Appendix A

Location: Land West Of Beechwood Avenue London N3 3BA

Reference: 18/6355/FUL
Received: 23rd October 2018
Accepted: 1st November 2018

Ward: Finchley Church End
Expiry: 31st January 2019

Applicant: c/o Agent

Proposal:
Redevelopment of the site to provide 97 no residential units and 2 no commercial units (Class A1/B1) with car parking and cycle parking at lower ground floor level and associated landscaping and public realm

Recommendation: Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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. Affordable Housing
   50% affordable housing by units across the whole development (35 units) on the basis of the following detailed mix:

   Shared Ownership (20 units)
   17 x 2-bed
   1 x 3-bed
   2 x 4-bed

   London Affordable Rent (7 units)
   7 x 4-bed
Affordable Rent (8 units)
8 x 4-bed

An Early Stage Viability Review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted or as agreed with the LPA.

4. **Carbon Off-set contribution**
   Payment of £200,143 towards Carbon Offset to meet mayoral zero carbon target.

5. **Travel Plan**
The applicant shall enter into a Travel Plan for the residential uses on the site that seeks to reduce reliance on the use of the private car.

6. **Travel Plan Monitoring**
Payment of a financial contribution of £10,000 to the Council towards its costs in promoting more sustainable modes of transport and monitoring the residential travel plan that will be submitted for the development

7. **On site car parking**
That all parking within the site shall be for residents of the development and their visitors only and for no other purpose.

8. **Local Employment Agreement**

   - An LEA may be required should the Applicant opt to execute the Non-Financial Obligations defined within the SPD Calculation. It will determine (in partnership with the Council), how the site and The Council support these Non-Financial Obligations, during operational and development stages.

   - Should the Applicant opt to offer the Financial Obligation. The LEA will not be required unless End Use Jobs are determined in the SPD Calculations.

   - The LEA will always endeavour (with the support of the Council) to align with Barnet's Entrepreneurial Strategy.

9. **Employment and Apprenticeship Contribution**

   - These can be defined within the LEA if the Applicant opts to execute the Non-Financial Obligations.

   - Or opt to offer a Financial Contribution and therefore not required to offer any Non-Financial Obligations. The Financial Contribution can be defined to align with Barnet's Entrepreneurial Strategy, in partnership with the Applicant and SPD Policy guidelines.

   - Typically, Non-Financial Obligations will include;
     - Apprenticeships
     - Progressions into Employment (More than or less than 6 months)
     - Work Placements
     - Site Visits
     - Site Workshops
     - Possibly End-Use Jobs
10. **Section 106 monitoring**  
Monitoring of the S106 obligations

**RECOMMENDATION II:**

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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

   BW_L_70 P03 (Location Plan)  
   BW_L_90 P19 (Pavement Level Plan)  
   BW_L_100 P21 (Ground Floor Plan)  
   BW_L_110 P19 (First Floor Plan)  
   BW_L_120 P17 (Second Floor Plan)  
   BW_L_130 P18 (Third Floor Plan)  
   BW_L_140 P15 (Fourth Floor Plan)  
   BW_L_200 P13 (Proposed Elevations and Sections Sheet 1)  
   BW_L_201 P05 (Proposed Elevations and Sections Sheet 2)  
   BW_L_210 P04 (Existing Elevations Sheet 1)  
   BW_L_211 P04 (Existing Elevations and Sections Sheet 2)  
   BW_L_100_P15 Arbtech AIA 01 A (Tree Constraints Plan)

   Air Quality Assessment, Air Quality Consultants (dated October 2018)  
   Construction Traffic Management Plan, Kuropatwa Ltd  
   Daylight and Sunlight Report, Point 2 Surveyors Ltd (dated October 2018)  
   Design and Access Statement, Peter Barber Architects (dated Jan 2019)  
   Noise Impact Assessment, KP Acoustics (dated 07.08.2018)  
   Overheating Analysis, Mendick Waring (dated October 2018)  
   Planning Statement, DP9 Ltd (dated October 2018)  
   Preliminary Ecological Appraisal, The Ecology Consultancy (dated 04.10.18)  
   Scheme Internal Daylight Report, Point 2 Surveyors Ltd (dated October 2018)  
   Statement of Community Involvement, London Communications Agency (dated 17 October 2018)  
   Sustainable Drainage Systems Assessment Form  
   Tree Survey, Arbtech Consulting Ltd (18.09.2018)  
   Travel Plan, Lime Transport (dated 18.10.2018)  
   Utility Assessment Report, Mendick Waring Ltd (dated October 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) Before the relevant part of the works are begun, details of the materials to be used for the external surfaces of the building(s), and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) Sample panels of all new facing brickwork for the new buildings, showing the proposed brick types, colour, texture, face bond and pointing shall be provided on site and the specification approved in writing by the Council as local planning authority before the relevant parts of the works are begun.

b) The development shall thereafter be implemented in accordance with the materials and sample panels 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) No development or site works shall take place on site until a 'Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
i. details of the routing of construction vehicles to the site, hours of access, access
and egress arrangements within the site and security procedures;
ii. site preparation and construction stages of the development;
iii. details of provisions for recycling of materials, the provision on site of a
storage/delivery area for all plant, site huts, site facilities and materials;
iv. details showing how all vehicles associated with the construction works are
properly washed and cleaned to prevent the passage to mud and dirt onto the
adjoining highway;
v. the methods to be used and the measures to be undertaken to control the
emission of dust, noise and vibration arising from construction works;
vi. a suitable and efficient means of suppressing dust, including the adequate
containment of stored or accumulated material so as to prevent it becoming
airborne at any time and giving rise to nuisance;
vii. noise mitigation measures for all plant and processors;
viii. details of contractors’ compound and car parking arrangements;
ix. details of interim car parking management arrangements for the duration
of construction;
x. details of a community liaison contact for the duration of all works associated
with the development.

The Statement shall be informed by the findings of the assessment of the air quality
impacts of construction and demolition phases of the development.
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 October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London
Plan (2016).

6 a) Notwithstanding the details submitted with the application and otherwise hereby
approved, prior to occupation 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 October 2016).
Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. BW_L_90 P19; 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 2016.

Prior to the first occupation of the development, the proposed cycle parking and cycle storage facilities shall be installed in accordance with the approved plans and such spaces shall be permanently retained thereafter.


Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 20% of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

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 2016.

Prior to the occupation, a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

i. the allocation of car parking spaces;
ii. on-site parking controls and charges;
iii. the enforcement of unauthorised parking; and
iv. disabled parking spaces.

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

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with the council's standards.
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.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced 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 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

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

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


13 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.)
14 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.


15 a) Prior to the first occupation of the hereby approved development, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

16 The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 14 shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by a suitably qualified and pre-appointed tree specialist.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan

17 Prior to commencement of development, the applicant shall submit to the satisfaction of the Local Planning Authority, in writing and drawing, the assessment of the flood risk to the proposed basement carpark in the event of extreme rainfall event or blockage of the SUDS control structures and from the blockage of the exiting TW sewer system on Beechwood Avenue which is located on a higher ground in relation to the proposed basement carpark.

Reason: To prevent or manage the risk of flooding of the basement carpark by ensuring the provision of a satisfactory means of flood water disposal. To ensure that the basement carpark can be used safely in accordance with the mitigation strategy set out in the SUDS strategy for the development. To limit the risk to the people using the basement carpark by ensuring the provision of a satisfactory means of warning and evacuation is incorporated into the design and maintained for the lifetime of the development.

18 Prior to commencement of development, the applicant shall submit in writing to the Local Planning Authority the agreement with Thames Water for surface water connection from the proposed development to Thames Water surface water drainage network at the agreed maximum discharge rate.

Reason: To ensure that the runoff from the proposed development is controlled in a manner to prevent an increase in surface water runoff and reduce flood risk in the existing Thames Water drainage network.

19 Prior to commencement of development, the applicant shall submit runoff calculation evidence showing that FEH design rainfall has been used.

Reason: To ensure the latest design rainfall has been used to assess the drainage system attenuation storage volumes.

20 a) Prior to commencement of development, the applicant shall submit detailed SUDS construction drawings to the Local Planning Authority.

b) The Development shall be carried out in full accordance with the details approved.

Reason: To ensure structural integrity of the drainage system and any adjacent structures or infrastructure under anticipated loading conditions over the design life of the development taking into account the requirement for reasonable levels of maintenance. To ensure the materials, including products, components, fittings or naturally occurring materials, which are specified by the designer are a suitable nature and quality for their intended use.

21 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed.
per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

22 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.

23 a) Prior to carrying out above grade works of each building or part of any new building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such parts of a building can achieve full 'Secured by Design' Accreditation.

b) Prior to the first occupation of the residential building a 'Secured by Design' accreditation shall be obtained for the building.

The development shall only be carried out in accordance with the approved details.

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

24 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 6.00pm 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).

25 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) and 10 units constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

26 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 26% 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 Polices document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

27 Prior to the occupation of the development, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority detailing the type, design, lux levels of proposed external lighting as well as measures to control glare. The External Lighting Assessment submitted shall detail the existing and proposed average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to both neighbouring residential properties as well as residential properties within the proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to first occupation.

Reason: To ensure the development provides adequate amenities of neighbouring residential properties as well as the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan.

28 No residential unit shall be occupied until the private and/or communal amenity space provision, (excluding public open space) for that unit is available in accordance with the Approved Plans.

Reason: To ensure there is adequate amenity space available for all residential units.

29 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity spaces provided on the site shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development.

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

30 The flexible commercial units hereby approved shall only be used in connection with Use Classes A1/B1 use).

Reason: To ensure the unit is not employed for use that is harmful to the amenity of the area and enable the Local Planning Authority to retain control of any future use of the floor space in accordance with Policies DM01, DM11 and DM13 of the Barnet Development Management Policies (adopted) September 2012.
“The approved Classes A1 and B1 units shall only be used between the hours 07:00 - 22:00.

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

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


Prior to the erection and installation of photovoltaic panels, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. Calculations demonstrating the additional carbon emission reductions that would be achieved through the provision of additional panels shall also be submitted. The development shall be carried out and constructed in accordance with the approved details.

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

No works in connection with the development hereby approved shall commence unless an invasive / non-native species protocol, including an associated management, maintenance and monitoring scheme, has been submitted to and approved in writing by the planning authority. The protocol shall detail the containment, control and removal of Japanese Knot Weed (Fallopia japonica) on the site. No other works in connection with the development hereby approved shall commence unless all the measures set out in the approved protocol have been carried out in accordance with the approved protocol.

Reason: To protect the natural environment and ensure that measures are put in place to prevent the spread of invasive non-native species.

The development shall proceed and be carried out in strict accordance with the findings and recommendation of the Preliminary Ecological Appraisal submitted in support of the application (The Ecology Consultancy, 04.10.18) and the details of ecological enhancements contained within shall be incorporated into the finished scheme.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

a) Prior to above grade works, a scheme of proposed air pollution mitigation measures for the units along the North Circular elevation shall be submitted to and approved in writing by the Local Planning Authority.
b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.3 of the London Plan 2016.

37 a) A scheme of offset measures based on the findings of the report by Air Quality Consultants shall be submitted to and approved by the Local Planning Authority prior to above grade works.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 3.2, 5.3 and 7.14 of the London Plan 2016.

38 Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

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

39 a) Prior to any above grade works, a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016), and 7.15 of The London Plan 2016.

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

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall
9 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 2016.

Part 1

Before development commences other than for investigative work:

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

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

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

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

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

Part 2

d) 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 October 2016) and 5.21 of the London Plan 2016.

RECOMMENDATION III:

1 That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 31.04.2019, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not provide a legal agreement to mitigate the impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Adopted Core Strategy and policy DM17 of the Adopted Development Management Policies DPD.

The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy 5.2 of the London Plan (2016), Policy CS9 of the Local Plan Core Strategy (adopted September 2012) and Policy DM04 of the Adopted Development Management Policies DPD.

Informative(s):

1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.
The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

3 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

4 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

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

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

5 The submitted Construction Method Statement shall include as 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 smaller developments - confirmation that an asbestos survey has been carried out.
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.

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.

Refuse collection points should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Level access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."

The local highway authority will seek compensation for any significant harm caused to the street tree (T06) located on Beechwood Avenue at the proposed north-eastern access point to the site. The Council uses the tree evaluation system Capital asset value of amenity trees (CAVAT) details of this system can be found at www.ltoa.org.uk. The tree marked on the applicant's tree protection plan are valued accordingly; T06 (£30,186).
Officer's Assessment

1. Site Description

The application site comprises a vacant parcel of land, approximately 0.56ha in size which lies within the ward of Finchley Church End. The site lies immediately north of the A406 North Circular and has a long street frontage which runs parallel to this road. The site is gently curved on the south side and has a saw-toothed boundary on the northern side. The site also has frontages onto Beechwood Avenue to the east and Edge Hill Road to the west. To the north of the site are the rear gardens of the detached houses which front both streets.

The site slopes along its length from west to east with a change in level of approximately 5 - 6 metres and also slopes south to north of approximately 3 - 4 metres. As a result, there is a natural change in level of around 1 storey from pavement level next to the North Circular up to the northern boundary with the neighbouring gardens.

The site currently comprises of overgrown dense vegetation with a number of self-seeded trees within the site and along the site boundaries. The northern boundary consists of large mature trees. None of the existing trees are subject to Tree Preservation Orders (TPOs).

The site has a Public Transport Accessibility Level (PTAL) of 2 according to Transport for London's (TfL) online PTAL calculator. The closest underground station to the site is Finchley Central, which is situated approximately 1 mile to the north.

The site lies entirely within Flood Zone 1. The site is not subject to any other Local Plan designation, nor is it located within a conservation area and there are no listed buildings on-site or within close proximity of the site.

The surrounding area is predominately residential, consisting of fairly large detached dwellings of two to three storeys in height. Each property benefits from large rear private gardens. Within the curtilage of No.8 Edge Hill Road, there is a substantial 'L-shaped' outbuilding, with No.62 Beechwood Avenue also having a large glazed outbuilding. On the opposite side of the North Circular, there is Beaufort Park, a purpose-built apartment estate comprising of three-storey buildings.

2. Site History

No relevant previous planning history.

3. Proposal

The proposed development is as follows:

'Redevelopment of the site to provide 97no. residential units and 2no commercial units (Class A1/B1) with car parking and cycle parking at lower ground floor level and associated landscaping and public realm.'

The proposed scheme will comprise two rows of residential dwellings extending along either side of a central pedestrian mews street. The north side of the proposed terrace extends two to three storeys, dropping to a single-storey towards the northern site boundary shared with the neighbouring gardens. On the south side, the proposed terrace
extends from two to four storeys at mews level, momentarily stepping up to five-storeys on each corner to create a focal point where the proposed southern terrace meets the prominent junction with the adjacent roads. Due to the natural slop of the site, the North Circular elevation is a storey below the mews.

The proposed buildings will be of a red-brick construction. The proposed mews will be paved in cobble stones, with the use of trees, street furniture and planters.

Each unit will benefit from private amenity space in the form of courtyards, balconies or terraces. The proposed mews would also serve as both communal amenity space for residents and public realm for neighbouring properties. Informal play space would also be provided within the mews.

The scheme will provide 97no. residential units comprising of the following:

<table>
<thead>
<tr>
<th>No. Units</th>
<th>Studio</th>
<th>1-bed</th>
<th>2-bed</th>
<th>3-bed</th>
<th>4-bed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>%</td>
<td>2%</td>
<td>22%</td>
<td>52%</td>
<td>6%</td>
<td>18%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Of the 97no. units proposed, 50% of the homes proposed will be affordable based on the Mayor's habitable room basis. This equates to 35 units - 20 Shared Ownership, 7 London Affordable Rent and 8 at Affordable Rent. 10 units will be wheelchair accessible.

In addition, the proposal will provide a total of 84sqm of commercial floor space (Class A1/B1) across two units at lower ground floor level. It is intended that these units will serve as small office spaces for SME or retail units to serve the local area.

The primary access would be via pedestrian entrances at either end of the mews on Beechwood Avenue and Edge Hill Avenue. A secondary access is proposed to be provided from a break in the southern terrace onto the North Circular.

Vehicular access is proposed via Edge Hill Avenue, leading to a parking area within the lower ground floor level. A total of 76 car parking spaces are proposed, including 10 wheelchair accessible bays. A total of 188 sheltered cycle parking spaces (two per unit) will also be provided at lower ground floor level.

The proposal has been amended during the application process following a request from officer to include the following changes:

- Storey removed at each end of the southern terrace (reducing the overall height of the scheme);
- Massing on lower floor has been reduced;
- Reduction in commercial floor space.

4. Public Consultation

Consultation letters were sent to 328 neighbouring properties. 23 responses have been received, comprising 19 letters of objection and 4 letters of support.
The objections received can be summarised as follows:

- Corner tower height- excessive and not keeping with the existing area;
- Height of corner tower will spoil the outlook from my house;
- Six storeys is excessive and not in keeping with height levels of properties in the immediate area;
- Volume and design is not in keeping with the area;
- Overcrowding given the modest size of the site;
- Impact on privacy and blocking of light;
- Overlooking and loss of privacy;
- Overshadowing of properties along Beechwood Avenue;
- Insufficient private or public amenity space;
- Impact on future occupiers through noise from A406;
- Creation of additional traffic;
- Lower level parking will not be used. Residents will park on Beechwood Avenue;
- Concerns regarding vehicular access to and from the site;
- Disruption during construction;
- Lack of car parking spaces;
- Submitted Travel plan is flawed;
- No new social facilities such as recreational areas;
- Damage all the trees and green;
- Loss of view;
- Impact on property value;
- Increase to noise and dust pollution during the construction phase.

The letters of support received can be summarised as follows:

- Interesting street based housing design;
- Proposal is innovative and well designed;
- New street will be a positive addition to the area;
- It is clear that the scale of the buildings has been carefully thought through to deliver much needed housing without impacting negatively on the surrounding area;
- Significant amount of affordable housing;
- Proposal is pedestrianised;
- Underground parking is considerate to existing homes;
- It is clear a great deal of effort has been made to take into account adjacent properties.

Statutory and Internal bodies

**Arboricultural Officer** - Sufficient information has been provided to fully assess the impact of the application on trees. There is a loss of trees that can be mitigated with on and offsite tree planting in accordance with local planning policies DM01. The outline proposal for tree planting needs to be agreed with TfL in advance of any permission.

**Drainage** - We have received the latest Surface Water Drainage Strategy. Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development. However, we request a number of conditions are imposed and recommend that prior to commencement of development, details of surface water drainage shall be submitted to and approved in writing by Barnet Planning Authority.

**Environmental Health** - Subject to the installation of mechanical ventilation across the development, no objection is raised subject to conditions
Traffic and Development - The applicant has undertaken the necessary highways requirements in order to demonstrate that there will be no detrimental impact on highway performance and safety. No objection is raised subject to the agreement of a legal agreement and the imposition of relevant conditions.

Metropolitan Police - Having reviewed the design I do not wish to object to the proposal. The Mews style design of the scheme will result in high levels of natural surveillance and activity on the street, which I believe will make this have good resiliency to crime and anti-social behaviour.

Transport for London - The proposed site, Beechwood Avenue, is integral to the GLA/TfL small sites/small builders' programme and TfL supports its development as it will contribute towards TfL's housebuilding and affordable house building targets. As well as this, any profit for TfL as a result of the development will be used to invest in TfL programmes, including the delivery of Healthy Streets and Vision Zero targets. Subject to a number of recommended conditions, being met the proposal would not result in an objection from TfL.

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 24th July 2018. This is a key part of the Government’s 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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. The relevant policies are:

- Policy 1.1 - Delivering the Strategic Vision and Objectives for London
Policy 2.6 - Outer London: Vision and Strategy
Policy 2.7 - Outer London: Economy
Policy 2.8 - Outer London: Transport
Policy 2.18 - Green Infrastructure: the Network of Open and Green Spaces
Policy 3.1 - Ensuring Equal Life Chances for All
Policy 3.2 - Improving Health and Addressing Health Inequalities
Policy 3.3 - Increasing Housing Supply
Policy 3.4 - Optimising Housing Potential
Policy 3.5 - Quality and Design of Housing Developments
Policy 3.6 - Children and Young People's Play and Informal Recreation Facilities
Policy 3.8 - Housing Choice
Policy 3.9 - Mixed and Balanced Communities
Policy 3.10 - Definition of Affordable Housing
Policy 3.11 - Affordable Housing Targets
Policy 3.12 - Negotiating Affordable Housing on Individual Private Residential and Mixed-Use Schemes
Policy 3.13 - Affordable Housing Thresholds
Policy 4.1 - Developing London's Economy
Policy 4.2 - Offices
Policy 5.1 - Climate Change Mitigation
Policy 5.2 - Minimising Carbon Dioxide Emissions
Policy 5.3 - Sustainable Design and Construction
Policy 5.5 - Decentralised Energy Networks
Policy 5.6 - Decentralised Energy in Development Proposals
Policy 5.7 - Renewable Energy
Policy 5.8 - Innovative Energy Technologies
Policy 5.9 - Overheating and Cooling
Policy 5.10 - Urban Greening
Policy 5.11 - (Green Roofs and Development Site Environs)
Policy 5.12 - Flood Risk Management
Policy 5.13 - Sustainable Drainage
Policy 5.14 - Water Quality and Wastewater Infrastructure
Policy 5.15 - Water Use and Supplies
Policy 5.16 - Waste Net Self-Sufficiency
Policy 5.17 - Waste Capacity
Policy 6.1 - Strategic Approach
Policy 6.2 - Promoting Public Transport Capacity and Safeguarding Land for Transport
Policy 6.3 - Assessing Effects of Development on Transport Capacity
Policy 6.4 - Enhancing London's Transport Connectivity
Policy 6.5 - Funding Crossrail and Other Strategically Important Transport Infrastructure
Policy 6.7 - Better Streets and Surface Transport
Policy 6.9 - Cycling
Policy 6.10 - Walking
Policy 6.11 - Smoothing Traffic Flow and Tackling Congestion
Policy 6.12 - Road Network Capacity
Policy 6.13 - Parking
Policy 7.1 Building London's Neighbourhoods and Communities
Policy 7.2 Inclusive Environment
Policy 7.3 - Designing Out Crime
Policy 7.4 - Local Character
Draft London Plan

The Draft London Plan is currently under review. 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 adopted London Plan.

The relevant policies are as follows:

- Policy GG1 Building strong and inclusive communities
- Policy GG2 Making the best use of land
- Policy GG3 Creating a healthy city
- Policy GG4 Delivering the homes Londoners need
- Policy GG5 Growing a good economy
- Policy GG6 Increasing efficiency and resilience
- Policy D1 London's form and characteristics
- Policy D2 Delivering good design
- Policy D3 Inclusive design
- Policy D4 Housing quality and standards
- Policy D5 Accessible housing
- Policy D6 Optimising density
- Policy D7 Public realm
- Policy D10 Safety, security and resilience to emergency
- Policy D11 Fire safety
- Policy D12 Agent of change
- Policy D13 Noise
- Policy H1 Increasing housing supply
- Policy H5 Delivering affordable housing
- Policy H6 Threshold approach to applications
- Policy H7 Affordable housing tenure
- Policy H8 Monitoring of affordable housing
- Policy H12 Housing size mix
- Policy S4 Play and informal recreation
- Policy E1 Offices
- Policy E2 Low-cost business space
- Policy E9 Retail, markets and hot food takeaways
- Policy G4 Open space
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI1 Improving air quality
- Policy SI2 Minimising greenhouse gas emissions
- Policy SI3 Energy infrastructure
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, CS8, CS9, CS13, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM10, DM11, DM14, DM16, DM17

Supplementary Planning Documents

Affordable Housing (adopted February 2008)
Delivering Skills, Employment, enterprise and Training (SEET) from development through S106 (adopted October 2014)
Green Infrastructure (October 2017)
Planning Obligation (adopted April 2013)
Residential Design Guidance SPD (adopted October 2016)
Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Provision of adequate accommodation for future occupiers;
- Highways safety and parking;
- Ecology, trees and landscaping; and
- Accessibility and sustainability.
5.3 Assessment of proposals

Principle of development

Residential

The existing site currently lies as an area of overgrown scrub and vegetation and was previously contained a number of residential units which were demolished in the 1990s to facilitate works to the A406. Remains of the materials from the existing buildings are still evident on site and which have been subsequently overgrown. NPPF paragraph 118 states that decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing. The site is located within an established residential area and can be considered a previously developed land. Therefore, the principle of a residential use is considered to be acceptable in terms of land use.

Barnet policy DM08 seeks to ensure a variety of sizes of new homes which meet housing need in order to provide choice for a growing and diverse population for all households in the Borough. Barnet's highest priorities are 3-bed units for social rented housing and 3-bed and 4-bed homes for intermediate and market housing. Of the 97no units proposed, 24% if these would fall within the highest priority demand.

Residential density

London Plan policy 3.4 seeks to optimise the housing output of sites taking into account local context and character, the design principles of chapter 7 of the London Plan and public transport capacity. Taking into account these factors, Table 3.2 of the London Plan sets out a density matrix which serves as guidance for appropriate densities in different locations dependent on the aforementioned factors.

It should be noted that the Draft London Plan, takes a less prescriptive approach and Policy D6 states inter alia that the density of a development should result from a design-led approach to determine the capacity of the site with particular consideration should be given to the site context, its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D6 goes on to state that proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.

The application site has an area of 0.56 ha and a PTAL level of 2. The applicant considers that the site falls within an 'urban' setting, owing to its proximity to a main arterial route and Temple Fortune town centre. Officers consider that the site context displays characteristics of both urban and suburban settings. Overall, taking into account the site's location, Officers are happy to accept the applicant's position that the site lies within an urban setting.

Based on the London Plan density matrix, the optimal density of the site would be between 55-145 units per hectare (u/ha) or 200-450 habitable rooms per hectare (hr/ha) for a site with a PTAL of 2. In this instance, the proposed residential density of the site exceeds the optimal range with a density of approximately 160 u/ha or 628 hr/ha.

Notwithstanding the application exceeding the optimal density ranges a set out within policy 3.4 of the London Plan, it should be noted that these density ranges are not
designed to be applied mechanistically. The Mayors Housing SPG sets out the exceptional circumstances where densities above the relevant density range may be justified. Exceptional circumstances include the following and which are considered relevant in the case of this application:

- Liveability
- Exemplary design and quality
- Contribution to ‘place making’
- Residential mix and dwelling types including affordable housing

Affordable housing

London Plan 2016 policy 3.12 seeks the maximum reasonable amount of affordable housing to be negotiated. The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings. All of the above policies seek a tenure split of 60% social rented and 40% intermediate housing.

The Mayor of London of London has published the affordable housing and viability SPG, which effectively accepts schemes which propose a minimum level of 35% without the need to submit a viability assessment. Schemes which provide less than this level need to be accompanied by a viability assessment. In those circumstances where the outcome of a viability review indicate that a scheme cannot viably provide more affordable housing, then a scheme can be approved with a lower level of affordable housing subject to the attachment of early and late stage viability reviews.

The Mayor's SPG advises that the percentage of affordable housing should be measured by habitable rooms to ensure that a range of sizes of affordable homes can be delivered, including family sized homes.

The application as submitted proposes 50% affordable housing when applying the Barnet definition of habitable room (>20sqm = 2 habitable rooms). The affordable provision comprises of a mix of dwelling types, tenures and sizes. The tenure split is as follows:

- 47% shared-ownership; and
- 53% affordable rent, comprising:
  - 25% London Affordable Rent (25%); and
  - 28% Affordable Rent (285).

This equates to 20 shared ownership units (18 x 2-bed units and 2 x 4-bed units), 7 London Affordable Rent units (7 x 4-bed units) and 8 Affordable Rent Units (7 x 4-bed units).

The provision of 50% affordable housing exceeds the Barnet requirement and meets the Mayor's Fast Track Route where viability information is not required at application stage. The provision of affordable housing will be secured via a S106 obligation.

Commercial / Employment

In terms of the principle of the proposed commercial use, the proposal provides two small units, of 39sqm and 45sqm respectively. Within the Design and Access Statement it is envisaged that these units will be occupied by either a corner shop, coffee shop or workshop/office. The site is not located within a town centre and therefore Barnet policies
DM11 and DM14 respectively require all out of town development to be subject to a sequential test approach.

The applicant has not undertaken a sequential test as the proposal will only provide a limited quantum of floor space mainly serving the future residents. The document states that the proposed units are only coming forward as part of the development and do not consider it necessary to consider the potential to accommodate this floor space as a separate entity in nearby centres.

Whilst the site is located within an out of town location, the combined provision of two units at approx. 84sqm is considered to have a minimal impact on the Borough's employment or retail provision. The requirement for a sequential test is not considered necessary in this instance.

Design, layout, massing and height

The proposed design strategy incorporates a new pedestrian mews street which runs along the central length of the site, with two terraces of buildings on either side of the street.

The provision of a mews street will provide a new publicly accessible road, to which its aim is to encourage all pedestrians to travel along instead of walking along the footpath adjacent to the North Circular. This has the benefits of providing a street where pedestrians can travel safely along this part without experiencing the noise and air pollution associated with the vehicles. The siting, massing and height of the southern terrace effectively acts as a screen between the North Circular and the mews street.

On the south side, the terrace alternates in height between 1, 3 and 4 storeys rising to 5 storeys at the two ends of the terrace at the prominent corners. The terrace incorporates a curved arched façade fronting onto the A406 that alternates in height comprising of projecting and recessing elements and steps down towards the mews.

On the northern side, the terrace alternates between 1, 2 and 3 storeys fronting the mews, stepping down to a single storey at the rear and set back at the upper levels away from the garden boundaries to the north.

The majority of the proposal ranges from single storey to four storeys and has been carefully developed to take into account the context and scale of the surrounding area. The massing and height of both corners has been reduced so that they do not appear overly dominant and out of scale with the surrounding area. The elevations comprise of a range of architectural detailing including multiple front doors, stable doors, deep revealed window seats, oriel windows and terraces which provide visual interest. The alternating height of the massing creates a notched profile that reduces the overall impact of the building.

This particular design approach has been adopted by the architect to react to the site constraints in types of the topography, the A406 and the neighbouring properties. This approach has allowed for an increased density throughout the site, without the need for providing tall buildings on the site. The dwellings generally have the characteristics of mews houses with almost all having front doors to the mews street with access to public and private amenity space. The mews typology delivers the density, security and servicing coupled with the creation of community, personal space and comfort of a street based terrace of houses.
Overall, whilst the design and typology would provide a contrast to the surrounding area, Officers consider that the distribution of height and massing throughout the scheme is acceptable and through the use of a varied rustic red brick, would help blend the development into the surrounding area. The creation of a mews street creates an intriguing concept that aims to introduce social community within the development. It is considered that the facades are well articulated and the elevational treatment and fenestration add visual interest to the proposal.

Impact on amenity of nearby residential occupiers

Barnet policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining users. Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission.

Privacy, overlooking and outlook

Barnet's Residential Design Guidance SPD states that there should be a minimum distance of about 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5m to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

The northern terrace has been carefully design in terms of footprint and massing so that there are no windows directly overlooking adjacent properties or gardens. The upper levels have been carefully designed to have habitable rooms generally facing side-ways into the private terraces or towards the mews to the south. The exception is within the central section at first floor level where there are a number of single windows. However, this section is set further back approx. 7 - 15m from the neighbouring gardens and therefore not considered to be harmful.

On the southern terrace, views from the lower levels would be partially screened by the northern terrace. However, where views would be possible through the designed notches, the distances generally meet the 10.5m requirement. There is a small section at the eastern end where the distances are smaller, however, there is a significant landscaping on the boundary with No.66 Beechwood Avenue to prevent overlooking.

As the building form rises in height, the northern terrace is stepped back from the boundary. The upper floors are sloped back from the mews to further reduce the massing on the gardens behind. The alternating height of the massing creates a notched profile that reduces the overall impact of the building with the sloping roof. As a combination of the levels change between the site and the neighbouring and the proposed alternating massing, the proposal is not considered to have a detrimental overbearing impact. Along the boundary with No.6 Edge Hill Avenue, the proposal would be extended single storey to the boundary with the first storey set back. In addition, the proposed units along this boundary are also sunken so that the height is similar to a garden wall or fence on the boundary. Therefore, the overall visual impact on No.6 will be further reduced. The same stepped approach is proposed along the boundary with No.66 Beechwood Avenue.

The neighbouring gardens are generally mature and well planted with a substantial screening of large trees and bushes within the gardens, providing screening and privacy for neighbouring amenity.
Daylight and sunlight

The application is accompanied by a Daylight and Sunlight report prepared by Point 2 Surveyors Ltd which provides an assessment of the potential impact of the development on sunlight, daylight and overshadowing to neighbouring residential properties based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout for Daylight and Sunlight: A Good Practice Guide'.

Daylight has been assessed in terms of Vertical Sky Component (VSC), NO Sky Line (NSL) and Average Daylight Factor (ADF) and sunlight has been assessed in terms of Annual Probable Sunlight Hours (APSH) and overshadowing has been assessed against the above BRE guidelines. The BRE Guidelines provide numerical guidelines, however these are not mandatory and should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:

The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or

The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value; or

The daylight distribution, as assessed by the Average Daylight Factor (ADF) calculation which assesses the actual level of light received by a room rather that potential light. The ADF requires the achievement of values of 1% in bedrooms, 1.5% in living rooms and 2% in kitchens.

It should be noted that the London Plan guidance states that in view of London's context accepting VSC reductions exceeding 20% is acceptable. A reduction of under 30% is classified as minor adverse, under 40% moderate adverse and over 40% substantial adverse.

Sunlight: the BRE Guidelines confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment it is considered that there would be no real noticeable loss of sunlight where:

The following surrounding properties have been assessed in terms of the effects of the proposed development upon their daylight and sunlight amenity:

- 6 Edge Hill Avenue
- 8 Edge Hill Avenue
- 10 Edge Hill Avenue
- 52 Beechwood Avenue
- 54 Beechwood Avenue
- 56 Beechwood Avenue
- 58 Beechwood Avenue
The Daylight analysis advises that all windows and rooms in all neighbouring properties retain good, BRE compliant levels of daylight and sunlight amenity once the scheme has been constructed. An in-depth analysis has been undertaken on No.6 Edge Hill Avenue. It is expected that No.6 will experience some reduction in daylight due to the current undeveloped nature of the site, however this is limited to a ground floor dual aspect kitchen. The report advises that there will be unnoticeable changes in NSL and the retained ADF demonstrates the room will continue to enjoy good levels of internal daylight amenity once the scheme has been constructed. The report advises that No.6 will continue to enjoy good levels of daylight and sunlight amenity.

Overall, the proposed development is not considered to have a harmful adverse impact in terms of overlooking, overbearing or loss of light on the amenity of neighbouring residential properties.

Provision of adequate accommodation for future occupiers

Unit mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan Policy 3.8, and Barnet Development Management Policies DPD policy DM08). The Council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

The proposed development proposes the following unit mix across the application site:

<table>
<thead>
<tr>
<th>No. Units</th>
<th>Studio</th>
<th>1-bed</th>
<th>2-bed</th>
<th>3-bed</th>
<th>4-bed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>%</td>
<td>2%</td>
<td>20%</td>
<td>54%</td>
<td>6%</td>
<td>18%</td>
<td>100%</td>
</tr>
</tbody>
</table>

The typologies can be understood by four areas of accommodation:

A: generous dual aspect apartments (similar to a small mansion block) accessed from an intimate common stair and lift with only two flats per core (entrances located at either end of the southern terrace facing the mews);

B: stacked dual aspect maisonettes in the southern terrace, each of which have generous roof terraces or courtyards, all of which have a private entrance from the mews street (no common circulation);

C: the northern terrace is arranged as 'in and ups' with ground floor apartments stretching back in the deeper parts of the site with multiple outlooks into the mews, a central courtyard (to address the deep plan) and a rear garden; and upper floor maisonettes also accessed from a front door to the mews, often straight up to a maisonette above with a roof terrace;
D: the homes in the northern terrace vary slightly, some with a basement space with a generous courtyard, some with accommodation on all floors more akin to a house, and some as straightforward terraced courtyard houses.

In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. The London Plan and the Barnet's Sustainable Design and Construction SPD sets out the minimum space requirements for residential units.

The majority of the units proposed are generous in size and comply with the required London Plan standards. However, two of the units fall short by 1sqm and 5sqm respectively. This is considered marginal and given the provision of units which are at least dual aspect with many treble aspect and the provision of external amenity space, Officers are satisfied that the units would all provide a good standard of accommodation.

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific conditions. All units should have 10% wheelchair home compliance, as per London Plan policy 3.8. The proposed accommodation schedule details that 10 units are designed to be accessible to residents in wheelchairs.

The London Housing SPG provides further guidance in relation to the provision of dual aspect units and private amenity space. Housing SPG standard 4.10.1 states that 5m² of private amenity space should be provided for each one bedroom unit, with a further 1m² provided for each additional occupant. Standard 4.10.3 states that the minimum length and depth of areas of private amenity space should be 1.5m and that developments should avoid single aspect units which are north facing, have three or more bedrooms, or are exposed to a particularly poor external noise environment.

Barnet's Sustainable Design and Construction SPD sets the minimum standards for outdoor amenity space provision in new residential developments. Flats are expected to provide 5sqm of usable outdoor communal or private amenity space per habitable room proposed and houses considerably more as detailed in Table 2.3 below of SPD Adapted from the Sustainable Design and Construction SPD and are as per the London Plan requirements. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

All the proposed units would benefit with at least one private external space in the form of a roof terrace, courtyard or balcony. The size of each external space varies depending on each home's site, location and typology. The overall private provision adds to 1973sqm (average of over 20sqm per unit). In addition, the DAS advises that the pedestrian public mews running through the centre of the development will provide a high quality shared external amenity space for future residents but also for existing residents in the local area. This amounts to 1375sqm of space which will include a provision of 110sqm of designated play space for children under 5.

*Noise / Air Quality*

The application is supported by a Noise Impact Assessment which undertook a detailed assessment of the suitability of the site for residential development. The report advises
that suitable robust glazing would provide acceptable internal noise levels for all residential units. The Council's Environmental Health service are accepting of the noise level details provided.

The site is located within a poor area of air quality within the Borough, with Environmental Health Officers raising strong concerns over the provision of balconies, terraces and outdoor amenity facing onto the North Circular where future occupiers would be exposed.

Environmental Health Officers had raised concerns that balconies, terraces and outdoor amenity would be facing the A406 and would be exposed to the highest pollution levels. However, the large majority of amenity areas would be inward facing towards the mews and areas facing the North Circular would be secondary spaces. However, in addition the applicant has agreed to remove a row of balconies on the third floor and to the installation of Mechanical Ventilation throughout the development. On balance, taking into account the amendments, the dual / treble aspect outlooks of the units and the main provision of amenity space inward facing, Environmental Health are accepting that future residents will not suffer significantly in terms of air quality.

Transport / Highways

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

Policy DM17 sets out parking standards as follows for the residential use:

| One bedroom units | 0.0 to 1.0 space per unit |
| Two and three bedroom units | 1.0 to 1.5 spaces per unit |
| Four or more bedroom units | 1.5 to 2.0 spaces per unit |

Based on the PTAL of the site, a policy complaint scheme would necessitate a range of between 84.5 (0.87 spaces per unit) and 143.5 (1.5 spaces per unit) parking spaces for the 97 residential units. The scheme would deliver 76 parking spaces including 10 wheelchair accessible bays.

The application is support by a Transport Statement which assesses the impact on the surrounding transport network.

Parking beat surveys were carried out on the nights of Tuesday 26th June and Wednesday 27th June 2018 to establish the maximum residential demand for parking overnight. The surveys were carried out in accordance with the Lambeth Methodology. Surveys were carried out on two consecutive weekday nights between 12.30am and 5.30am. The surveys covered a two-minute walk from the site and covered all roads within 200m.
The survey results were as follows:

<table>
<thead>
<tr>
<th>Street</th>
<th>Total no. of spaces available</th>
<th>Total no. of spaces occupied</th>
<th>Spaces occupied (%)</th>
<th>No. of spaces occupied before 85% capacity is reached</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tillingbourne Gardens</td>
<td>25</td>
<td>21</td>
<td>84</td>
<td>0</td>
</tr>
<tr>
<td>Edge Hill Avenue</td>
<td>26</td>
<td>21</td>
<td>81</td>
<td>1</td>
</tr>
<tr>
<td>Beechwood Avenue</td>
<td>97</td>
<td>70</td>
<td>72</td>
<td>12</td>
</tr>
<tr>
<td>Windermere Avenue</td>
<td>24</td>
<td>18</td>
<td>75</td>
<td>2</td>
</tr>
<tr>
<td>Kingsgate Avenue</td>
<td>59</td>
<td>41</td>
<td>69</td>
<td>9</td>
</tr>
<tr>
<td>Clandon Gardens</td>
<td>30</td>
<td>20</td>
<td>67</td>
<td>6</td>
</tr>
<tr>
<td>Beaufort Park</td>
<td>40</td>
<td>32</td>
<td>80</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>301</strong></td>
<td><strong>223</strong></td>
<td><strong>74</strong></td>
<td><strong>33</strong></td>
</tr>
</tbody>
</table>

The above table illustrates that 74% of all available parking within 200m of the site was utilised overnight. Within the area there are 33 spaces available overnight (of which 13 are located on Beechwood Avenue and Edge Hill Avenue.

In terms of proposed vehicle trip generation, the proposal is anticipated to generate 20 vehicle movements in the morning peak hour (8am to 9am) and 16 in the evening peak hour (5pm to 6pm).

The access to the basement car park will be provided from Edge Hill Avenue to the west of the site. This access will be a simple priority junction with the access forming the minor arm of the junction. The basement car park access will be provided as a two-way road, with no through route to Beechwood Avenue. The ramp access to the basement will operate as one-way working with traffic signal control at the top and bottom of the ramp. The traffic lights will operate with a default setting showing a green light for incoming vehicles at the top of the ramp. This is to minimise wait time for vehicles turning off Edge Hill Avenue. Vehicles exiting the car park will trigger the light at the bottom of the ramp to turn to green. There is sufficient space for a vehicle to wait off the highway at the top of the ramp in the event that a vehicle arrives when another vehicle is exiting.

It is anticipated that the proposed development site will generate a maximum of 10 delivery and service vehicle trips per day (6-days/week). There are currently no parking restrictions provided on Edge Hill Avenue or Beechwood Avenue and all day to day deliveries will be undertaken on-street. Parcel collection points will be provided in the communal areas at both ends of the development to ease the delivery process. Occasional deliveries of larger items will be undertaken from the shared surface with prior approval of the management company.
Refuse will be collected from the shared surface street at ground level by the local authority.

A swept-path analysis has been undertaken of the range of vehicles likely to access the site, including refuse vehicle (based on a 11.2m refuse vehicle), emergency services vehicle (based on a 7.7m fire tender), typical residential delivery vehicle (based on an 8m rigid vehicle).

TfL have advised that the site is integral to the GLA/TfL small sites/ small builders programme and TfL supports it development as it will contribute towards TfL's housebuilding and affordable house building targets. They comment that the proposed parking provision adheres to the draft London Plan and they are satisfied with the car parking design and access. The applicant is proposing 10 wheelchair accessible bays which exceeds the draft London Plan standards. A total of 193 cycle parking spaces are proposed which complies with the Mayor's requirements and is acceptable to TfL. Overall TfL raises no objection to the proposed and recommends that the Council should secure the provision of a Travel Plan, Construction Traffic Management Plan and a Delivery and Servicing Plan.

The Council's Traffic and Development service has reviewed the transport documents submitted and commented that while additional on-site parking would be preferable given the site's location, the applicant has undertaken the necessary parking beat survey which demonstrates that there is sufficient capacity within the surrounding roads to accommodate any overspill parking.

Overall, the proposal is considered to be acceptable and will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users, as such a recommendation for approval is supported.

**Energy, Sustainability and resources**

London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all residential developments to achieve zero carbon on new residential developments post 2016. Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayors targets for reductions in carbon dioxide emissions, within the
framework of the Mayor’s energy hierarchy. Proposals are also expected to comply with the guidance set out in the council’s Supplementary Planning Documents (SPD) in respect of the requirements of the Code for Sustainable Homes.

An Energy Report has been support of the application. The energy report outlines that photovoltaic panels are the most feasible measure to improve sustainability and reduce carbon emissions. The development is expected to reduce regulated CO2 emissions by 26%. In order to achieve zero carbon, the applicant is proposing to make a carbon offset contribution of £200,143.

**Landscaping, Trees and biodiversity**

**Trees**

The site is currently overgrown and unkempt with low quality scrub vegetation, bushes and self-seeded young trees. The Council’s Arboricultural Officer is accepting of the low quality of the existing trees and has confirmed that the existing trees on site would not qualify for protection under TPO designation. However, it is stated that the loss of trees would represent a loss of visual tree amenity to users of the North Circular and help address air filtration. It is recommended that to overcome the loss, new street trees should be considered along the frontage of the site to improve the visual tree amenity quality in the area. At present the scheme is not considered to provide enough space for appropriate tree planting on the streets.

Initially TfL had requested that around 15 trees be planted along the North Circular. However, they have provided a further response stating that this figure was aspirational based on the suitability of the footway. However, the TfL Agricultural team have advised that there would not be sufficient room to effectively plant trees at the back of the footway. Taking into account the proposed design, it would not be possible for new tree planting to be accommodated along the footpath facing the North Circular.

To the north of the site, the neighbouring gardens are generally mature and well planted with a substantial screening of large trees and bushes within the gardens visually separating the site from the neighbouring houses. It is proposed that these trees be retained and works to take into account the Root Protection Area (RPA).

There is one street tree (T06) which is located on Beechwood Avenue at the north-eastern side of the proposed mews street entrance. The submitted tree protection plan illustrates that this tree is marked for retention and the Council’s Greenspaces Team has advised that it has a CAVAT value of £30,186.

Officers have assessed the loss of the visual green space and note the comments of the Council’s Arboricultural Officer and TfL, however it is considered the form of development does not have the ability to accommodate new planting along the North Circular Road. Overall, the proposed creation of a tree-lined mews is considered to be an appropriate design solution than tree planting along the A406 pavement. The aim is to encourage pedestrians along the new mews rather than walk along the A406 pavement which is acknowledges provides a public benefit.

**Biodiversity**

The application is supported by a Preliminary Ecological Appraisal in order to provide current baseline ecological information of the site. The appraisal consisted of a desk study
and habitat survey which was carried on in September 2018. The report concludes that the site does not form part of any statutory or non-statutory nature conservation site and that habitats present are considered of value only within the site. Specific assessment has been undertaken in relation to nesting birds, bats and reptiles.

The report advises that the site has moderate potential to accommodate nesting birds, negligible potential to support bats and negligible potential to support reptiles.

As the majority of vegetation on-site will be removed, the proposal includes a range of compensation measures such as undertaken particular works at certain times and providing new trees, green roofs and planters in order to enhance biodiversity. The roofs of the buildings on the north side of the mews will be ‘green’ ecology biodiversity roofs for their environmental benefits but also to improve the outlook from the higher floors of the development or from neighbouring buildings.

**Landscaping**

The proposed landscaping strategy focuses around the creation of the central mews street which will be accessible to all new homes on-site but also for the enjoyment of existing nearby residents. The street will consist of benches, children’s play equipment, new street trees and a series of planters along the edge next to the façade of the homes. It is envisaged that residents will take ownership of the planters as an opportunity to plant and grow their own herbs, flowers, vegetables, fruit, etc. The concept is intended to create a communal and collaborative garden edge which will encourage interaction and social engagement.

The substantial screening of large trees and bushes along the boundary between the site and neighbouring gardens is proposed to be maintained and not significant disrupted.

Officers are satisfied with proposed landscape concept proposed and conditions will be attached to ensure the final landscaping details are of an appropriate design and quality and make a positive contribution to the mews street.

**Flood Risk and Drainage**

Policy DM04 states that developments should demonstrate compliance with the London Plan water hierarchy for run off especially in areas identified as prone to flooding from surface water runoff.

In respect of flood risk, the site is within Flood Zone 1 which is classified as being of low risk of flooding. The proposed development is acceptable in this zone.

The applicant has submitted a Drainage Strategy that has been reviewed by all parties concerned. Capita Drainage (which is the acting Lead Flood Authority) have no in principle objection, subject to the attachment of appropriate conditions.

6. Equality and Diversity Issues

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:
"(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:
- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

The site will provide 10% wheelchair adaptable units.

The development includes level, step-free pedestrian approaches into the central mews street to ensure that all occupiers and visitors of the development can move freely in and around the public communal spaces. Lifts are provided to provide step-free access between the lower ground area to the upper levels. Dedicated parking spaces for people with a disability will be provided in locations in close proximity to the lift areas.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

7. Conclusion

In order to make a recommendation on the application, it is necessary to take a balanced judgement based on the all of the issues identified as discussed within this report. It is noted that the site's location adjacent to the North Circular and its unusual plot shape pose significant constraints. However, it is considered that the proposed design approach and typology incorporated brings a number of benefits including the provision of housing, particularly affordable, a high-quality design and units benefiting from dual/triple aspects and private amenity space. The proposal will promote social interaction through a new tined lined mews type development, providing a communal area for the benefit of future and existing residents. Whilst the design is not a reflection of the surrounding character, its scale, height and massing is considered to be acceptable and has been progressed as a direct response to the site constraints. These factors and including the use of red brick are
considered to help the proposal integrate successfully within the surrounding area. Subject to migration, measures relating to noise, air quality, transport impact and sustainability will be secured via S106 obligations and relevant conditions.

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