

PLANNING COMMITTEE MEETING – 8TH FEBRUARY 2018

ADDENDUM TO OFFICER REPORTS

AGENDA ITEM 6:

Planning Application 17/2304FUL

The Croft, East Road, Edgware HA8 0BS

Pages 9 – 39

Page 35

Additional condition:

An additional condition is added to the recommendation, to provide forequipment in the proposed play area to be submitted and approved prior to first occupation of the development.

- 35 a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity space shown on the drawings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016), the Planning Obligations SPD (adopted October 2016), Policy 3.6 of the London Plan 2016 and the Mayor of London's Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance.

Page 38

Additional consultation response:

An additional consultation response has been received from Historic England. There are no objections from that consultee, and no condition(s) are requested.

AGENDA ITEM 7:

Planning Application 17/5373/FUL

Barnet House, 1255 High Road, Whetstone N20 0EJ

Pages 41-106

Page 41

Under Proposal, replace text '~~1,325sqm of community, retail and commercial floorspace~~' with '1352 325sqm of community, retail and commercial floorspace'

Under Recommendation 2 (c) replace text ~~by unit~~ with *by habitable room*.

Page 84

Housing Density: delete following text :

~~'The Transport Assessment indicates a varying PTAL across the existing site of between Level 4 (good) through the site.'~~

~~'The density matrix of the London Plan 2016 nominates a density range of 150-250 habitable rooms per hectare for PTAL 1 and between 150 to 250 units habitable room per hectare for Suburban PTAL 2.'~~

Page 85

Under Unit Mix replace text: ~~124 units capable of accommodation by families~~ with *125 units capable of accommodation by families*.

Page 90

Replace text ~~332.7 sq.m required by the London Plan~~ with *276.32 sq.m required by the London Plan*

Page 93

Replace text of first paragraph of Privacy, overlooking and outlet with the following text:

All of the proposed buildings are located over 21m from windows in Baxendale Care Home and 14-17m from the converted residential properties to the north. However in the case of the latter no windows are proposed in the flank facades. It is therefore considered that the proposal would not result in any demonstrable loss of privacy to neighbouring residential properties.

Page 97

Under Transport, highways and parking.

Add following text under last paragraph in section:

Notwithstanding this the applicant has agreed to pay £10,000 towards funding a feasibility study towards introducing a CPZ on surrounding roads.

Page 101:

Replace text ~~£122,400~~ with £124,905

AGENDA ITEM 8:

Planning Application 17/5761/EIA

Cricklewood Railway Yard, Land to the rear of 400 Edgware Road, London NW2 6NH

Pages 107-220

A. CORRECTIONS

The following correction is to be made to the Officer's report:

A1. Paragraph 9.73, sentence 3 should instead read:

'The proposed development includes improvements to the existing junction with the A5 to create a priority junction that achieves a visibility splay of 2.4 X 43 metres (not 4.5 X 90 metres as suggested by the applicant) which accords with the guidance contained within Manual for Streets. The proposed junction also and provides an uncontrolled pedestrian crossing point with a central island between the internal traffic lanes.'

B. AMENDMENTS

Submitted Comments

Although all representations are summarised within Appendix B of the Officer's report, including those from Dollis Hill Residents Association and Mapesbury Residents Association, for completeness the following summaries are to be inserted into the Officer's report:

B1. After Paragraph 7.50, insert the following summaries of representations received from Dollis Hill Residents Association and Mapesbury Residents Association:

7.50A. ***Dollis Hills Residents Association*** objects to this planning application on the following grounds:

- *The increase in HGV traffic along the A5 will bring increased pollution itself and cause more traffic jams, bringing further pollution;*
- *The large number of HGVs (up to 15m long) entering and exiting the site will block traffic;*
- *Their effect on traffic is not directly comparable with the impact of the mix of mainly smaller vehicles access the site previously;*
- *Traffic lights, which could be part-time during opening hours, and a yellow box are essential to prevent right turners into and out of the site from blocking traffic;*
- *TfL needs to ensure traffic along the whole of the A5 flows well and to place pedestrian crossing lights on the A5 at the exit from the site. This should be part of revision of all traffic and pedestrian lights on the A5 between Cricklewood Lane and Staples Corner;*

- *The estimated 452 daily HGV movements (more than one HGV every two minutes) with the majority involving right turns will create jams and additional pollution from all the vehicles slowed down by them. Many vehicles will be alongside the playground of Our Lady of Grace Infant School, creating dangerous pollution levels for young children;*
- *Northbound HGV queuing to enter will block the northbound A5 when two or three buses are also parked at the bus garage bus stop while they change drivers. The A5 must be widened south of the entrance to the freight facility to produce an extra lane, to ensure northbound traffic is not blocked;*
- *Northbound traffic on the A5 is often stationary, so HGV attempting to turn right out of the freight facility will block the traffic completely; and*
- *The pollution on the A5 immediately north and south of the freight facility exit and outside Our Lady of Grace Infant School needs to be measured now and monitored in future. It must not be allowed to exceed current levels in future, so any use of a freight facility must be terminated if pollution levels rise;*

In response to the re-consultation exercise in December 2017:

- *The proposed development's deleterious effect on traffic congestion, pedestrian safety and pollution from slow moving vehicles has not been ameliorated in this revision. The facility cannot go ahead without traffic lights, a yellow box, and the acquisition of land to widen the A5 immediately south of the entrance to the site;*
- *The severe blocking effect of HGVs turning into or out of the site is demonstrated in the new swept path analysis for the access road. Articulated vehicles always take up more than one lane in the A5 when they turn in and out. This blocking impact will be even worse than the swept path analysis suggests because: HGV will actually often encroach further into adjacent and oncoming traffic lanes when turning than shown in the theoretical drawings; and the A5 will become more blocked once the waste unit and residential developments are in use, causing slower entries and exists and more complete gridlocks;*
- *When HGV turn **right out of** the facility they will edge out, blocking all four lanes. When the northbound A5 is slow moving or stationary, as is common in afternoons, HGV will block the southbound lanes while they try to edge into the slow northbound lanes, causing gridlock. Turning **right into** the facility causes HGV to encroach into the slow northbound lane, so they bring all four lanes to a halt and risk sideswiping vehicles in the slow lane.*
- *Even when they make **left** turns, HGV take up two lanes. For example, the curvature of the access road causes southbound HGVs to wait in the fast lane before they turn left into the facility.*
- *Outside the bus garage, buses wait for a few minutes at the bus stop while drivers change. Northbound HGV turning **right** into the facility would need to stop almost alongside the one or two waiting buses. This will cause a complete block for northbound vehicles, including other buses which will not be able to manoeuvre around them. This*

will create a hazard, particularly for cyclists, motorcyclists and drivers of cars that try to manoeuvre around them, as well as southbound traffic if the HGV encroaches into their lane even slightly having pulled out to manoeuvre around parked buses.

- *The 452 HGV movements per day, more than one every two minutes, will actually be almost continuous entries and exits, because many manoeuvres will take at least a minute. Cars already wait a long while to turn right out of the adjacent Lidl supermarket, and HGVs will inevitably wait longer. This will pile HGVs up behind each other in traffic.*
- *Pedestrians are at risk when walking across the exit, where left turning vehicles may cross the pavement or overhang the central reservation. The lack of space on the roads, with lane widths of about 3m and HGV widths at least 2.5m, leaves only about 25cm clearance each side and less when vehicles are turning. To avoid being sideswiped, cyclists may mount the pavement, causing greater risk to pedestrians.*
- *The traffic lights can be timed to work only during the facility's opening hours. They are needed so that HGV are not constantly trying to push out into traffic down a slight gradient, with the accompanying danger and worry for drivers of vehicles in the slow lane. These traffic lights would also allow pedestrians to walk across the exit in two stages.*
- *TFL needs to ensure that traffic along the whole of the A5 flows well. The addition of traffic lights at the freight facility junction should be part of the revision of **all** traffic and pedestrian lights on the A5 between Cricklewood Lane and Staples Corner. Without these lights, HGV's will cause gridlock at and around the junction.*
- *A yellow box is needed across the junction to prevent HGV from blocking the southbound or northbound A5 lanes by straddling across lanes of slow traffic when trying to turn, when it is clear that the carriageway they want to join is blocked. It will also stop southbound HGV from pausing while they turn left into the facility in order to block southbound traffic to let out right-turning exiting HGV.*
- *The Design Manual for Roads and Bridges (DMRB) Volume 6 Section 2 Part 6 (TG 42/95) (referred to by the London Borough of Barnet) in paragraph 2.16 states 'At existing rural, and at urban junctions the cost of upgrading a simple junction to provide a right turning facility will vary from site to site. However, upgrading should always be considered where the minor road flow exceeds 500 vehicles 2-way AADT, a right turning accident problem is evident, or where vehicles waiting on the major road to turn right inhibit the through flow and create a hazard.' Accident history is only one reason for consideration, yet it is the only one discussed in section 3.2 of the December 2017 rail freight facility transport report addendum (document BXT-CAP-0000-XX-RP-Z-0127, electronic number 3933389).*
- *HGV waiting on the A5 to turn right into the facility, almost opposite the bus station bus waiting area, will inhibit the through flow and create a hazard for traffic trying to get past it and coming towards it. The number of HGV movements proposed is 452 and with the addition*

of staff vehicles, the flow is likely to exceed 500, even before any future expansion. It is essential that the road is widened immediately south of the entrance to provide a right turn lane. It is not acceptable to reduce A5 capacity for through movements, so land must be acquired to enable this. This land south of the entrance will also enable the entrance to be widened so that even rigid HGVs can turn in and out without encroaching on extra lanes.

- *The December 2017 rail freight facility transport report addendum (document BXT-CAP-0000-XX-RP-Z-0127, electronic number 3933389) omits from Appendix B Road Safety Comments, the comments forwarded by the Capita Engineer on May 9 that contained her April 5 comments revised and commented on in red. The engineer raised concerns about turning in and out of the site.*

7.50B. **Mapesbury Residents Association** have written to express their concern for the following reasons:

- *We are most concerned at the impact this proposal will have on our daily lives in terms of traffic, shopping, congestion and pollution;*
- *The proposal appears completely against the policy of improving the environment and quality of pollution;*
- *Whilst the unit itself may well meet certain criteria, the impact of some 450 heavy duty HGVs per day entering the already congested area, with exceptionally poor access to either the M1, North Circular, or Central London will have a dramatic and detrimental impact on the residents of this area;*
- *There are already problems with traffic and pollution caused by excessive lorries and rubbish using the site on Chichele Road with a constant stream of lorries gaining access to the North Circular (past a busy school) and going south to join either Cricklewood or the A40 into central London;*
- *This proposal, though better than the initial scheme, would adversely affect our members' lives.*

B2. Comments have also been received from **NorthWestTwo Residents Association** following publication of the Officer's report. They express their objection to the proposed development and views regarding the consultation process both prior to submission and during consideration of the planning application.

Amendments to wording of draft conditions

The following amendments are to be made to the draft conditions contained within Appendix A of the Officer's report ('Draft Planning Conditions'):

B3. Draft **Condition 7** to be amended as follows:

Only Plot 3 2 shall be used for the importation, storage and exportation of inert construction wastes.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

B4. Draft **Condition 13** to be amended as follows:

With the exception of a ~~locomotive~~ train arriving into the site or departing from the site, the development hereby permitted shall only be operated between the following hours:

- a. 7:00am to 7:00pm Mondays to Fridays;
- b. 7:00am to 2:00pm Saturdays; and
- c. No working on Sundays or Bank Holidays.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

B5. Draft **Condition 17** to be amended as follows:

The maximum number of Heavy Goods Vehicle (HGVs) movements (any vehicle over 3.5 tonnes unladen weight) required for the transportation of aggregate and construction waste in connection with the development hereby permitted shall not exceed 452 per day (226 in, 226 out) Mondays to Fridays and shall not exceed 264 per day (132 in, 132 out) on Saturdays.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

B6. Draft **Condition 23** to be amended as follows:

Vehicle traffic speed on site shall be limited to and shall not exceed ~~45~~ 10 miles per hour (mph).

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

B7. Draft **Condition 28** is to be amended as follows:

The development hereby permitted shall ensure that night time noise levels at nearby residential properties in the Railway Terraces Conservation Area, Fellows Square and Brent Terrace do not exceed **LAeq 5mins 45dB** or **LAeq, 8hr, 40dB** (measured as free field) ~~and that at a.~~ At all times noise emissions at the nearest sensitive premises

in the Railway Terraces Conservation Area shall not exceed existing L_{A90} background noise levels as measured at 1 metre from the window of any sensitive receptor ~~do not exceed 5dB below existing background L_{A90} levels~~ in accordance with BS4142 (2014); and at all times noise emissions at the nearest sensitive premises at Fellows Square shall not exceed 8dB above existing background L_{A90} as measured at 1 metre from the window of the nearest sensitive receptor. Existing $L_{A90,T}$ levels shall be based on values stated in Table 8.6 in Chapter 8 of the Revised Supplementary Environmental Statement and supporting Appendices 8.3 and 8.4 (dated December 2017).

~~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 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.

B8. Draft **Condition 30** is to be amended as follows:

Levels of noise from the site must be monitored on site and at the nearest ~~residential property~~ sensitive receptor within the Railway Terraces Conservation Area until otherwise agreed by the London Borough of Barnet. Monitoring stations shall be installed in accordance with a specification and location which shall have first been agreed in writing by the Local Planning Authority in consultation with London Borough of Barnet's Scientific Services. Thereafter, all requirements related to the continued operation of the monitoring equipment must be carried out including servicing, calibration and ratification of data and all data management. Ratified data from these monitoring units shall be made available in real-time via a publicly accessible website throughout the duration of the development hereby permitted, the details of which shall be first submitted to and approved in writing by the Local Planning Authority. Monthly summary reports shall also be submitted to the London Borough of Barnet's Scientific Services throughout the duration of the development hereby permitted.

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.

B9. Draft Condition 31 is to be amended as follows:

Levels of PM_{10} , NO_2 and dust from the site must be monitored on site and at the nearest sensitive receptor ~~residential property~~ within the Railway Terraces

Conservation Area until otherwise agreed by the London Borough of Barnet. Monitoring equipment stations shall be installed on the site in accordance with a specification and location which shall have first been agreed in writing by the Local Planning Authority in consultation with London Borough of Barnet's Scientific Services. Thereafter, all requirements related to the continued operation of the monitoring equipment must be carried out including servicing, calibration, ratification of data and all data management. Ratified data from these monitoring units shall be made available in real-time via a publicly accessible website throughout the duration of the development hereby permitted., the details of which shall be first submitted to and approved in writing by the Local Planning Authority. Monthly summary reports shall also be submitted to the London Borough of Barnet's Scientific Services throughout the duration of the development hereby permitted.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012); and in the interests of good air quality in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Council's Sustainable Design and Construction SPD (adopted April 2013), Policy 7.14 of the London Plan (2016), and the Mayor's Control of Dust and Emissions During Construction and Demolition SPG (2014).

B10. **Additional Condition** to be inserted as follows:

Prior to the commencement of the aggregate and inert construction waste transfer operations, details of the operation and management of the Automatic Number Plate Recognition (ANPR) system at the site security gate shall be submitted to and approved in writing by the Local Planning Authority. The ANPR system shall thereafter be operated as approved for the duration of the development.

Reason: To prevent the queuing of HGVs on the public highway and ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policy 6.3 of the London Plan (2016).

B11. **Additional Condition** to be inserted as follows:

The landscape bund illustrated on drawing numbers BXT-CAP-0000-D-DR-C-0025 (Rev. P03), BXT-CAP-0000-D-DR-C-0026 (Rev. P02) and BXT-CAP-3000-D-DR-L-0036 (Rev. P03) shall be constructed and completed prior to the commencement of any aggregate and construction waste transfer operations hereby permitted. The landscape bund shall thereafter be maintained as approved for the duration of the development.

Reason: To ensure the development provides adequate visual amenity and safeguards the setting of the adjacent Railway Cottages Cricklewood Conservation Area in accordance with Policies DM01 and DM06 of the Local Plan Development Management Policies DPD (adopted September 2012) and Policy 7.8 of the London Plan (2016).

- B12. An **informative** from the Local Highway Authority / LB Barnet's Transport and Regeneration Team is to be inserted, as follows:

The applicant is advised that the works to the site access requires Agreement under Section 278 of the Highways Act 1980. This Agreement must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. Please contact London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, or by telephone 020 8359 3555

- B13. An **informative** from Thames Water is to be inserted:

Waste Comments

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 <https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit www.thameswater.co.uk/buildover.

C. ADDITIONAL CONSIDERATIONS

Navin Shah, London Assembly Member for Brent and Harrow

- C1. Navin Shah AM has provided further comments in response to the planning application, which are summarised as follows:

'On behalf of my local constituents I write in to register my objection to the planning application for the Aggregate Superhub (Rail Waste Facility). There are deep concerns about the detrimental impact from the proposals and very clearly consultation for the application too is flawed. Please see below an email I've received from NorthWestTWO campaigners which demonstrated the shambolic nature of the meeting held at the Crown last week. I've had similar concerns express by my Brent residents and local elected members in the vicinity of the area.

Given the level of disappointment I would urge you and the planning committee to defer the deliberation of this application scheduled to take place on 8th February in order to allow meaningful engagement and input from local residents and stakeholders. I look forward to hearing from you.'

A response to Navin Shah AM was issued on 6th February 2018 setting out the statutory consultation processes carried out by the LPA and consultation undertaken by the applicant both prior to and during the consideration of this planning application. This is set out within the applicant's Consultation Statement (GL Hearn, dated August 2017).

Petition

- C2. A petition has been received by the Local Planning Authority (8th February 2018) containing 52 signatures of people who object to the planning application.

Further letter from Railway Terraces Residents Community Association

- C3. The Local Planning Authority has received a letter from the **Railway Terraces Residents Community Association** (dated 1st February 2018) ahead of the Planning Committee meeting on 8th February 2018 which sets out the grounds upon which they continue to object to the proposed development and suggested planning conditions to be included on any permission granted. The following contains the Officer's response to the areas of concern highlighted in order that they appear in the letter. The Officer's response to the suggested planning conditions follows in Table 1 below.

Introduction

Comments are made in relation to the traffic baseline used in the applicant's Transport Report submitted with the planning application. The applicant has re-affirmed that the presentation of a baseline against the former use on the site is an accepted standard practice which is valid to include in any Transport Report. DB Cargo undertook separate counts on 11th February 2016, which observed 1,236 movements into and out of the site in 18hrs. Therefore, we have no reason to believe that the 1,596

movements observed over 24hrs in November 2016 was incorrect. Both of these values are still significantly more vehicle movements than the accepted daily limit of 452 HGV movements at the proposed development.

In regard to the assertion around the Department for Transport's (DfT) traffic count for the A5, the DfT count of circa 13,000 is in fact an estimate, which their website says "should be used with caution". There is some doubt around this data, or that it potentially only accounts for traffic in one direction, as the applicant has manually counted the traffic on the A5 at the site access. This resulted in the observation of circa 21,000 in 12hrs both north and southbound. Furthermore, in DB Cargo's temporary application (ref. 17/1254/FUL), they placed an automatic traffic counter on the A5 and observed over 30,000 in 24hrs in both directions averaged over a week's worth of data. Therefore, the proposed development would not double the traffic on the A5 as a result of this application. Once the impacts of wider committed development are included, and the fact that the RFF and WTS replace existing land uses, the overall impacts on the traffic flow as a result of the proposals are negligible.

Traffic

The points raised under this heading relate to quantum of traffic associated with the proposed development, location of the site access on the A5 in the context of other vehicular access points, prevalence of congestion along the A5, future development in the vicinity, the potential for rat-running and safety of the proposed junction. These matters have been addressed by the applicant within their planning application and consequently considered within the Officer's Report (paragraphs 9.70 – 9.82) with the benefit of advice from both the Local Highway Authority and Transport for London.

Air Quality

The applicant provided a further technical note to corroborate the conclusions contained within Chapter 13 of the Revised Supplementary Environmental Statement (December 2017). This information was requested by the Council's Environmental Health Officer and sought to consider two further scenarios, which the previous note did not – 'Do Nothing plus the previous Eurostorage use' and 'Do Nothing plus the proposed development'. The conclusions of this note were reviewed by the Council's Environmental Health Officer as the appropriate technical adviser and her review has been used to inform the assessment within the Officer's Report (paragraphs 9.27 – 9.46).

Noise

The planning application is supported by a noise assessment as contained within Chapter 8 of the Revised Supplementary Environmental Statement. This noise assessment has been reviewed by the Council's Environmental Health Officer as the relevant technical adviser and has concluded that the proposed development is acceptable in planning amenity terms (paragraph 9.60). This conclusion is based on the imposition of an appropriate noise limit by condition and agreement to a programme of noise monitoring and site management to minimise noise emissions from the site. These conditions are set out in Appendix A of the Officer's Report as amended (where relevant) within this Addendum Report.

Dust

The impact of dust emissions as a result of the proposed development has been assessed by the applicant (within Chapter 13 of the Revised Supplementary Environmental Statement (December 2017)) and this has been reviewed by the Council's Environmental Health Officer as the relevant technical adviser to the Local Planning Authority. To counteract any dust emissions arising from the operation of the proposed development, the applicant has embedded a number of mitigation measures into the scheme including, a dust suppression system, wheel washing facilities, appropriate material handling practices, limitation of traffic speeds within the site, and the covering of loaded HGVs, to name a few. These mitigation measures are captured within the Draft Planning Conditions in Appendix A to the Officer's Report, which also includes a requirement to submit a Site Management Plan for approval, which is required to specifically include mitigation measures to control dust (and noise) within the site (amongst other things).

Light

The applicant has provided details of the proposed floodlighting within the site and this is considered in paragraphs 9.47 – 9.49 of the Officer's Report in regard to any impact on the amenity of local residents and local biodiversity. The Local Planning Authority has recommended the inclusion of a planning condition requiring the submission, approval and implementation of lighting details to ensure the proposed development would not result in any light spill beyond the site boundaries.

Vibration

The applicant included an assessment of vibration impacts within Chapter 8 of the Revised Supplementary Environmental Statement (December 2017) and this was reviewed by the Council's Environmental Health Officer. Paragraph 9.62 of the Officer's Report deals with vibration impacts taking into account the fact that the proposed development would not alter the frequency of passenger and other freight trains travelling along the Midland Mainline or associated sidings; and that no freight train associated with the proposed development would access the site by either the Brent or Cricklewood Curves, the latter of which is closest to the Railway Terraces Conservation Area and the residential properties contained within it.

Table 1: Railway Terraces Residents Community Association Suggested Conditions and Officer's Response

Condition Number	Original Condition	Resident Suggestion	Officer Response
6	The permitted maximum throughput of aggregate shall not exceed 1,000,000 tonnes per annum; and the permitted maximum throughput of inert construction waste shall not exceed 510,000 tonnes per annum. Aggregate shall be imported to the site by no more than two train deliveries per day (Monday – Saturday); and inert construction waste shall be exported from the site by no more than one train per day (Monday – Saturday).	Condition 6 should include a daily tonnage limit of 3,400 tonnes of aggregate and 1,700 tonnes of spoil	<p>No change</p> <p>An operation of this nature will generally experience fluctuations in the amount of aggregate and construction waste arisings available on a daily basis. Therefore, an annual limitation is normally attributed by planning condition for operations of this nature. The same approach would be applied to quarry operations and waste transfer stations.</p> <p>The development is nonetheless limited on a daily basis through the imposition of a restriction on the maximum number of HGV trips. The limitation of 452 HGV movements is in fact derived from the assumption of two trains importing aggregate and one exporting waste, each train holding 1,700 tonnes. The total quantum of aggregate imported daily would be 3,400 tonnes and that would be exported by 26tn capacity HGVs – this equates to 262 HGV movements; the total quantum of construction waste to be exported from the site would be 1,700 tonnes and that would be imported to the site by 18tn capacity HGVs – this equates to 190 HGV movements per day.</p>
7	Only Plot 3 shall be used for the importation, storage and exportation of inert construction wastes.	We are unsure about the use of plots 2 and 3. At all meetings plot 2 was described as the one for building spoil, but in the application this has moved to plot 3, closer to the terraces.	<p>Change</p> <p>In the submission of additional and revised information in December 2017, the applicant advised that the proposed construction spoil operation would operate from Plot 3 (see covering letter from GL Hearn dated 14th December 2017).</p>

			<p>This is the basis upon which the proposed development has been described within the Officer's report.</p> <p>The applicant has now advised the LPA that the construction spoil operation would now take place in Plot 2 (notwithstanding the Railway Terraces Residents Community Association's understanding). The condition shall be amended to reflect this and it is considered that this amendment would not affect or change the assessment contained within the Officer's report.</p>
17	<p>The maximum number of Heavy Goods Vehicle (HGVs) movements (any vehicle over 3.5 tonnes unladen weight) required for the transportation of aggregate and construction waste in connection with the development hereby permitted shall not exceed 452 per day (226 in, 226 out).</p>	<p>Condition 17 should not limit the type of vehicle to HGVs alone, it was agreed in a meeting with the applicants that transport of aggregate and spoil would be limited to 452 vehicles per day of any type. This amendment should be continued through into all other relevant conditions.</p>	<p>No change</p> <p>The definition of HGV includes any vehicle over 3.5 tonnes unladen weight. Vehicles below this threshold are classified as 'Light Goods Vehicles' and include cars, vans with no side windows, pick-up type vehicles and some 4X4s. This is based on the Driver and Vehicle Standards Agency guidance. The applicant has confirmed that no aggregate or waste would be exported from or imported to the site by any 'light goods vehicle'. Therefore, the terminology expressed within the draft condition is considered to meet the requisite tests of a planning condition by being precise and necessary.</p>
21	<p>Vehicular ingress and egress to/from the site shall be via the improved existing access off the A5 Edgware Road only. Thereafter, HGV traffic travelling between the site and A406 North Circular Road shall only use the A5 Edgware Road and shall not use Dollis Hill Lane, Humber Road or Oxgate Lane or any other residential streets in the area, unless a specific address</p>	<p>Condition 21 only restricts the use of roads by vehicles travelling between the site and the A406. The condition should require the transporting vehicles, whether arriving or leaving, to only use the A5 and the A406, unless they are delivering to or returning from a site that is 0.5 miles</p>	<p>No change</p> <p>This condition reflects the proposed predominance of vehicle movements associated with the proposed development – the majority will travel north to the A406 and the condition intends to prevent lorries 'rat-running' through less suitable roads and sensitive residential roads within this section. The suggestion that the use of Cricklewood Lane could</p>

	requires an aggregate delivery.	or less from the site.	<p>be restricted is not considered reasonable by the LPA as Cricklewood Lane is an A-road and forms a key connection to the A41. Furthermore, the junction between the A5/A407 (Cricklewood Lane) is a 'gateway junction' as defined by the BXC s.73 Permission and benefits from planning permission to improve the junction.</p> <p>Furthermore, draft condition 16 requires a servicing and delivery strategy to be submitted for the LPA's approval and this is required to include vehicle routing details. Any approved Servicing and Delivery Strategy will be required to be implemented as approved for the duration of the development. Any breach of this can be enforced against.</p>
24	All loaded HGVs (any vehicle over 3.5 tonne unladen weight) shall be enclosed or covered prior to entering or exiting the site.	Condition 24 should impose a requirement that all HGVs are covered on entering or leaving the site so as to avoid dust emanating from vehicles which have been emptied, but which still contain small amounts of residue	<p>No change</p> <p>Empty HGVs are not likely to be a significant source of dust emissions and therefore any such suggested condition is considered unreasonable and unnecessary.</p>
29	The acoustic and perimeter fencing illustrated on drawing no. BXT-CAP-D-DR-C-0022 (Rev. P10) shall be erected prior to the commencement of the aggregate and construction waste transfer operation and thereafter maintained for the duration of the development in a suitable condition to ensure they continue to be effective for acoustic attenuation purposes.	Condition 29 the word 'development' should be replaced with 'operation and development'	<p>No change</p> <p>The draft condition has been worded to require the acoustic fencing to be erected before any aggregate or construction waste transfer operations take place. It is necessary for the development to be commenced, i.e. for the construction phase to begin, to enable the acoustic fencing to be erected insofar as the landscaped bund is required to be constructed first so that the fence can be placed on top.</p>

			A CETMP is required to be submitted and approved by the LPA <u>prior to commencement of any development</u> on site and this will incorporate appropriate mitigation measures to be implemented during the construction phase ahead of operational mitigation measures being installed.
30	Levels of noise from the site must be monitored on site and at the nearest residential property within the Railway Terraces Conservation Area until otherwise agreed by the London Borough of Barnet. Monitoring stations shall be installed in accordance with a specification and location which shall have first been agreed in writing by the Local Planning Authority in consultation with London Borough of Barnet's Scientific Services. Thereafter, all requirements related to the continued operation of the monitoring equipment must be carried out including servicing, calibration and ratification of data and all data management. Ratified data from these monitoring units shall be made available in real-time via a publicly accessible website throughout the duration of the development hereby permitted, the details of which shall be first submitted to and approved in writing by the Local Planning Authority. Monthly summary reports shall also be submitted to the London Borough of Barnet's Scientific Services throughout the duration of the development hereby permitted.	Condition 30 should not record the default position as 'the nearest residential property'. The topography of the terraces combined with the advice of the Environmental Officer and the Capita acoustician all suggest that the nearest residential property may not be the most representative receptor to protect the neighbourhood.	Change This amendment has been recognised and the wording of draft conditions 30 and 31 will be revised to reflect the 'nearest sensitive receptor'.

