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| <b>Location</b>   | <b>Site Of Barnet Market Chipping Close Barnet EN5 4LP</b>   |   |
| <b>Reference:</b> | <b>18/2591/FUL</b>   | Received: 30th April 2018<br>Accepted: 2nd May 2018 |
| <b>Ward:</b>      | High Barnet  | Expiry 1st August 2018                              |
| <b>Applicant:</b> | GL Hearn   |   |
| <b>Proposal:</b>  | Erection of a part three, part four storey building to create a hotel (Class C1) and ancillary restaurant with associated parking, access, servicing, boundary treatments and other associated works |   |

**Recommendation:** Approve subject to s106

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

#### RECOMMENDATION I:

That 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 seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. A requirement that the applicant shall enter into
  1. A contribution of £10,000 towards the monitoring of the Travel Plan for the development.
  2. A contribution of £91,688 towards the provision of apprenticeship schemes and employment training within the Borough.
  3. An agreement that the relocation of the Barnet Market (ref: 18/2483/FUL) will be fully implemented before site works (excluding site investigations, groundworks, site preparation and mobilisation) relating to this application are commenced.
  4. A contribution of £3,050 towards the monitoring of the S106 agreement.

## RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Head of Development Management or Head of Strategic Planning:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan (PL001)  
Proposed Landscape Plan (PL002 Rev. A)  
Proposed Ground Floor Plan (PL004 Rev. A)  
Proposed First Floor Plan (PL005 Rev. A)  
Proposed Second Floor Plan (PL006 Rev. A)  
Proposed Third Floor Plan (PL007 Rev. A)  
Proposed Roof Plan (PL008 Rev. A)  
Proposed Sections (PL010 Rev. A)  
Proposed Elevations (PL011 Rev. A)

Drainage Strategy (ARUP - 3 July 2018)  
Air Quality Assessment (ARUP - 25 April 2018)  
Acoustic Planning Report (ARUP - 25 April 2018)  
Sustainability Statement (ARUP - 26 April 2018)  
Utilities Report (ARUP - 25 April)  
Archaeological Evaluation Report (Museum of London Archaeology Service - June 2008)  
Daylight and Sunlight Report (Malcolm Hollis - 27 April 2018)  
Delivery and Servicing Management Plan (rpg - April 2018)  
Transport Statement (rpg - April 2018)  
Travel Plan (rpg - April 2018)  
Ground Investigation Report (Hunter - September 2017)  
Heritage Statement (Turley - April 2018)  
Tree Survey (FLAC - April 2018)

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

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 4 a) Prior to their use in the development, details of all new facing brickwork and natural slate roofing materials, including sample panels to be provided on site showing brick bond and pointing for the external surfaces of the building hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 5 a) Prior to their installation, details of dormer windows at a scale of 1:20 for the building hereby approved shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 6 a) Prior to their installation, details of the conservation-type rooflights, timber sash windows including cills and reveals, external doors, chimney stacks and pots and cast metal rainwater goods for the building hereby approved shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 7 a) Prior to the installation of the shopfront, details of the timber shopfront of the building hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 8 a) Prior to the construction of the roof and eaves, details of the Chipping Close and St Albans Road eaves treatment for the building hereby approved, including design and materials, shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 9 a) The development shall not be occupied until details of soft landscaping along the St Albans and Chipping Close elevations has been submitted to and agreed in writing by the Local Planning Authority.

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

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

- 10 a) The development shall not be occupied until a scheme of hard landscaping has been submitted to and agreed in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 11 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. Details should include the fence and gate located in-between the building hereby approved and no.2 Bruce Road and all other boundary treatments.

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 12 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. PL008 Rev. A shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 13 Before the development hereby permitted is occupied 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. The development shall be implemented in full accordance with the approved details prior to first occupation and maintained thereafter.

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

- 14 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 15 Before the development hereby permitted is occupied disabled parking spaces shall be provided in accordance with the London Plan Parking Standards. Thereafter, the parking spaces shall only be used as agreed and not for any purpose other than parking and turning of vehicles for the disabled use in connection with approved development.

Reason: To ensure and promote easier access for disabled persons to the approved building 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 a) Notwithstanding the details submitted with the application and otherwise hereby approved, the development shall not be occupied until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

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

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

- 17 No works on public highway as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the highway authority and works shall only be carried out in accordance with the approved plans.

The applicant will be expected to enter into with the Highways Authority under Section 278 Agreement of the Highways Act, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority 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.

- 18 Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

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 The premises shall be used for C1 (Hotel) and an ancillary ground floor restaurant and bar and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

- 20 The restaurant and bar associated with the hotel use shall not be open to non-resident guests after 11pm.

Reason: To ensure appropriate use of the site and safeguard the amenities of the area.

- 21 a) Prior to above ground works, a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme shall have been submitted to and approved in writing by the Local Planning Authority.

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

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

- 22 Prior to above ground works, impact studies of the existing water supply infrastructure shall have been submitted to, and approved in writing by, the local planning authority. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

- 23 a) The non-residential development is required to meet the BREEAM Very Good level.

b) Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

- 24 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 25 a) Prior to the installation of mechanical plan and ventilation / extraction equipment, a report carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and shall 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.

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

- 26 The level of noise emitted from any plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

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

- 27 a) No development or site works shall take place on site until a 'Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The submitted Construction Method Statement shall include as a minimum details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- For major developments only: provide a copy of an asbestos survey;
- For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
- details of contractor's compound and car parking arrangements;
- Details of interim car parking management arrangements for the duration of construction;
- Details of a community liaison contact for the duration of all works associated with the development.
- A competent Banksman should be employed to monitor and manage vehicle traffic accessing and exiting the site to ensure pedestrian and highway safety

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2011).

- 28 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

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

- 29 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00 pm on other days.

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).

- 30 a) Prior to the occupation or use of the building hereby approved, a detailed assessment for the kitchen extraction unit, which assesses the likely impacts of odour and smoke on the neighbouring properties is carried out by an approved consultant. This fully detailed assessment shall indicate the measures to be used to control and minimise odour and smoke to address its findings and should include some or all of the following: grease filters, carbon filters, odour neutralization and electrostatic precipitators (ESP). The equipment shall be installed using anti-vibration mounts. It should clearly show the scheme in a scale diagram and shall be submitted to and approved in writing by the Local Planning Authority

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

Reason: To ensure that the amenities of the neighbouring occupiers are not prejudiced odour and smoke in the immediate surroundings in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted 2012).

- 31 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interests of good air quality with regard to London Plan policies 5.3 and 7.14

- 32 a. 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.
- b. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

- 33 a) Prior to installation, details and the location of security alarms and CCTV Cameras for the building hereby approved, shall have been submitted to and approved in writing by the Local Planning Authority.

b) The details approved as part of this condition shall be retained as such thereafter.

Reason: To safeguard the amenities of occupiers of the hotel and neighbouring residential properties in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012) and Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 34 Prior to the hotel being brought into use in accordance with the hereby approved plans, 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 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 a) No development other than site preparation works shall take place until details of the Photovoltaic Panels, including their design, height and visual impact on the building hereby approved, have been submitted to and approved in writing by the Local Planning Authority.

b) The approved details shall be fully implemented and retained as such thereafter.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

- 36 a) Prior to the first occupation of the building hereby approved, details of a plaque or floor slab, and visitor information commemorating the historical significance of the application site shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented and retained as such thereafter.

Reason: To safeguard the character of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 37 No live, amplified, or audible music shall be played at the restaurant and bar of the building hereby approved after 10.30pm Sunday to Thursday and after 11pm Friday and Saturday.

Reason: To safeguard the amenities of occupiers of adjoining residential properties as per Policy DM01 of the Development Management Policies (2012).

### RECOMMENDATION III:

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 31 October 2018, unless otherwise agreed in writing, the Service Director - Planning and Building Control REFUSE the application under delegated powers for the following reasons:

The proposed development has not provided a Travel Plan. The proposal would therefore not address the impacts of the development on the adjacent public highway network, the free flow of traffic and the provision of car and cycle parking provision. This would be contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

The proposed development has not provided a Local Employment Agreement. The proposal would therefore not address the impacts of the development for local employment and skills and training opportunities. This would be contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

Insufficient assurances have been provided to ensure the relocation of the Barnet Market will be fully implemented before site works commence at the application site. The proposal would therefore not address the impacts of the development on the Barnet Market and would result in the loss of a valuable public amenity. This would be contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

The applicant has failed to pay a monitoring fee to ensure the s.106 agreements are fully implemented. This would be contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

### Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work

are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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

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

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

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

#### Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local

Government at  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

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

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

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

- 3 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

- 4 Flues should be sited to minimise effects of vibration transmission and noise to any adjacent façade. Flues must incorporate anti-vibration mounts, flexible couplings and silencers. The height of the flue (must be minimum 1.5m above the highest eaves of the building and adjacent buildings) and a reasonable distance approximately 20 metres from any open able residential windows unless there is suitable level of filtration and odour abatement equipment. The final discharge must be vertically upwards. There should be no Chinese hat or cowl on the top of the flue.
- 5 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries.

Applications are the responsibility of the developer or householder who wish to have an address created or amended.

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

- 6 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 7 Any highway approval as part of the planning process for the alteration or removal of the existing crossovers or provision of new crossovers will be subject to detailed survey by the Crossover Team in Environment, Planning and Regeneration as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development Regulatory Service, Traffic and Development, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP
- 8 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.
- 9 Refuse collection points should be located within 10 metres of the Public Highway; otherwise, unobstructed access needs to be provided to the refuse vehicle on the day of the collection. The development access would need to be designed and constructed to allow refuse vehicles to access the site. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 10 The applicant is advised that Great North Road is Traffic Sensitive Road; deliveries during the construction period should not take place between 7.00am-9.30am and 4.30pm-7.00pm Monday to Friday and from 9.00am to 4pm on Saturday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development Regulatory Service should be consulted in this respect.

- 11 The applicant is also advised that the development is located in the vicinity of a Strategic Road Network (SRN) and is likely to cause disruption. The Traffic Management Act (2004) requires the Council to notify Transport for London (TfL) for implementation of construction works. The developer is expected to work with the Council to mitigate any adverse impact on public highway and would require TfL's approval before works can commence.
- 12 All vehicles associated with the development must only park/stop at permitted locations and within the time periods permitted by existing on-street restrictions.
- 13 The costs of any associated works to public highway, including reinstatement works, will be borne by the applicants and may require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
- 14 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail [highways.development@barnet.gov.uk](mailto:highways.development@barnet.gov.uk) or [nrswa@barnet.gov.uk](mailto:nrswa@barnet.gov.uk) at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 15 Surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

- 16 The applicant is advised that the section 278 works shall be implemented prior to occupation of the building.

## **Officer's Assessment**

### **1. Site Description**

The application site is located on the corner of St Albans Road and Chipping Close and contains a surface level car park that had until recently been used to accommodate the Barnet Market on Wednesdays and Saturdays. The site is now vacant with permission recently granted to relocate the Barnet Market to the front of the nearby Spires Shopping Centre on Staplyton Road. The original cattle market sheds and boundary walls of the market have been demolished.

The site is surrounded by a mix of uses and building forms, with more lower density residential uses to the north and higher density mixed use buildings to the south. Indeed, to the north is a terrace of two-storey residential dwellings, with a three-storey residential unit located on the northern side of Chipping Close at the junction with St Albans Road. To the south of the site is the service yard of the Spires Shopping Centre, to the west is The Spires Shopping Centre and passageway linking Staplyton Road and Chipping Close and to the east is St Albans road which has a mix of single to three-storey buildings containing a mix of retail, office, restaurant and residential uses. 50m to the south along St Albans Road is the junction with the High Street which runs on a north-south axis and forms the main access route through the Chipping Barnet Town Centre containing a mix of uses, building forms and scales.

The application site is located on the southern edge of the Monken Hadley Conservation Area but contains no statutory or locally listed buildings. The application site's eastern boundary is classified as a Primary Shopping Frontage within the Chipping Barnet Town Centre. The site as a whole is identified within the Chipping Barnet Town Centre Strategy as being located within the 'retail triangle' given its location adjacent to the Spires Shopping Centre, St Albans Road and the High Street and the fact it once accommodated Barnet Market.

The application is located within a Flood Zone 1 Area and does not contain within its curtilage any trees subject to Tree Protection Orders (TPO).

### **2. Site History**

Reference: 18/2483/FUL

Description: Change of use from public realm (sui generis) to retail (Class A1) and food and drink (Class A3) to facilitate the relocation of Barnet Market

Decision: Approved subject to conditions

Decision Date: 06/07/2018

Reference: B/02642/12

Description: The provision of new facilities and infrastructure in association with the continued use of the site as a market comprising:-Resurfacing of the site and the installation of new drainage infrastructure; the provision of three container buildings to provide secured storage, office, mess room and W.C. facilities in connection with the continued use of the site as a market; removal of the existing hoardings and gates and the construction of new and relocated means of enclosing the site including post and rail fencing, vehicle height restriction barriers and bollards; reopening of the pedestrian and vehicular access onto Chipping Close; the provision of refuse and recycling storage

facilities; the installation of security lighting and infrastructure to supply market stallholders and operators with electricity; and new soft landscaping including the planting of 10 trees.

Decision: Approved subject to conditions

Decision Date: 12/06/2013

Reference: B/02643/12

Description: The provision of new facilities and infrastructure in association with the permanent retention of the use of the site as a market on the Wednesday and Saturday of each week and the temporary change of use (for a period of not more than five years) of the site to a pay and display car park on the Monday, Tuesday, Thursday, Friday and Sunday of each week comprising: Resurfacing of the site and the installation of new drainage infrastructure; the provision of three container buildings to provide secured storage, office, messroom and W.C. facilities in connection with the continued use of the site as a market; removal of the existing hoardings and gates and the construction of new and relocated means of enclosing the site including post and rail fencing, vehicle height restriction barriers and bollards; reopening of the pedestrian and vehicular access onto Chipping Close; the provision of refuse and recycling storage facilities; the installation of security lighting and infrastructure to supply market stallholders and operators with electricity; and new soft landscaping including the planting of 10 trees; marking out the new surface to provide 47 pay and display car parking spaces (to be used as such only on the Monday, Tuesday, Thursday, Friday and Sunday of each week); the provision of 2 pay and display parking ticket machines

Decision: Approved subject to conditions

Decision Date: 12/06/2013

Reference: B/03642/10

Description: Extension to the time limit for implementing planning application N12197C/05 granted 03/11/05 for 'Redevelopment of site comprising part two, part three-storey building for continued use as a market on the ground floor, with a total of 14 residential units on the upper floors with associated amenity space, and basement parking (accessed from Chipping Close) for 27 cars.

Decision: Approved following legal agreement

Decision Date: 30/08/2011

Reference: N12197C/05

Description: Redevelopment of site comprising part two, part three-storey building for continued use as a market on the ground floor, with a total of 14 residential units on the upper floors with associated amenity space, and basement parking (accessed from Chipping Close) for 27 cars.

Decision: Approved following legal agreement

Decision Date: 04/11/2005

Reference: N12197A/01

Description: Redevelopment of site, comprising a part 2, part 3 storey building for continued use as a Market on the ground floor with 9 residential units on the upper floors with open amenity area at 1st floor level.

Decision: Approved following legal agreement

Decision Date: 23/10/2002

### **3. Proposal**

- Erection of a part three and part four-storey building to create a hotel (Class C1) and ancillary restaurant on ground floor.

- Associated parking, site access, servicing, boundary treatments and other works.

#### **4. Public Consultation**

Consultation letters were sent to 477 neighbouring properties. 79 responses were received comprising 5 letters of support, 7 representations and 67 objections. The public comments received can be summarised as follows:

##### **Support:**

- The building design is good but could be improved with the addition of soft landscaping along the Chipping Close elevation to brighten and soften the side of the building.
- The proposed hotel will be in keeping with the surroundings.
- Shops and apartments on Barnet High Street which back onto the application site are already 3-4 storeys. Therefore, there isn't a problem with the three / four storeys proposed.
- Proposals to move the market to the band stand area will only help to improve the footfall and thus customers to the market. All of which will help to reverse the decline of the high street.
- The development could contribute towards attracting other big-name retailers to the empty units of the Spires Shopping Centre.
- Plans to develop this empty site should be welcomed. The project will bring a much-needed boost to Barnet's struggling town centre.

##### **The Barnet Society:**

Supports the proposed Premier Inn subject to:

- The application (18/2483/FUL) to relocate the market to The Spires bandstand site must be approved.
- The Inn's impact on traffic and on-street parking must be reviewed and acceptable solutions agreed.
- Premier Inn signage and branding must follow Conservation Area guidelines.
- More planting such as window boxes are needed to extend the greening of the town centre.
- Premier Inns should be required to contribute to visitor information about the history of Chipping Barnet.
- The empty triangle between hotel and Dory's café must be neatly secured.
- The St Albans Road 1st floor window spacing is uncomfortable, the 'shopfronts' terminate non-traditionally and the Bruce Road red brick is unnecessary. Brick samples must be approved.

##### **Representation:**

- If this application is approved could one condition of approval be that the developer is to include interpretive information about the history of the site, e.g. a plaque relating to the Market Charter on the outside, or a display inside the hotel.
- If a large hotel can give the area an economic boost it would be good for the area.

##### **Barnet Residents Association:**

- Support the proposed development in-principle and are particularly pleased with the design, with one reservation. The fourth floor will detract from the appearance of the wider conservation area and will also be very detrimental to the aesthetic appeal of the building.

- Concerned at the potential for disturbance to residents in Chipping Close from rowdy residents returning late evening and from wheeled suitcase being pulled by residents leaving early morning.
- Concern about the use of the Chipping Close entrance leading to increased footfall to the detriment of neighbouring residents.
- Further consideration should be given to blocking the wedge-shaped gap between the hotel and Dory's cafe which has the potential to gather rubbish or be used for unsocial activity.
- The wider pavement on Chipping Close should be partly used for planting rather than just being paved.

#### Object:

#### Use:

- There is no commercial need for a hotel of this size in Barnet.
- The regeneration of the High Road (street) is a higher priority for the town than the building of this hotel.
- The proposed development will result in the loss of one of the last remaining public amenity spaces in Barnet.
- A community use should be built on the site.
- This development would result in the loss of a historic market site and an irreplaceable amenity to High Barnet.
- The area allocated for the relocation of the Barnet Market is restrictive and can only accommodate a few stalls. The original Barnet Market should be rejuvenated.
- The addition of restaurants to the ground floor does not add to the facilities in the area. There are ample food outlets in the High Street.
- The proposed development will not contribute to the vitality and viability of the centre.
- The proposal states that 50 jobs will be created but there is no certainty about this or how many of these will be full or part time.
- There are no assurances or proposals on local recruitment guaranteed by a Section 106 Agreement.

#### Design:

- The proposed four-storey rear elevation onto Bruce Road is of an unacceptable architectural and general aesthetic standard for any new building in an historic town.
- The development is out of keeping with the designated Conservation Area.
- Pleased with the thought that has gone into the appearance of the hotel on the Chipping Close but object to the fourth floor which is a considerable overdevelopment of the site.
- The proposed design and appearance is a pastiche. It is unimaginative and inappropriate for the conservation area and for a site with such an important historic legacy.
- The proposal is for a hotel and therefore should confidently reflect this in a high quality modern design appropriate to the sensitivities of the site and its location in a conservation area.

#### Amenity:

- The proposed development will result in an increased noise and air pollution caused by traffic, parking, idling engines and footfall throughout the day and night.
- Chipping Close is a cul-de-sac and therefore taxis and other vehicular movements within the street will cause traffic congestion and noise and air pollution to the detriment of local residents.

- The hotels proximity to dwellings opposite on Chipping Close would be inappropriate. The hotel would block the light to the dwellings opposite on Chipping Close and result in the loss of privacy for neighbouring residents.
- Increased noise from people using the hotel and restaurant congregating outside on Chipping Close.
- The development would harm views for neighbouring residents.
- The development will harm the resale values of adjacent properties.
- There will be significant noise and dust during the construction phase.
- The Chipping Close entrance / exit should be closed during anti-social hours. The use of an entrance on Chipping Close will contribute to more noise and disturbance to residents.
- The development will impinge on the lands, management and future development of no.2 Bruce Road.
- The proposed development will add stress onto the existing water and drainage capacity.

#### Highways:

- More vehicles to be parked in the area than the number of parking spaces provided by the hotel.
- It is unlikely that hotel guests will pay to park in the Spires overnight when free overnight parking is available on local streets and in council car parks.
- Parking in the area is oversubscribed. The hotel will exacerbate this problem at the detriment of local businesses, customers and residents.
- The proposed hotel would cause a critical increase in the use of the very limited free visitor and residents' overnight parking available. This would be a great inconvenience to local residents and other existing visitors.
- Increased vehicular traffic and parking is likely to cause an increase in vehicle crime to the detriment of local residents.
- The development will result in a significant increase in traffic congestion and stress on the already limited number of parking spaces available locally.
- A new Controlled Parking Zone should be created along Chipping Close to protect resident parking at all times of the day.
- Most people will access the site via car and not the local tube station which is a 20-minute walk-away. This will add to local traffic congestion.
- Only 1 disabled parking bay has been provided for 101 rooms and staff combined. This is not accessibility.
- The proposal would use Bruce Road as its primary vehicle access. This would generate increased vehicle traffic to and from Bruce Road at the challenging junction with St Albans Road.
- There is no possible safe provision for the inevitable arrivals and departures by coach.

#### Statutory Consultees:

- Heritage & Conservation: Acceptable subject to conditions. The proposed design involved extensive design review and iteration. The Council's Heritage and Design Officer was actively involved in each stage of the design process.
- Environmental Health: Acceptable subject to conditions and informatives
- Highways: Acceptable subject to Travel Plan (106 Agreement), conditions and informatives
- Arboriculturalist: Acceptable subject to conditions and informatives
- Sustainable Urban Drainage: Acceptable subject to conditions and informatives
- Historic England: No objection
- Thames Water: Raised concerns regarding the inability of the existing surface water infrastructure to accommodate the needs of the proposed development. Revised plans

were submitted which have been reviewed and considered acceptable. A condition has been attached

- Fire Brigade: No objection

The Monken Hadley and Wood Street Conservation Area Advisory Committee were consulted on this application and made the following comments:

- Apprehensive about the lack of parking and increased traffic in a narrow road.
- Some street greenery is needed.
- Like to see heritage signage to interesting parts of Barnet.

## **5. Planning Considerations**

### **5.1 Policy Context**

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Draft Mayor's London Plan

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS6, CS10, CS14, CS15.

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM11, DM13, DM17.

#### Supplementary Planning Documents

- Sustainable Design and Construction SPD (2016)
- Chipping Barnet Town Centre Strategy (2013)
- The Spires Shopping Centre, Market Site and Territorial Army Centre - Chipping Barnet (July 2012)

### 5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of site redevelopment
- Whether harm would be caused to the character and appearance of the application site, the wider street scene and the Monken Hadley Conservation Area;
- Whether harm would be caused to the amenity of neighbouring residents;
- Whether harm would be caused to parking and traffic in the surrounding area;
- Whether the proposed development meets sustainability standards;
- Whether sufficient refuse storage has been provided.

### 5.3 Assessment of proposals

#### Principle of Site Redevelopment

This application proposes the erection of a part 3, part four-storey hotel (Class C1) on the now vacant former site of the Barnet Market. The proposed development would create 100 bedrooms, a 235m<sup>2</sup> ancillary restaurant at ground-floor level and provide associated car and cycle parking provision via Bruce Road and the NCP car park on Staplyton Road. As outlined in the relevant planning history section above, planning permission has recently been granted to relocate the Barnet Market to the front of The Spires Shopping Centre on Staplyton Road (ref: 18/2483/FUL). It is anticipated that the relocation of the market will provide a greater level of visibility and generate increased footfall with the aim of securing the long-term viability and future of an important community amenity. Consequently, the approved relocation of the market has created a large vacant site within the Chipping Barnet Town Centre and along part of the town centre's Primary Shopping Frontage on St Albans Road.

Map 5 of Chipping Barnet Town Centre Strategy (2013) shows that the market site is located within Character Area 3 'High Street - Principle Retail Area'. This is due to its proximal location to The Spires Shopping Centre, the High Street and the service offering the market itself delivered. The Spires Shopping Centre, Market Site and Territorial Army Centre (2012) refers to this area as the 'retail triangle' and along with the Chipping Barnet Town Centre Strategy (2013) provides a range of objectives and strategies to promote its long-term viability and vibrancy from a design, economic and social perspective.

Within this area the Chipping Barnet Town Centre Strategy (2013) states a number of key objectives:

- To improve the quality and range of the retail and leisure offer within the town centre with re-provision of the historic Barnet Market at its heart.
- Encourage reasonable expansion and improvement of the retail offer.
- Secure the future of Barnet Market so it is able to effectively contribute to the town centre economy.

- Identify development sites and encourage development on these to bring investment and new uses to the town centre.

The Spires Shopping Centre, Market Site and Territorial Army Centre (2012) expands on the above by stating an important aim of the 'retail triangle' is 'Enhancing the vitality and viability of the town centre'. It states a desire for:

An appropriate mix of land uses that generate and attract activity at different times and days of the week in an area is key to achieving vitality. One of the problems in this part of Chipping Barnet is that it is a largely retail dominated area which becomes very quiet in the evening.

In order to achieve this stated aim, The Spires Shopping Centre, Market Site and Territorial Army Centre (2012) proposes three strategies:

- Enhancing and expanding the offer provided by the Spires through opening up its current frontage and improving pedestrian linkages through the centre.
- Exploring opportunities to incorporate Barnet Market into the Spires thereby creating a retail triangle between the High Street / the Spires and Barnet Market and enhancing access and viability of all three retail offers.
- Improving the layout of units to encourage take up by established retailers thereby providing further anchor attractions to encourage footfall to this part of the centre.

The stated local policy documents place significant importance on the long-term viability and vibrancy of the retail triangle and wider Chipping Barnet Town Centre through the development of an expanded retail and service offering, which seeks to increase footfall throughout the day, deliver new investment into the town centre and attract anchor attractions that also bring new end users into the town centre. All of these strategies place the long-term future of the Barnet Market at its core, with relocation a stated strategy.

Policy DM11 outlines the development principles for Barnet's Town Centre. It states that:

The council will consider hotels and hostels as tourism related development and expect them to locate in a town centre with good public transport links with central London. There are fourteen districts and one major town centre in Barnet, of which twelve have tube or rail links with central London. Due to the potential impact on residential amenity the development of hotels or hostels just outside the town centre boundary will not be acceptable.

This states very clearly that hotels are not only an appropriate use within a town centre location, but that the Council expects new hotels to be located there. Therefore, it is considered that the provision of a hotel at the application site is not only policy compliant and a wholly appropriate use within a town centre location, but it also provides a use which aligns with the stated aims and objectives of the Chipping Barnet Town Centre Strategy by contributing to the delivery of a vibrant, viable and mixed service offering within the retail triangle. Furthermore, it is considered the proposed ancillary restaurant to be located at ground floor level fronting onto St Albans would also represent a use appropriate for a town centre location, with the additional benefit of providing active frontage within an area designated by the Development Management Policies (2012) as a Primary Shopping Frontage (Map 2 - Chipping Barnet Town Centre).

It should also be noted that a considerable benefit of this scheme is the applicant's financial contribution via a section 106 agreement to providing and enhancing local

employment opportunities for Barnet residents. This will include support for apprenticeship schemes and employment training and providing career pathways for local residents. In addition to this, the application would be liable for a Community Infrastructure Levy contribution. These financial contributions directly support the vitality and vibrancy of the Chipping Barnet Town Centre through new investment and an anchor development to attract new end-users and they also have a direct social and economic benefit for the local residents of Barnet by providing funding for local employment and skills training schemes.

Based on the above, it is deemed that the proposed creation of a hotel and ancillary restaurant at the application site is acceptable in-principle and complies and aligns with relevant local policy and the stated aims and objectives of the Chipping Barnet Town Centre strategy.

### **Character and Appearance**

The proposed development has come forward following extensive design discussions with the Council's Planning, Design and Heritage Officers. The proposed design has been developed and shaped in view of the following policy considerations:

Policy DM01:

- a. All development should represent high quality design which demonstrates high levels of environmental awareness and contributes to climate change mitigation and adaptation.
- b. Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.
- c. Development proposals should ensure attractive, safe and, where appropriate, vibrant streets which provide visual interest, particularly at street level and avoid blank walls.

Policy DM06:

- b. Development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

Development principle 1 (The Spires Shopping Centre, Market Site and Territorial Army Centre (July 2012)

- Ensuring that development is sensitive to the variations in character across the town centre from the conservation area boundary to the heart of the town centre and reflecting this in the form and density of development proposed.
- Ensuring the height/massing of any new buildings respects the existing townscape which is predominantly two and three-storey in scale.
- Ensuring that street facing retail frontages reflect the historic nature of the town centre.

Development principle 2 (The Spires Shopping Centre, Market Site and Territorial Army Centre (July 2012)

- Ensuring high quality design to maximise the opportunities presented by any development, with new development in accordance with relevant national guidance such as Building for Life and By Design.

- Ensuring that retail development is outward rather than inward facing to maximise linkages with other parts of the town centre and promote active frontages.
- Ensuring that opportunities provided by brownfield/windfall sites are maximised.
- Ensuring a future for Barnet Market, either in its current location with enhanced linkages and improved visibility or on a new site within the town centre.
- Ensuring that new retail development includes active frontages, where appropriate, to the surrounding streets as well as within the Spires to maximise linkages to other parts of the town centre.

Scale:

The proposed scale reflects a number of key considerations:

- Its conservation area setting;
- Adjacent streetscape;
- Adjacent uses;
- Bringing forward a development which contributes to the long-term viability and vibrancy of the Chipping Barnet Town Centre as outlined in the policy objectives previously stated.

The proposed design has sought to respect the scale and residential use of the two and three-storey dwellings opposite the application site. The proposed Chipping Close elevation create a more appropriate residential scale and architectural form, whilst providing a set-back of 10m to better protect neighbouring amenity and ensure the hotel development does not create a visual overbearing when viewed in relation to the adjacent terraced properties. The St Albans elevation has been designed to respect and sit comfortably adjacent to the predominantly two and three-storey streetscape. The elevation includes a front gable design which provides visual interest and reference to the fact it is the principal elevation along a main road, whilst ensuring the overall scale is proportionate to the adjacent streetscape. The Bruce Road elevation raises to four-storeys but includes a mansard style roof form to soften its vertical scale and provide a visual distinction from the three-storeys of brick cladding below. The views to this elevation are limited to Bruce Road and the Spires Shopping Centre service yard and do not inform or conflict with the primary streetscape of the High Street, St Albans Road or Chipping Close. It should be noted that there are proximally located 4-storey buildings within the Chipping Barnet Town Centre, and the Bruce Road elevation faces onto the Spires Shopping Centre, where the adjacent form of the shopping centre sits comparatively at a four-storey scale. Consequently, the proposed fourth-storey element is not without visual reference within the context of surrounding building scales.

The visual impact of the fourth floor has been extensively mapped within the applicant's Design and Access Statement and was the subject of a number of design iterations in advance of formal submission. The fourth storey has been set-back off the St Albans elevation to limit its visual impact when viewed along St Albans Road and as can be seen in the CGI analysis provided within the applicant's Design and Access Statement, the fourth storey will not be visible from the pavement level on Chipping Close and directly opposite on St Albans Road. It is noted that a previous development which was granted permission in 2011 on the application site but never implemented (Ref: B/03642/10) included a fourth storey element. Therefore, a four-storey scale at the application site is not without precedent. While it is acknowledged that the fourth storey previously approved was 0.27m lower than proposed and was of less mass, the proposed has provided a greater set-back from the St Albans Road which better serves to mitigate its visual impact. This is coupled with the fact the building is also set further back from the pavement edge. It is appreciated that the building would appear more consistent if capped at three storeys.

However, in order to ensure the viability of the scheme in view of the stated aims and objectives outlined within the Chipping Barnet Town Centre Strategy, it is considered that the wider regenerative benefits of the scheme outweigh the potential visual impact caused by the fourth storey. It is deemed that the design has sufficiently demonstrated that the visual impact of the fourth storey will be largely mitigated when viewed within the wider streetscene of St Albans Road, Chipping Close and the High Street.

Regarding the western elevation, this faces onto an area of large mature trees that surround a passageway linking Staplyton Road and Chipping Close. As shown in the CGI analysis contained within the applicant's Design and Access Statement, the fourth storey has limited prominence when viewed from Staplyton Road. The CGI produced shows the fourth storey in the context of the winter months when tree foliage is limited. Despite limited tree coverage, the fourth storey element has limited visibility.

In summary, it is considered that the scale of the development is acceptable on balance. Its proposed part three and part four-storey scale is not considered to be out of keeping with surrounding uses and building scales within Chipping Barnet Town Centre. It is accepted that the fourth storey is larger than the fourth storey previously approved at the application site by 270mm, but it is considered that the design and proposed set-backs adequately mitigate the visual impact. The scale has also been considered in view of the wider aims and objectives of the Chipping Barnet Town Centre Strategy and it is considered that the wider regenerative benefits of the scheme significantly outweigh any visual impact resulting from the limited views of the fourth storey when viewed from Bruce Road and the service yard of the Spires Shopping Centre. As will be discussed below, the design provides a high-level of architectural and conservation style detailing which is considered to be a significant improvement to the appearance of the application sites and an enhancement to the streetscape of the Monken Hadley Conservation Area and Chipping Barnet Town Centre.

#### Elevational Treatments:

The proposed plans have been reviewed by the Council's Heritage and Design Officer who is satisfied that the proposed design and elevational treatments are acceptable and would not cause harm to the character and appearance of the Monken Hadley Conservation Area. The proposed design has undergone significant design iteration as is evidenced within the applicant's Design and Access Statement, to result in a scheme which is considered to protect and enhance the character and appearance of the Monken Hadley Conservation Area and Chipping Barnet Town Centre.

The application site is currently a disused surface level car park which if anything detracts from the character and appearance of the conservation area and results in an area of non-active frontage along the Primary Shopping Frontage of Chipping Barnet's Town Centre. With the Barnet Market relocating to a different site outside the entrance of the Spires, the retention of a surface level car park in a town centre location neither provides public or visual amenity, or contributes to wider aims and objectives of the established Chipping Barnet Town Centre Strategy. Therefore, given a policy compliant use has come forward to develop the site, an important consideration was then ensuring the built form respected and enhanced the visual appearance of the adjacent streetscape and Monken Hadley Conservation Area and provided an active frontage along St Albans Road that repaired the fractured streetscene and reinforced the importance of the Primary Shopping Frontage within Barnet Town Centre.

Following a review of the adjacent streetscape, particularly the residential terraced properties opposite on Chipping Close, it was considered that a more traditional built form was the most appropriate approach. Consequently, the Chipping Close elevation has sought to replicate the facade and detailing of the terrace properties opposite, introducing complimentary cill-to-window ratios, brick design and chimneys with terracotta stacks. Insets in the elevation provide a degree of façade relief and enable the introduction of soft landscaping given the increased pavement widths. Attention has been given to ensuring all facing materials proposed are appropriate for the conservation area setting, including timber sash windows, stone cills, conservation-style roof lights and natural slate roof tiles. It is considered that the elevational design and detailing along Chipping Close creates a residential scale and form which respects and enhances the existing streetscape.

The St Albans Road elevation has focused on creating both visual interest and a traditional style street frontage at ground floor level. The elevation includes a prominent gable form which centres the façade and provides a visual reference to the fact it is the principal elevation. Slim cheek timber sash dormers are included on the roof to enable viable floor space at third storey level whilst retaining an appropriate scale and sloped roof form. Dormers are evident within the Chipping Barnet Town Centre and therefore considered an appropriate addition to the proposed design. On the ground floor, a timber frontage has been included with large traditional style glazing with slim timber frames. The front building line has been recessed from no.2 Bruce Road to create a wider pedestrian pavement. This will also provide scope to introduce much needed soft landscaping to a stretch of St Albans Road and Chipping Close which is quite hard. Soft Landscaping details will be secured via condition. As the St Albans Road façade wraps around the building a change in the colour of the brick and an inset in the façade helps the building to transition from a more retail-focused character to the residential one prevalent along Chipping Close. The size and alignment of the fenestration was maintained to ensure visual consistency.

The Bruce Road elevation has introduced the brick detailing from the Chipping Close elevation, whilst contrasting this with the brick used on the St Albans Road to enable a more consistent design vernacular across the building. The insets in the façade are minimal but enough along with the change in brick colour to provide visual relief to what is quite a long façade. The fenestration and dormers are well aligned, with the smaller sized dormer windows providing a sense of building hierarchy.

The west elevation at ground and first-floor level will be largely obscured by a neighbouring building. However, in order to provide a contrast in colour and texture, a natural slate roof has been applied to the side of the fourth storey. The brick pattern used replicates the dwellings located opposite the hotel on Chipping Close to reinforce the street's residential character for those accessing Chipping Close from Staplyton Road.

Public comments have been made in regard to how the proposed design addresses the triangular space left vacant in-between no.2 Bruce Road and the application site. As shown on the proposed elevational drawings, a timber fence and gate is proposed which ensures this space is both secure from the public, but accessible to the land owner should that be required. The timber fencing along with all facing materials proposed will be secured via condition.

The applicant recognises the historical significance of the site to both the residents and the economic development of Barnet. Consequently, a condition will be attached to any permission to ensure a plaque or floor slab is installed on the site which commemorates the historical significance of the site and its former use as a market. Further discussion will

be had with the applicant regarding what information can be located within the hotel to commemorate the sites historical significance.

As outlined in the consultee responses above, Historic England was consulted regarding the potential for archaeologically significant artefacts located on the application site. Their conclusion stated:

The Former Barnet Market site was subject to an archaeological evaluation in 2008. This found several archaeological features but nothing of sufficient interest to merit further investigation or preservation. No further assessment or conditions are therefore necessary.

For reference, this application does not give permission for any signage on the building. This would be the subject of a separate advertisement consent application. Any subsequent application would require signage to be appropriate for its setting within the Monken Hadley Conservation Area.

It is considered that the proposed design and conservation-style materials result in a high-quality form of development which protects and enhances the appearance of the Monken Hadley Conservation Area and appropriately addresses the character nuances of St Albans Road and Chipping Close. It is deemed that the design is compliant with both Policies DM01 and DM06 and appropriately addresses the Development Principles within The Spires Shopping Centre, Market Site and Territorial Army Centre (July 2012) which call for a development that is 'sensitive to the variations in character across the town centre', ensures the height and massing of new building 'respects the existing townscape' and provides a street facing retail frontage that 'reflects the historic nature of the town centre'. The design appropriately addresses the demands of maximising the potential of a brownfield site, providing a commercially viable scheme that will support the long-term aims and objectives of the Chipping Barnet Town Centre Strategy, whilst ensuring its architectural form and design detailing enhances the visual appearance of the Monken Hadley Conservation Area and wider Chipping Barnet Town Centre. It creates both a residential scale along Chipping Close and a vibrant retail offering and active streetscene along St Albans Road which forms part of the Primary Shopping Frontage of Chipping Barnet Town Centre. Furthermore, it replaces a vacant surface level car park which since the relocation of the Barnet Market, provides neither public or visual amenity to an important gateway site which announces the arrival into both the Chipping Barnet Town Centre and Monken Hadley Conservation Area. As noted above, the proposal would enable the introduction of much needed soft landscaping along St Albans Road and Chipping Close, a significant improvement to the extensive hard surfacing currently characteristic of the application site.

Based on the above, it is deemed that the proposed development would not cause harm to, but would rather enhance the character and appearance of the application site, Chipping Barnet Town Centre and Monken Hadley Conservation Area. Furthermore, the proposal would not result in harm to the archaeological significance of the site as confirmed by Historic England. It is consequently recommended for approval on character grounds.

### **Neighbouring Amenity**

Paragraph 2.7.1 of Policy DM01 states that:

Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the well-being of the boroughs residents. It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook.

#### Privacy:

The proposed development provides a set-back of 10.3m from the residential dwellings located on Chipping Close. It should be noted that the previously approved development on the site (ref: B/03642/10) provided a 9m set-back and therefore placed windows serving habitable rooms 1.3m closer to the existing dwellings on Chipping Close. It is considered that the set-back proposed is acceptable and will not result in a significant loss of privacy for neighbouring occupiers. Any future development on the site whether residential, a hotel, or an office would result in new windows facing onto the existing dwellings on Chipping Close. The site is an undeveloped brownfield site in an important town centre location which will attract development in the future. Any future development will have a greater impact than a vacant surface level car park. However, in this instance, it is deemed that the level of impact caused is both acceptable and reasonable, with the increased set-back proposed an improvement to the set-back previously approved (ref: B/03642/10) and considered acceptable on amenity grounds.

#### Daylight / Sunlight:

The applicant has submitted an extensive Daylight and Sunlight Report which assesses the impact of the proposed development on neighbouring properties, particularly those located opposite on Chipping Close. The report provides the results of both the Vertical Sky Component (VSC) and Average Daylight Factor (ADF) tests conducted. Regarding daylight the report concludes that of all 62 windows tested all would continue to enjoy high levels of natural daylight in excess of BRE guidelines (maintaining VSC levels of between 23% and 28%), and regarding sunlight full compliance is achieved with all (100%) of the windows tested continuing to meet the target values as set out in the BRE guidelines. As outlined in the privacy section above, any development that comes forward will have a greater impact on daylight / sunlight than a surface level car park. However, it is considered that the proposed development has demonstrated that it both maintains and protects neighbouring amenity in regard to daylight / sunlight to levels in excess of BRE guidelines, whilst also maximising the development potential of a vacant brownfield site within the Chipping Barnet Town Centre.

#### Air / Noise pollution:

The applicant has submitted Air and Noise Impact Assessments which conclude that the proposed development would not result in a significant impact on neighbouring occupiers and conditions within the area. This conclusion has been accepted by the Council's Environmental Health Department. It is considered that the use of the application site as a surface level car park would result in more air and noise pollution than its use as a hotel and ancillary restaurant. The car park use would at peak times during the day result in potentially 40+ cars accessing the site with associated exhaust fumes and noise from engines etc. Indeed, the hotel use would result in less motorised trip generation throughout the day than if the site was used as a car park. Furthermore, the predominant internal use of the site is for the purposes of sleep, rest and recuperation. Indeed, the hotel provider offer a 'Good Night's Sleep' guarantee, which relies upon noise around the site kept to a

minimum. Noise mitigation is central to the applicant's commercial interests and brand credibility.

Concern has been raised by neighbouring residents about the impact of the restaurant and bar offering at ground floor level and the potential for overspill into the street at anti-social hours of the day. There is always a balance between enabling the proposed use to function within reasonable constraints and protecting neighbouring amenity. Based on a review of restaurant opening times within Chipping Barnet Town Centre it was concluded that an 11pm closing time was appropriate. Residents of the hotel will have some limited access to facilities after 11pm, but the application site will effectively be closed to non-resident guests after 11pm. A condition will also be attached to any future permission to restrict live, amplified or audible music after 10.30pm Sunday to Thursday and after 11pm on Friday and Saturday at the application site. This is representative of restrictions placed on other restaurants within the Chipping Barnet Town Centre and therefore is considered a reasonable compromise between use and amenity given the location of the application site. This is expected to limit trip generation to and from the site at times during the day when neighbouring residential amenity is more acute. This will be secured via condition. It is worth noting that if the site was redeveloped with a higher density residential use, no such time or noise restrictions would be enforced and therefore pedestrian and vehicular access to the application site and certain noise emissions would be unrestrained.

#### Pedestrian / Highways:

This section does not assess the merits of the application from a highways perspective which will be discussed below, but instead assesses what impact the proposed access arrangements to the application site will have from a neighbouring residential amenity.

As discussed in the applicant's submission, all vehicular access to the site will be directed to Bruce Road and the NCP car park on Staplyton Road. A Travel Plan will be secured via a section 106 agreement to ensure the operator of the hotel and restaurant implement appropriate measures to limit the number of trips along Chipping Close and St Albans Road. There will be a monitoring mechanism associated with the Travel Plan which gives the Council the opportunity to review how effective the hotel operator's mitigation measures are in ensuring vehicular activity has the least possible impact on the free flow of vehicular traffic around the application site and on the residential amenity of neighbouring occupiers.

The operator of the hotel has an agreement in place with the NCP car park to provide discounted parking for residents of the hotel and will ensure that when bookings are made customers are referred to Bruce Road and the NCP car park. Firstly, it should be noted that the proposed use will generate less vehicular trips per day than if the site was used as a car park. Secondly, if the site was developed for a residential use the parking demands and requirements would be higher and thirdly, it is unrealistic to expect that all residents of the hotel would arrive by car, taxi or coach. As per DM17, hotels are recommended to be located within town centres because they have a higher level of accessibility by all modes of transport. The site has a PTAL rating of 3. Policy 6.13 of the London Plan (2016) states that 'although no maximum [parking] standards are set for hotels...in locations with a PTAL of 1-3, provision should be consistent with objectives to reduce congestion and traffic levels and to avoid undermining walking, cycling or public transport.' It is considered that discounted access to a large multi-storey car park in close proximity to the hotel, in addition to 5 parking and drop-off spaces on Bruce Road provides an acceptable parking provision and a reasonable solution to reduce congestion and traffic levels. It channels potential trip generations away for one concentrated destination, with two different

locations and associated routes proposed. The site's use has a car park would result in more trip generation than the hotel use, with all vehicular movement concentrated on St Albans Road and Chipping Close. Furthermore, the provision of cycle parking on site and the hotels proximity to bus stops and the High Barnet Tube Station enables other viable modes of transport to the site. It is considered that is in compliance with the London Plan (2016).

Pedestrian access to the site is expected to be mainly located along Chipping Close if accessed from the NCP car park on Staplyton Road, or via St Albans Road if access via public transport or a drop-off in Bruce Road. The main hotel entrance is located on Chipping Close, with the restaurant access provided on the corner of Chipping Close and St Albans Road. However, hotel guests are also able to access the hotel via the restaurant entrance. As discussed above, it is expected that the proposed hours of use coupled with the nature of the hotel's use, will result in the majority of trip generation being in the morning and evening hours, with limited activity expected throughout the night. This is not expected to result in an unacceptable level of noise for adjacent residents.

Some public comments received have raised a concern that the increase of pedestrian activity will increase the likelihood of crime and vandalism. However, it is considered that increased pedestrian activity and 'eyes on the street' will have the opposite effect. The proposed active street frontage at ground floor level also provides an additional layer of street-level activity and 'eyes on the street'. A surface level car park provides limited surveillance and creates hidden or enclosed spaces which can lead to increased levels of anti-social behaviour and disturbance. The applicant has designed the proposed development to achieve Secure by design standards with the aim of reducing opportunities for crime.

Based on the details provided, mitigation measures proposed and conditions to be attached to any permission, it is considered that the proposal will have an acceptable impact on the residential amenity of neighbouring occupiers. The proposal protects the daylight and sunlight provision to neighbouring occupiers to levels in excess of BRE standards, has introduced a 10.3m set-back from neighbouring dwellings on Chipping Close to protect neighbouring privacy, a set-back increase of 1.3m from the previously approved scheme at the application site (Ref: B/03642/10), and has evidenced that air and noise pollution would not have a harmful impact on the site's immediate surroundings. Furthermore, the proposal has provided measures to mitigate the impact of vehicular and pedestrian access to the site on neighbouring residential amenity, measures which are considered to be compliant with London Plan (2016) standards. As outlined above, hours of use for the restaurant will be secured via condition. It is considered that the proposal appropriately addresses the need to maximise the development potential of a vacant brownfield site within a town centre location as per the Chipping Barnet Town Centre Strategy, whilst protecting residential amenity in line with local and national standards. Consequently, this application is recommended for approval on amenity grounds.

## **Highways**

As stated within the applicant's submission, the proposal provides 5 parking spaces including one blue badge space on Bruce Road and 24-hour discounted access to the proximally located NCP car park on Staplyton Road. The proposal also provides 9 cycle parking spaces. The Council's Highways Department have reviewed the Transport Statement submitted by the applicant and consider it acceptable subject to conditions and a Travel Plan to be secured via a S.106 agreement.

As there are no specific parking standards for a hotel development within the London Plan (2016), each application is assessed on its individual merits. The following have been considered as part of this application:

- The site is located within a town centre location and close to local amenities;
- The site is located within a walking distance of the A1000 Great North Road which is served well by public transport;
- The site is within an All-Day Control Parking Zone which operates from 8am and 6.30pm from Monday to Saturday;
- There are public car parks and the Spires car park within walking distance of the site.

#### Parking Arrangements:

As outlined above, the applicant has an agreement with the NCP car park on Staplyton Road to provide discounted 24-hour parking to hotel customers. This is expected to be desirable for those guests who are staying at the hotel with the intention to spend extended periods of time in Central London through day time hours, as opposed to parking a car in an area with Controlled Parking Zone (CPZ) constraints. The arrangement with the NCP car park is common for developments of this nature given it does not conflict directly with retail parking demand and provides secure off-street parking off-site in built-up areas. Parking accumulation surveys have been submitted to demonstrate an acceptable impact on capacity levels at the NCP car park.

In addition to the NCP car park, 5 parking spaces, including 1 blue badge space have been provided on Bruce Road. These parking spaces are primarily meant to function as a drop-off facility for the hotel in order to reduce traffic congestion on St Albans Road and trip generation along Chipping Close. They also provide additional parking provision if required. As stated above, parking provision at two separate locations is expected to disperse vehicular journeys across the surrounding public highway network instead of an over concentration of journeys along the same route. Use of the site as a car park would generate more traffic and concentrate all of those journeys along St Albans Road and Chipping Close.

#### Trip Generation:

A Transport Assessment has been provided by the applicant to quantify and qualify the proposed highways strategy. The report predicts that the proposed hotel would generate a total of 232 two-way movements (by all modes) over the course of a typical weekday. This would comprise 23 two-way movements during the AM peak hour and 18 two-way movements during the PM peak hour, assuming full occupancy. Approximately 141 two-way journeys would be made by vehicles, comprising 14 during the AM peak hour (one extra every 4.5 mins) and 12 during the PM peak hour (one extra every 5 mins). As aforementioned, it should be noted that the proposed development represents a reduction in trip generation figures when compared with the existing car park and former market use. Typically, the proposed type of hotel has no peak time periods of use. The majority of trips are evenly spread throughout the core hours of the developments operation.

Further to the above, the Transport Assessment also concludes that not all vehicular trips would be new to the network, with hotel guests likely to be travelling into the area for business or leisure regardless of the Premier Inn. Rather, the Premier Inn would provide conveniently located accommodation for visitors on a pre-determined journey.

#### Public Transport:

The development is served by bus routes 234, 326, 383, 384, and 389, with the associated bus stops located within walking distance of the site. The development is also within walking distance of High Barnet London Underground Station which is served by the Northern Line. The hotel operator will provide journey planning information to all customers wishing to travel to the site via public transport. The likely level of public transport trip generation associated with the development will not impact negatively on the existing capacity of the surrounding public transport network.

#### Servicing / Delivery Arrangements:

The Transport Statement provided proposes that all delivery and servicing activity associated with the development would be accommodated from the Spire Shopping Centre service yard immediately to the south of the site. This arrangement has been legally agreed with the operator of the Shopping Centre. It is considered that the provision of service vehicles at this location will have no further impact on the existing operation of this yard.

#### Controlled Parking Zone (CPZ):

It has been noted that a number of the public comments received expressed concern about the potential overspill of parking along Chipping Close, given that the street is not subject to a 24-hour CPZ. The concern is customers of the hotel would rather park on the street for free instead of paying to park at the NCP car park on Staplyton Road. It should be noted that the residents of Chipping Close can make a request to the Council to conduct a CPZ review if they believe that there is a significant increase in parking stress on their road. However, as this development proposes a small amount of parking on site and provides measures to mitigate the likelihood of overspill parking on the surrounding highway network, the Highways Department have confirmed that a CPZ review would not be required in association with this application.

#### Coach Parking:

As stated in the applicant's submission the hotel operator rarely accepts coach bookings. It states that:

The Premier Inn website does not allow group bookings to be made, instead directing guests to phone a dedicated number if they require more than 4 bedrooms. Details of any groups are therefore obtained at an early stage and communicated with the hotel management. Premier Inn locations that do generate coach trade are typically located close to sporting venues (e.g. Wembley) and major tourist destinations. In the unusual event of a coach arriving, this would be managed by Premier Inn and any drop-off / pick-up would be directed to take place within the Spires service yard area. A legal agreement is in place to facilitate this.

Coach travel will be referenced within the Travel Plan to be secured via a s.106 agreement and the impacts of this will be monitored by the Council to ensure any impact on the free flow of the surrounding highways network and residential amenity of neighbouring occupiers is appropriately managed.

#### Cycle Parking:

The proposal provides 9 cycle spaces. Policy 6.9 of the London Plan (2016) requires 1 space per 20 bedrooms for long-stay and 1 space per 50 bedrooms for short-stay. The proposed provision would comply with the stated policy requirements and will be secured via condition.

Based on the above and the positive recommendation received by the Council's Highways Department following review, it is considered that this application is acceptable on highways grounds.

## **Sustainability**

Policy 5.2 of the London Plan (2016) outlines the sustainability requirements expected from non-domestic buildings. It states that:

A) Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be green: use renewable energy

C) Major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction are met within the framework of the energy hierarchy.

The applicant has provided a Sustainability Statement which sets out the proposed strategy including the provision of PV panels on the roof of the fourth storey. The statement provides amongst others the following commitments:

A CO2 emissions reduction of 35% beyond the requirements of the Building Regulations Part L 2013 will be achieved through a combination of passive design, energy efficiency measures and provision of ASHP and PV.

BREEAM sets the standard for best practice in sustainable design and has become the de facto measure used to describe a building's environmental performance. The project will be assessed using BREEAM and rating of 'Very Good' is being targeted.

The stated recommendations above will be secured via condition.

Concern was raised by Thames Water regarding the inability of the existing surface water infrastructure to accommodate the needs of the proposed development. The applicant's drainage consultant provided a revised drainage strategy which was reviewed by Thames Water and considered acceptable. A drainage condition will be attached to any permission which will require further consultation with Thames Water before final sign-off.

Based on the information provided, it is considered that this application is acceptable on sustainability grounds and sufficiently demonstrates how the measures proposed would meet the aims and objectives of the London Plan (2016) regarding energy efficiency, renewable energy and carbon reduction.

## **Refuse**

The applicant has provided a Delivery and Servicing Management Plan which outlines the servicing arrangements for the hotel and ancillary restaurant. The proposed plan states

that safe and secure refuse stores will be provided within the Spires Shopping Centre service yard to the south of the site. Refuse and recycling waste collections will be carried out from the service yard by Veolia, the utilities company which provides most of the refuse and recycling services for Whitbread developments. This arrangement is considered acceptable and will be secured via condition.

#### **5.4 Response to Public Consultation**

All public comments have been received and acknowledged. Where they address material considerations, they have been discussed in the report above. For clarity please see below:

- The building design is good but could be improved with the addition of soft landscaping along the Chipping Close elevation to brighten and soften the side of the building.

Soft landscaping has been introduced on St Albans and Chipping Close.

- The proposed hotel will be in keeping with the surroundings.

Noted.

- Shops and apartments on Barnet High Street which back onto the application site are already 3-4 storeys. Therefore, there isn't a problem with the three / four storeys proposed.

Noted.

- Proposals to move the market to the band stand area will only help to improve the footfall and thus customers to the market. All of which will help to reverse the decline of the high street.

Noted.

- The development could contribute towards attracting other big-name retailers to the empty units of the Spires Shopping Centre.

Noted.

- Plans to develop this empty site should be welcomed. The project will bring a much-needed boost to Barnet's struggling town centre.

Noted.

- The application (18/2483/FUL) to relocate the market to The Spires bandstand site must be approved.

This application has been approved.

- The Inn's impact on traffic and on-street parking must be reviewed and acceptable solutions agreed.

The Council's Highways Department have assessed the proposed impacts on traffic and on-street parking following a review of the applicant's Transport Statement and proposed Travel Plan and deemed them to be acceptable.

- Premier Inn signage and branding must follow Conservation Area guidelines.

This will be subject to a separate advertisement consent application and will be subject to conservation area guidelines.

- More planting such as window boxes are needed to extend the greening of the town centre.

Soft landscaping has been introduced on St Albans and Chipping Close.

- Premier Inns should be required to contribute to visitor information about the history of Chipping Barnet.

A plaque or floor slab commemorating the historical importance of the application site will be installed on the site. This will be secured via condition and will include discussions around the provision of visitor information within the hotel.

- The empty triangle between hotel and Dory's café must be neatly secured.

A secure timber fence and gate are proposed.

- The St Albans Road 1st floor window spacing is uncomfortable, the 'shopfronts' terminate non-traditionally and the Bruce Road red brick is unnecessary. Brick samples must be approved.

This has been addressed in the character section.

- If this application is approved could one condition of approval be that the developer is to include interpretive information about the history of the site, e.g. a plaque relating to the Market Charter on the outside, or a display inside the hotel.

A plaque or floor slab commemorating the historical importance of the application site will be installed on the site. This will be secured via condition and will include discussions around the provision of visitor information within the hotel.

- If a large hotel can give the area an economic boost it would be good for the area.

Noted.

- Support the proposed development in-principle and are particularly pleased with the design, with one reservation. The fourth floor will detract from the appearance of the wider conservation area and will also be very detrimental to the aesthetic appeal of the building.

This has been addressed in the character section.

- Concerned at the potential for disturbance to residents in Chipping Close from rowdy residents returning late evening and from wheeled suitcase being pulled by residents leaving early morning.

This has been addressed in the amenity section and an hours of use condition will also be attached to any future permission.

- Concern about the use of the Chipping Close entrance leading to increased footfall to the detriment of neighbouring residents.

This has been addressed in the amenity section.

- Further consideration should be given to blocking the wedge-shaped gap between the hotel and Dory's cafe which has the potential to gather rubbish or be used for unsocial activity.

A secure timber fence and gate are proposed.

- The wider pavement on Chipping Close should be partly used for planting rather than just being paved.

Soft landscaping has been introduced on St Albans and Chipping Close.

- There is no commercial need for a hotel of this size in Barnet.

This is not a material planning consideration.

- The regeneration of the High Road (street) is a higher priority for the town than the building of this hotel.

This site forms part of the wider Chipping Barnet Town Centre Strategy. Please refer to supplementary documents outlined in the report.

- The proposed development will result in the loss of one of the last remaining public amenity spaces in Barnet.

The Barnet Market has been relocated. Therefore, the site is a vacant surface level car park which provides limited public and visual amenity.

- A community use should be built on the site.

A hotel and ancillary restaurant is considered an appropriate use for this location and is policy compliant.

- This development would result in the loss of a historic market site and an irreplaceable amenity to High Barnet.

The Barnet Market is being relocated not lost. See relevant planning history section above.

- The area allocated for the relocation of the Barnet Market is restrictive and can only accommodate a few stalls. The original Barnet Market should be rejuvenated.

This has been addressed in the Barnet Market relocation application. See relevant planning history section above.

- The addition of restaurants to the ground floor does not add to the facilities in the area. There are ample food outlets in the High Street.

This is not a material planning consideration.

- The proposed development will not contribute to the vitality and viability of the centre.

This is unsubstantiated. The proposed use is considered compliant with local planning policy and in line with the aims and objectives of the Chipping Barnet Town Centre Strategy.

- The proposal states that 50 jobs will be created but there is no certainty about this or how many of these will be full or part time.

This will be address within a Local Employment Agreement secured via a Section 106 Agreement.

- There are no assurances or proposals on local recruitment guaranteed by a Section 106 Agreement.

This application is subject to a Local Employment Agreement secured via a Section 106 Agreement.

- The proposed four-storey rear elevation onto Bruce Road is of an unacceptable architectural and general aesthetic standard for any new building in an historic town.

This is addressed in the character section.

- The development is out of keeping with the designated Conservation Area.

This is addressed in the character section.

- Pleased with the thought that has gone into the appearance of the hotel on the Chipping Close but object to the fourth floor which is a considerable overdevelopment of the site.

This is addressed in the character section.

- The proposed design and appearance is a pastiche. It is unimaginative and inappropriate for the conservation area and for a site with such an important historic legacy.

This is addressed in the character section.

- The proposal is for a hotel and therefore should confidently reflect this in a high quality modern design appropriate to the sensitivities of the site and its location in a conservation area.

This is addressed in the character section.

- The proposed development will result in an increased noise and air pollution caused by traffic, parking, idling engines and footfall throughout the day and night.

The proposed development will result in a reduction in vehicular trip generation and consequently less noise and air pollution. This is expanded upon in the amenity section above.

- Chipping Close is a cul-de-sac and therefore taxis and other vehicular movements within the street will cause traffic congestion and noise and air pollution to the detriment of local residents.

This is expanded upon in the amenity section above.

- The Hotels proximity to dwellings opposite on Chipping Close would be inappropriate. The hotel would block the light to the dwellings opposite on Chipping Close and result in the loss of privacy for neighbouring residents.

This is addressed in the amenity section above. Daylight and sunlight received to the occupants of Chipping Close is in excess of BRE standards. Furthermore, there is a 10.3m set-back from the dwellings opposite, an increase of 1.3m from the 9m set-back previously approved on the site (see relevant planning history section above).

- Increased noise from people using the hotel and restaurant congregating outside on Chipping Close.

This is addressed in the amenity section above. An hours of use condition will be attached to any planning permission.

- The development would harm views for neighbouring residents.

This is not a material planning consideration.

- The development will harm the resale values of adjacent properties.

This is not a material planning consideration.

- There will be significant noise and dust during the construction phase.

This has been addressed in the applicant's Air Pollution Report and will be further addressed in a Construction Method Statement to be secured via condition.

- The Chipping Close entrance / exit should be closed during anti-social hours. The use of an entrance on Chipping Close will contribute to more noise and disturbance to residents.

This is addressed in the amenity section. An hours of use condition will be attached to any planning permission.

- The development will impinge on the lands, management and future development of no.2 Bruce Road.

This is a civil matter.

- The proposed development will add stress onto the existing water and drainage capacity.

This has been addressed in the Sustainability section.

- More vehicles to be parked in the area than the number of parking spaces provided by the hotel.

This has been addressed in the Highways section.

- It is unlikely that hotel guests will pay to park in the Spires overnight when free overnight parking is available on local streets and in council car parks.

This has been addressed in the Highways section.

- Parking in the area is oversubscribed. The hotel will exacerbate this problem at the detriment of local businesses, customers and residents.

The proposal has been reviewed by the Council's Highways Department and deemed acceptable.

- The proposed hotel would cause a critical increase in the use of the very limited free visitor and residents' overnight parking available. This would be a great inconvenience to local residents and other existing visitors.

The proposal has been reviewed by the Council's Highways Department and deemed acceptable.

- Increased vehicular traffic and parking is likely to cause an increase in vehicle crime to the detriment of local residents.

The hotel will result in less trip generation than the existing surface level car park use.

- The development will result in a significant increase in traffic congestion and stress on the already limited number of parking spaces available locally.

The hotel will result in less trip generation than the existing surface level car park use. See amenity and highways sections.

- A new Controlled Parking Zone should be created along Chipping Close to protect resident parking at all times of the day.

This has been addressed in the Highways section.

- Most people will access the site via car and not the local tube station which is a 20-minute walk-away. This will add to local traffic congestion.

This has been addressed in the Highways section.

- Only 1 disabled parking bay has been provided for 101 rooms and staff combined. This is not accessibility.

The proposal has been reviewed by the Council's Highways Department and deemed acceptable.

- The proposal would use Bruce Road as its primary vehicle access. This would generate increased vehicle traffic to and from Bruce Road at the challenging junction with St Albans Road.

The proposal has been reviewed by the Council's Highways Department and deemed acceptable.

- There is no possible safe provision for the inevitable arrivals and departures by coach.

This has been addressed in the Highways section.

## **6. Equality and Diversity Issues**

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

## **7. Conclusion**

Having reviewed the documentation and plans submitted, it is considered that the proposed development would have an acceptable impact on and enhance the character and appearance of the application site, the Chipping Barnet Town Centre and Monken Hadley Conservation Area. It is considered that the building scale is acceptable on balance, given the design largely mitigates the visual harm caused by the fourth storey, whilst ensuring the delivery of a commercially viable scheme that will support the long-term aims and objectives of the Chipping Barnet Town Centre Strategy. The architectural form, design detailing and soft landscaping is considered to respect the adjacent streetscape while also enhancing the visual appearance of the Monken Hadley Conservation Area and wider Chipping Barnet Town Centre. Furthermore, the proposed development is not considered to result in significant harm to the residential amenity of neighbouring occupiers by way of daylight / sunlight, privacy, air and noise pollution and vehicular and pedestrian movements. Mitigation measures have been evidenced and deemed acceptable. The proposed development has also demonstrated an acceptable Travel Plan, including the adequate provision of car and cycle parking and is therefore considered acceptable on highways grounds. Consequently, the application is recommended for approval.

