Block A, the ADF value for all habitable rooms at first floor level would be in compliance with BRE standards whilst only 2 living room windows at ground floor level would fall below the minimum standard. In both cases, the extent of the shortfall is marginal and in this regard it is considered that they can be tolerated.
- 6.33 To Block B, the results show that all of the habitable windows would be in compliance with BRE guidelines with the exception of the following:

- 2 bedrooms;
- 2 living rooms;
- 1 kitchen/dining room

6.34 In terms of the bedrooms, the BRE guidelines recognise that daylight levels are less important than those to primary habitable rooms. In the case of the living rooms and the kitchen/dining room, the shortfalls are marginal in nature with the exception of R11 where there is a shortfall of 0.5 below the required ADF of 1.5. Given that this is the only noticeable shortfall in the 51 windows tested in Block B, it is considered that the shortfall can be tolerated given the good level of compliance otherwise evident.

Sunlight / Overshadowing

6.35 In relation to sunlight, the report from CHP Surveyors demonstrates that almost the entire courtyard amenity space would receive 2 hours of direct sunlight on 21st March in line with BRE Guidelines.

Outlook

6.36 In terms of the outlook from the proposed development, the most sensitive relationship would be between the south elevation of Block A and the facing north elevation of Block B at Levels 0 to 2. It is considered that all of the other windows would enjoy a good outlook.

6.37 With regards to the windows to the south of Block A at Levels 0 to 2, these windows would largely serve primary habitable rooms and would have separation distances of between 12 and 16 metres from the facing elevation of Block B. Whilst below the recommended minimum separation distances set out within the SPD, it is considered that the relationship would not be dissimilar to that which would exist in a typical urban residential street with a mews arrangement. Whilst the scheme is clearly not providing a mews development, it is considered that the outlook from the south facing windows at levels 0-2 of Block A would have a similar outlook as would exist in such a development. The reduced outlook in the limited number of windows must also be balanced against the wider benefits of the scheme and in this regard it is considered that the extent of the reduced outlook and the number of windows involved would not be so significant as to warrant refusal of the application on this basis.

7.0 Tall Building Assessment

7.1 Core Strategy Policy CS5 identifies parts of the borough that are suitable for tall buildings and defines tall buildings as those that are 8 storeys or over. In

this case the application proposes a development incorporating buildings of up to 8 storeys in height and Cricklewood is not identified as one of those areas suitable for tall buildings. With this in mind, it is clear that the application represents a departure from development plan policy and was advertised as such as part of the consultation.

- 7.2 Notwithstanding the non-compliance, Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 state that all applications must be determined in accordance with the development plan, unless material planning considerations dictate otherwise. The key test is therefore whether material planning considerations exist which dictate that the tall building is appropriate in this location.
- 7.3 Officers consider that the layout of the site is such that it lends itself to a feature building on the north east corner to provide visual legibility and a focal point. The existing streetscape on this part of Cricklewood Lane consists of a mix of building typologies ranging from 2-4 storeys, and as such it is clear that the 8 storey building would be prominent within its context. Nevertheless, the tall element would be located on a bend in the road, perpendicular to Gillingham Road and it is considered that this provides scope for additional height and the provision of a visual focal point. The 8-storey block would provide an identifiable and clear visual reference point and adding positively to the streetscene.
- 7.4 The tall element would be of a high design quality which would add positively to the streetscene through its aesthetic quality and architectural refinement. The 8 storey height provides the scope to introduce additional refinement and to break up the mass of the building through the elevational treatment.
- 7.5 Having regard to all of the above it is considered that the high quality of the overall design of the building and its particular location within the streetscene provides material planning considerations that dictate that a tall building in this location could be acceptable in principle. It would therefore be necessary to assess the development against the requirements of Policy DM05 of the Development Management Policies DPD. Policy DM06 states that tall buildings will only be acceptable where the following criteria are satisfied.
 - i) An active street frontage
- 7.5 The development would incorporate a number of commercial units fronting onto Cricklewood Lane which would have an active frontage, ensuring that the tall building would fully interact with the public realm at ground floor level.

- ii) Successful integration into the urban fabric
- 7.6 As outlined in paragraphs 7.3 and 7.4 above, it is considered that the layout of the surrounding locality lends itself to a taller building in the location proposed. The building is of a high design quality and would provide a visual focal point for this part of Cricklewood Lane.
- iii) A regard to topography and no adverse impact on Local Viewing Corridors, local views and the skyline
- 7.7 There are 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
- 7.8 There are no heritage assets within the vicinity of the site.
- v) That the potential microclimate effect does not adversely affect existing levels of comfort in the public realm
- 7.9 Bu virtue of the 8 storey height of the corner building, the development constitutes a tall building for the purposes of Policy DM05. However, the scheme incorporates only one tall element which, whilst in a prominent location, is not in close proximity to other larger buildings. The surrounding buildings do not exceed 4-5 storeys and therefore would be considered low-rise development. Microclimate assessments are appropriate and necessary when the proposed development will be built in the context a series of taller buildings in close proximity to each other. In such instances, the combination of tall buildings has the potential to cause decreased levels of comfort in the public realm. In this case, it is considered that the height, form and layout of the development would be unlikely to result in any harm to pedestrian comfort levels within the public realm.

CABE/English Heritage Advice on Tall Buildings

- 7.10 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:
- 7.11 Context: As outlined in paragraphs 7.3-7.4 above, it is considered that the layout of the surrounding locality lends itself to a taller building in the location proposed.

- 7.12 Historic Assets Impact: There are no heritage assets in the vicinity of the site which would be adversely affected by the development.
- 7.13 Relationship to Transport: The development has a PTAL of 5 (very good) and is located within 500 metres of Cricklewood Rail Station. Given the high PTAL rating and its proximity to public transport, it is considered that the site is suitably located in terms of transport accessibility.
- 7.14 Architectural Quality: The architectural detailing of the 8 storey element is of a high quality and it is considered that the articulation of the building would give it a distinctive and robust appearance. The final design quality of the development would be dependent on high quality materials being used and as such conditions are attached requiring the submission of samples of the materials for agreement by the LPA.
- 7.15 Sustainability: The application is supported by an energy statement which confirms that the development will accord with London Plan guidelines relating to CO2 emissions. The sustainability of the scheme is discussed fully within section 9 of this report.
- 7.16 Design Credibility: The scheme is designed by a reputable architecture team.
- 7.17 Contribution to Spaces and Facilities: The development contributes ground floor active frontages to Cricklewood Lane. The development also provides a good level of communal amenity space for future occupiers.
- 7.18 Environmental Effect: No significant adverse impacts arising from the development have been identified including daylight/sunlight, night-time appearance, vehicle movement or to neighbour's amenity.
- 7.19 Contribution to Permeability: The ground floor of the development would step back from the boundary of the public realm and thus create an enhanced area of public realm to the front, aiding pedestrian permeability on this part of Cricklewood Lane. The introduction of a tall building in this location would also serve to provide a visual focal point and would aid the visual legibility of the vicinity.
- 7.20 Well-Designed Environment: The scheme would involve the comprehensive redevelopment of the existing site which consists of a number of buildings which do not have any architectural commonality. In this case the proposed development would create a high quality and well-designed environment, bringing aesthetic improvement to the streetscene.

Design and Appearance

- 7.21 Aside from the 8 storey element, the development would incorporate buildings ranging in heights from 3 to 6 storeys in height.
- 7.22 Block B which is located closest to the low rise residential buildings to the rear of the site would step down to 3 storeys in height. In purely design and layout, it is considered that the 3 storey height to the rear of the site stepping down to the low rise development to the south is acceptable.
- 7.23 The height of the development would descend from the 8 storeys of the identity corner to 4 storeys adjacent to the Virgin Active gym building. It is considered that this stepping down in height is appropriate and would help to bridge the visual transition between the two building typologies. The 6 storey height of the development within the central wing parallel to Cricklewood Lane would be offset by a set-back 4th and 5th floor incorporating a cladding system with a contrasting palette to the lower floors. It is considered that this treatment would reduce the visual massing of the top floor.
- 7.24 Balconies have been set onto the projecting vertical columns to the front elevation which would help to lessen the street presence of the development and its overall massing through breaking up the flank elevation of the column.

Landscaping

- 7.25 Drawing ref: FNH415 LS/01 submitted in support of the application sets out the landscape design strategy for the scheme and shows that it would be of a good quality and with robust hard/soft landscaping both at podium level within the courtyard amenity space and at ground floor level throughout the site.

Conclusion

- 7.26 Having regard to all of the above, officers consider that the principle of a tall building in this location is acceptable. Officers also 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

- 8.1 The applicant has submitted a Daylight/Sunlight report from CHP surveyors which is inclusive of daylight, sunlight and overshadowing assessments of the impact of the proposed development on neighbouring occupiers.

- 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.

140-148 Cricklewood Lane

- 8.3 The property at 140-148 Cricklewood Lane is located to the north of the application site and comprises of residential accommodation at first and second floor level. The report from CHP shows that all of the residential windows within the property would achieve a VSC of at least 27% in compliance with BRE guidelines.

21 and 22 Harman Drive

- 8.4 21 and 22 Harman Drive are located to the east of the application site and comprise residential accommodation at ground and first floor levels. The report from CHP shows that all of the residential windows within the property would achieve a VSC of at least 27% in compliance with BRE guidelines.

33-55 Besant Road

- 8.5 The properties at 33-55 Besant Road are located to the south of the application site and comprise of residential accommodation at ground, first and second floor levels. The report from CHP shows that all of the residential windows within the property would achieve a VSC of at least 27% or would retain a level commensurate with 0.8 times its former value, in compliance with BRE guidelines.

Sunlight

- 8.6 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".

- 8.7 The only property which lies within 90 degrees of due south is 140-148 Cricklewood Lane and as such this is the only property which was assessed as part of the CHP review.

140-148 Cricklewood Lane

- 8.8 The report from CHP demonstrates clearly that all windows facing within 90 degrees of due south would retain at least 25% APSH and at least 5% of winter sun in compliance in BRE guidelines.

Outlook

- 8.9 The development is laid out in such a way that the maximum height of 8 storeys would be located to the north east corner of the site, opposite the junction with Gillingham Road which runs perpendicular to Cricklewood Lane. Given the perpendicular relationship, the front and rear elevation windows of the Gillingham Road properties would face away from the application site and the 8 storey element would not be readily visible other than in oblique views.
- 8.10 Clearly, the development would be highly visible from the public realm on Gillingham Road however it is considered that this in itself would not harm the living conditions of residential occupiers which is predicated on the impact on day to day living within the properties themselves rather than on the street where most of the activity by nature would be transitory.
- 8.11 To the south of the site, the properties at 21 and 22 Harman Drive back on to the southern boundary of the development. Block B of the development would be 3 storeys in height and would be set back from the boundary by approximately 8 metres, giving a separation distance of approximately 37 metres from the rear elevation of the properties. Given the height of the building relative to the separation distance, it is considered that Block B would not result in an unacceptable loss of outlook for existing and future occupiers of the 2 properties.
- 8.12 Also to the south of the application site are the properties at Besant Close. The rear elevations of these properties would be located at a slightly oblique angle to Block B of the development. The outlook from the rear of the Besant Road properties is already dominated by the Virgin Active building and in this case, given the oblique relationship, it is considered that the level of harm in terms of outlook would not be significantly over and above that which already exists. The properties at 1-6 Besant Close, to the south of the application site, are laid out perpendicularly to the application site and as such the outlook from the front and rear elevations of the properties would not be significantly impact as a result of the development.

Privacy

- 8.13 To the north and the west of the application site are non-residential buildings and, in the case of the north, there would be significant separation distances from the north elevation windows of the development to the neighbouring buildings. For these reasons, there are no concerns in respect of a loss of privacy for occupiers to the north and west of the development.
- 8.14 To the south of the development are the properties on Besant Close and Harman Drive. Block B of the development would incorporate windows serving the primary habitable rooms along with some balconies to the south elevation.
- 8.15 The closest separation distance from the habitable windows to the rear elevation of the Harman Drive properties would be approximately 37 metres with the closest separation distance from the external balconies being approximately 35.5 metres. These separation distances are in excess of the recommended minimum from the SPD on Sustainable Design and Construction demonstrating that it is likely that there would not be an unacceptable impact in terms of privacy or overlooking.
- 8.16 The positioning of no.'s 1 to 6 Besant Close is such that the rear elevations of the property face away from the application site and as such Block B would only likely be visible in oblique angles, mitigating its impact. With regards to the properties further to the west of Besant Close, there would be no habitable windows in a location that would create any new opportunities for overlooking.

Noise

- 8.17 The applicant has commissioned a 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. Given the nature of the proposed uses and the distance from the application site to the surrounding residential development, it is unlikely that there would be any potential noise impacts which could not be suitably controlled through condition.
- 8.18 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 commercial and residential uses.
- 8.19 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 Mayor's 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 and Sustainability Statement from Silver which set out that the development would achieve the requisite reductions as set out in the London Plan.

9.5 The scheme would incorporate a range of passive design features, demand reduction and energy efficiency measures including efficient lighting, a heating distribution system, energy efficient appliances and energy metering and monitoring. An on-site Combined Heat and Power (CHP) system would be installed and would be connected to a site-wide heating network to supply hot water and space heating to the entire development

9.6 The Energy Statement demonstrates that the London Plan CO2 reduction target can be met without additional renewable energy technologies such as Photovoltaic (PV) panels. Based on the energy assessment submitted and inclusive of the energy efficiency measures, CHP, the scheme would deliver the following overall carbon dioxide emissions:

Table 1.4

	Regulated Energy CO2 Savings	
	Tonnes CO2 Per Annum	% reduction

Savings from energy demand reduction	5.7	4.2%
Savings from CHP	42.8	31.6%
Savings from renewables	0.0	0.0%
Total cumulative savings	48.5	35.8%
Total target savings	47.3	35%
Annual surplus	1.1	0.8%

- 9.7 Overall, the incorporation of all of the measures outlined would equate to regulated CO2 savings of 48.5 tCO2 which is equivalent to circa 35.8% CO2 reduction over the Part L 2013 Building Regulations Target Emissions Rate (TER). This means that the entire development will exceed the London Plan target of 35% CO2 reduction, as required by Barnet Policy CS13.

Other Sustainability Issues

- 9.8 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.
- 9.9 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. Nevertheless, the Sustainable Design and Construction Supplementary Planning guidance document confirms that non-residential developments of less than 1,000m2 are not required to be assessed against or achieve a BREEAM. In this case the non-residential element of the development falls below 1000m2 and as such no BREEAM assessment is necessary.

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:
- 13 Affordable Rented Units
 - 8 Shared ownership 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 Enterprise

- 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.
- Progression into employment, less than 6 months – 8
 - Progression into employment, more than 6 months – 5
 - Apprenticeships – 12
 - Work experience – 19
 - School / College / University site visits – 95
 - School / College workshops - 88
- 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 £15500 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.

Extension of Controlled Parking Zone

- 10.12 In order to mitigate the impact of overspill parking, a contribution of £35000 is required in order to fund the extension of Controlled Parking Zones to the south of the site.

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.

Monitoring of the Section 106 Agreement

- 10.14 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 £2613 towards the costs of undertaking the work relating to securing the planning obligations recommended in line with the adopted SPD for Planning Obligations.

Community Infrastructure Levy

- 10.15 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.
- 10.16 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 Foul Water Surface Water and Utilities Assessment produced by Fairview New Homes. The report identifies that that there is an existing surface water (600m dia) sewer located along Cricklewood Lane. The surface water connections could be made via an existing manhole, and via a new connection straight onto the existing surface water sewer. The diversion of a short length of 225mm diameter public surface water sewer in the vicinity of the development access, as identified on the Site Drainage Strategy Plan, may be required. If necessary this work could be completed under Section 185 of the Water Industries Act.
- 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 been unable to determine if the existing waste water infrastructure could 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 intrusive 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 Initial pre-application designs for the development incorporated a substantial overhang of the upper floors over the pedestrian footway to Cricklewood Lane. Following discussions with the Metropolitan Police and officers, the scheme was revised to its current iteration which has significantly reduced the extent of the overhang, reducing potential for anonymous loitering and resultant issues with community safety.

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 1.5

	PTAL 0 to 1		PTAL 2 to 4		PTAL 5 to 6	
	150–200 hr/ha	Parking provision	150–250 hr/ha	Parking provision	200–350 hr/ha	Parking provision
Suburban						
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 Based on the aforementioned parking standards the parking requirement for the proposed development is calculated as follows.

- 25 x 1b = a range of (0.0 - 1.0) = 00.00 – 025.00 parking spaces required
- 73 x 2b = a range of (1.0 - 1.5) = 73.00 – 109.50 parking spaces required
- 24 x 3b = a range of (1.0 - 1.5) = 24.00 – 036.00 parking spaces required

14.6 This equates to a range of parking provision of between 97 to 170.5 parking spaces to meet the Barnet Local Plan parking standards contained in the Development Management Policies DM17.

14.7 The maximum parking provision would be more appropriate in an area with the lowest Public Transport Accessibility Level (PTAL) i.e. 1a or 1b for the site. As the PTAL rating for the site is 4 the parking provision is calculated as approximately 126 parking spaces which would need to be provided to meet the parking standards.

14.8 The development proposes to provide 82 parking spaces which would fall short of the requisite standard by 44 spaces. It is therefore likely that there would be overspill parking onto the surrounding streets. As part of the pre application discussions it was recommended for the applicant to carry out parking surveys in the vicinity of the development site. Subsequently, the applicant commissioned AECOM Transport Planning to prepare Transport Assessment to support the application. As part of the TA, parking surveys were undertaken of the surrounding streets to assess existing levels of parking stress.

14.9 The parking surveys were undertaken by an independent survey company on the dates of 30th April and 7th May 2015 to establish the off-site parking conditions in the local area and along Cricklewood Lane. The parking capacity was identified and the occupancy was recorded at hourly beats between 00:30-04:30 and 07:00-18:00 on both survey days.

14.10 In carrying out the surveys, a total capacity of 344 spaces were identified on all of the roads within the study area. It was also found that there is substantial on street capacity available during the night time when peak residential parking demand is likely to be present. To this end, maximum demand was identified to be 47% (162) between 00:30 and 04:30, with a latent capacity of 182 spaces.

14.11 Of the 344 spaces identified within the area surrounding the site 185 spaces were residents' bays which would not be accessible to new residents of the

development or their visitors, as they will be exempt from applying for permits for these spaces.

- 14.12 Further analysis was carried out of the utilisation of the available parking bays excluding these resident spaces. The total available parking capacity surrounding the site excluding the 185 resident's permit bay parking was therefore 159 parking spaces (344 – 185). The survey data identified a maximum demand of 49 spaces equivalent to a peak utilisation of 31% during the daytime.

Supplementary Parking Surveys

- 14.13 In addition to the initial surveys undertaken, further supplementary surveys were requested by the Council's Highway Officers for the area to the south of the site including Galsworthy Road, Westcroft Way, Marnham Avenue, Howard Close and Lichfield Road. These roads are not part of the Control Parking Zone and therefore could be affected by the overspill parking that may result from the proposed development.
- 14.14 Therefore, supplementary parking surveys were undertaken on Tuesday 12th January 2016, between the hours of 00:30-04:30 and 07:00-18:00 consistent with the times of the original surveys. The parking survey identified a total of 200 unrestricted spaces with a maximum parking demand of 89% (177) for the 200 spaces in the 10:00-11:00 and 11:00-12:00 time periods. The night surveys identified a maximum parking demand of 75% (149) for the 04:30-05:30 time period.
- 14.15 The supplementary surveys therefore indicated that the utilisation of the spaces within the unrestricted areas is higher than observed for the surveys within the vicinity of the site although additional capacity was available at all times during the surveys. As a minimum, 23 spaces were available during the day and 51 spaces were available at night. However, it is noted that the parking survey on roads in the closer proximity of the site have shown availability of greater number of spaces.
- 14.16 Following review of the Transport Assessment and surveys, LBB Transport officers consider that a contribution of £2,000 would be necessary to mitigate the likely adverse impact of the development on roads in the vicinity of the site within the CPZ by exempting the occupiers of the new development from purchasing permits.
- 14.17 The roads to the south of the development are outside of the existing CPZ but are within walking distance of the proposed development and there is a pedestrian footpath linking Cricklewood Lane and these roads. The current parking stress on these roads is approximately 80% to 89% during the day time and approximately 75% during the night time. It is therefore likely that due to lack of on-street parking controls these roads will be adversely affected by the overspill parking resulting from the proposed development. It is therefore considered that in order to ensure that the likely adverse impact on the pocket of roads just outside of the CPZ can be mitigated; a contribution of

£35,000 should be secured under S106 to extend the existing CPZ to cover these roads.

Cycle Parking

- 14.18 The development would provide 225 cycle spaces which is in line with London Plan standards. A condition would be attached requiring details of the storage and to secure the provision.

Vehicular Access

- 14.19 Vehicular access and egress from the site would be from Cricklewood Lane at the existing access point. The existing access will be upgraded to a conventional priority junction which would incorporate footways on both sides of the access road, which would then be integrated with the existing footways on Cricklewood Lane. Each of the other existing access points will be removed and the footway restored.
- 14.20 Any modification of the existing access arrangement will require the applicant to make an application to Highway Authority for a vehicular access under Section 184 or Section 278 of the Highways Act (1980) and the redundant crossovers will need to be reinstated at the applicant's expense.

Trip Generation

- 14.21 The PTAL Score for the proposed site using Transport for London model is calculated as 4 which is considered as a 'good' accessibility level. Bus routes 245, 260, 460, 189, 226 and C11 are within walking distance of the site. The nearest underground Station to the site is Willesden Green Underground Station which is approximately 1.5km from the site. The nearest station to the site is Cricklewood Rail Station, which is within a 3 minute walk along Cricklewood Lane. From Cricklewood Station, direct train services provide access to London St Pancras International within 12 minutes.
- 14.22 In order to establish the baseline for trip generation assessment, a site visit was conducted on Wednesday 9th September 2015 to observe the existing trip generation associated with the uses which are still present on the site. The survey identified that a total of 14 vehicles in the AM peak and 12 vehicles in the PM peak were observed to access the site. The results of the survey are set out in Table 1.6 below:

Table 1.6 – Existing Trip Generation

Peak	Arrivals	Departures	Total
AM (08.00-09.00)	8	6	14
PM (17.00-18.00)	5	7	12

14.22 The trip rates derived from the industry standard TRICS software predict the trips likely to be generated by the proposed residential development which is anticipated will generate 24 vehicular trips in the AM peak and 17 vehicular trips in the PM peak. The projected trip rates are set out fully in Table 1.7 below:

Table 1.7 – Projected Trip Generation

Peak	Arrivals	Departures	Total
AM (08.00-09.00)	6	18	24
PM (17.00-18.00)	10	7	17

14.23 In addition to the vehicular trips outlined above, the consultants have assumed that 3 vehicular arrivals and 3 departures would occur during the respective AM and PM peak hours, associated with each of the general commercial bays. The combined trip generation for the development including those associated with the commercial uses are set out in Table 1.8 below:

Table 1.8 – Net Vehicular Trip Generation (Including Commercial Trips)

Peak	Arrivals	Departures	Total
AM (08.00-09.00)	1	12	13
PM (17.00-18.00)	5	3	8

14.24 Based on the information included within the Transport Assessment and summarised above, the development is likely to generate an additional 13 vehicular trips in the AM peak hour and 8 additional vehicular trips in the PM peak hour. The Council's Transport and Highways officers were of the view that this increase is acceptable.

Servicing Arrangements

14.25 The development proposes to accommodate refuse stores in purpose built enclosures within the footprint of the buildings, one near to the site entrance and several to the south east corner of the site. Collection from the stores to the south east of the site would require a refuse vehicle to enter the site.

14.26 Transport and Highways officers have outlined that the access road would need to be built to the Council's adoptable standards and the applicant will be expected to sign a Waiver of liability and indemnity agreement. In addition, a full delivery and servicing management plan would be required by condition in order to ensure that the details are acceptable.

Travel Plans

- 14.27 A Travel Plan has been included as part of the Transport Assessment from AECOM. A final version of the document would be secured through the Section 106 Agreement along with a £15,000 monitoring fee. As part of the Travel Plan, a residential incentive fund of £300 per unit would be required in order to promote sustainable modes of transport (a sum totalling £36,600).

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 loss of the community floorspace is acceptable given that the community use currently occupying the site is committed to relocation and has been offered the means to purchase another site. The existing employment floorspace is of a poor quality is considered that that the cost of existing employment floorspace is of a poor quality and the costs of refurbishment would be prohibitive. The affordable housing offer has been subject to an independent review by BNP Paribas who consider that the offer is reasonable and the maximum amount of affordable housing that can be viably delivered with the scheme.
- 15.2 The height of the building means that it is classified as a 'tall building' for the purposes of assessment and is outside of the areas identified as being appropriate for tall buildings within the Core Strategy. Nevertheless, it is considered that the proposed building is of a high architectural quality and provides a visual focal point which fits into the streetscene without resulting in any unacceptable harm to surrounding occupiers. On balance, it is also considered that the scheme does not otherwise result in significant harm to the residential amenity of the surrounding residential occupiers. The parking proposed with the scheme is below prescriptive Barnet standards however financial contributions have been secured to extend the surrounding CPZ's to ensure that no overspill parking would result in unacceptable impacts on the parking stress on surrounding streets.
- 15.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to a Stage 2 referral to the Mayor of London and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out in Appendix 1 of this report.

Appendix 1: Site Location Plan

- 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:

1503-201

1503-202

1503-203

1503-204

1503-205

1503-206

1503-207

1503-208

1503-460

1503-461

1503-462

1503-463

- Daylight, Sunlight and Overshadowing Report (CHP Surveyors, 21st January 2016)
- Transport Assessment (AECOM, January 2016)

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, ground works and development below DPC level) 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 brick panel shall be constructed on site or a location to be agreed, 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 ground works and development below DPC level) 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 no less than 170mm
- residential core entrances
- brickwork banding details
- parapets, fascia 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 occupation of the development, 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 terraces located to the rear of the first floor amenity areas of 'C' shaped Block); 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 ground works and development below DPC level) 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 polices 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 Accessible 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 polices 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. 1503-200 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, Disabled Parking spaces shall be provided in accordance with drawing No. 1503-200, submitted with the planning application. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

- 13) 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;
- iii. on-site parking controls and charges;
- iv. the enforcement of unauthorised parking; and
- v. disabled parking spaces.

Reason: 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.

- 14) 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.

- 15) Prior to the first occupation of the relevant block the cycle spaces shown drawing no 1503-200 for that block shall be provided in accordance with London Plan cycle parking standards and shall not 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.

- 16) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development (other than demolition, site clearance ground works and development below DPC level) 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.

- 17) Prior to the occupation of the development if refuse vehicles are expected to enter the site to facilitate refuse collection than a Waiver of liability and indemnity agreement must be signed by the developer and be submitted to

and approved in writing by the Local Planning Authority. This is to indemnify the Council against any claims for consequential damage caused to private access roads arising from and/ or in connection with the collection of waste by the Council from the premises.

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

- 18) 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.

- 19) Before the development is occupied details of improvement works identified in Pedestrian Environment Review System (PERS) Audit on public highway shall be submitted to the Local Planning Authority for approval. The improvements identified in the PERS audit shall be carried out at the applicant's expense.

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.

- 20) 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 ground works and development below DPC level). 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 ground works and development below DPC level).

c) The approved mitigation scheme shall be implemented in its entirety in accordance with the agreed details 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).

- 21) a) Prior to the commencement of development ((including demolition, site clearance and ground works) details of mitigation measures to show how the development will be constructed so as to provide sufficient air borne and structure borne sound insulation against internally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the commercial units; as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

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

- 21) Prior to the commencement of development (other than demolition, site clearance ground works and development below DPC level) 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 ground works and development below DPC level) 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 ventilation, extraction and heating plant for the residential units 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 ground works and development below DPC level)), a report shall be undertaken by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation, extraction and heating plant for the residential units, 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) The level of noise emitted from the ventilation, extraction and heating plant for the commercial units 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.

- 25) a) Prior to the first occupation of the commercial units, hereby approved, a report by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation, extraction and heating plant for the commercial units, and mitigation measures for the development to reduce these noise impacts to acceptable levels, 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.

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the commercial units 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 2011.

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

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

- 27) 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.

- 28) No development (including 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, to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community in accordance with Policy CS13 of the Barnet Local Plan and policies 5.13 and 5.14 of the London Plan.

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

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

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

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

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

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

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

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

- 33) Notwithstanding the details shown on the plans otherwise hereby approved:
- a) Prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity space of the development shall be submitted to the Local Planning Authority and approved in writing.

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

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

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

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

- 35) Prior to the first occupation of the development a scheme for the provision of communal/centralised satellite/cable and television reception equipment to be installed within the development (including any external or rooftop installations required) has been submitted to, and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details approved and the equipment shall thereafter be permanently retained and made available for use by all occupiers of the development.

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

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

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

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

- 37) 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.

- 38) The commercial units, hereby approved, shall be used for use class B1(a) 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.

- 39) The development authorised by this permission shall not begin until the local planning authority has approved in writing a relocation strategy pertaining to the community use (Use Class D1) currently occupying the site. The occupation of the development for either residential or commercial purposes shall not begin until the community use (Use Class D1) has been reprovided in line with the relocation strategy, in accordance with the Local Planning Authority's approval and has been certified in writing as acceptable by the Local Planning Authority.

Reason: To ensure that no community floorspace is lost and to ensure that it is reprovided in accordance with Policy DM13 of the Barnet Local Plan, Development Management Policies – Development Plan Document (September 2012).

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 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.
- 6) 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.
- 7) 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.
- 8) 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.

9) 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.

10) Thames Water Comments:

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.