APPENDIX 1

DRAFT LIST OF PLANNING CONDITIONS

CONSTRUCTION OF HIGHWAYS INFRASTRUCTURE AND ASSOCIATED PUBLIC REALM COMPRISING HIGH STREET SOUTH (EAST WORKS), CLAREMONT PARK ROAD (PART 1), CLAREMONT AVENUE (SOUTH OF HIGH STREET SOUTH (EAST WORKS) AND CLAREMONT ROAD JUNCTION NORTH, REQUIRED IN ASSOCIATION WITH PHASE 1 (SOUTH) OF THE CONSENTED REDEVELOPMENT OF THE BRENT CROSS CRICKLEWOOD REGENERATION AREA (REF: F/04687/13). PROPOSAL INCLUDES INCLUDING ENABLING WORKS AND OTHER WORKS INCIDENTAL TO THE HIGHWAYS AND PUBLIC REALM DEVELOPMENT

PLANNING APPLICATION REF. 18/6645/FUL

DRAFT CONDITIONS

COMMENCEMENT AND TIME LIMITS

1. The development hereby permitted 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.

APPROVED DRAWINGS

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

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<tr>
<td>Landscape Drop In Surface Finishes Plan</td>
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<td>Highway Layout General Arrangement Plan Sheet 1 of 5 (1:500 @ A1)</td>
<td>BXS-ARP-1C-XX-DR-TP-2101 P2</td>
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<td>Highway Layout General Arrangement Plan Sheet 2(1:250 @ A1)</td>
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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

CONSTRUCTION

3. Prior to the commencement of the development hereby permitted a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall include (but not be limited to) the following details:

   a) Access arrangements into/out of the site;
   b) Parking provision for operatives and visitors;
   c) Hours of construction including deliveries, and loading and unloading of plant and materials;
   d) Storage of plant and materials used in the construction of the development;
   e) Erection of any means of temporary enclosure or security hoarding;
   f) Measures to prevent mud and debris being carried onto the public highway; and
   g) Measures to minimise dust, noise and vibration pollution including a Dust Management Plan.

The Construction Environmental Plan shall be implemented as approved throughout the duration of the construction of the development hereby permitted.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012); and to accord with the Mayor’s The Control of Dust and Emissions During Construction and Demolition SPG (2014);

4. The permitted hours of construction work and/or any Site engineering and Preparation Works hereby permitted shall only be between:

   a) 8:00am to 6:00pm Mondays to Fridays
   b) 9:00am to 1:00pm Saturdays.

No construction work and/or any Site engineering and Preparation Works shall be carried out outside of these hours without written consent from the LPA.

No construction or site engineering and preparation works shall be carried out on Sundays or bank holidays.

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

5. Unless otherwise approved by the Local Planning Authority under Section 61 of the control of Pollution Act 1974, the start-up and shut down periods shall be 7:30am to 08:00am and 6:00pm – 6:30pm respectively Monday to Friday and 1:00pm to 1:30am on Saturdays.
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).

6. Piling or any other foundation designs using penetrative methods, shall not be permitted other than with the express written consent of the LPA, which may only be given for those parts of the site where it has been demonstrated (having due regard to relevant details approved under condition + (Contamination), that there is no resultant unacceptable risk to groundwater. The Development shall be carried out in accordance with the approved details.

Reason: To ensure the development can be implemented 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.

7. Noise levels at any occupied residential property due to construction or demolition or Site Engineering and Preparation Works shall not exceed 75dB LAeq (10 hour) measured at 1m from the façade of the nearest occupied property, during the hours from 8.00am to 6.00pm Monday to Friday, and 75dB LAeq (5 hour) during the hours from 8.00am to 1.00pm on Saturday unless such works have the prior approval of the Local Authority, under s61 of the Control of Pollution Act 1974.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (September 2012) and Policy 7.15 of the London Plan (2016).

8. Noise from construction work or Site Engineering and Preparation Works shall give rise to noise levels no higher than 65dB LAeq (1 hour) and 70dB LAeq (1 minute) at any educational premises measured at 1m from the façade of the building during school hours in term time, unless such works have the prior approval of the Local Authority under s61 of the Control of Pollution Act 1974.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (September 2012) and Policy 7.15 of the London Plan (2016).

9. Prior to the commencement the development hereby permitted a Construction Transport Management Plan ('CTMP') shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall thereafter be implemented as approved for the duration of the demolition and construction phase of the development.

Reason: To minimise traffic congestion associated with the demolition and construction of the proposed development in accordance with Policy 6.14 of the London Plan (2016).
HIGHWAYS AND ACCESS

10. Prior to the commencement of the development, details comprising Highways Engineering Drawings and detailed Construction Specifications of the access and estate road(s) with a minimum scale of 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The estate road as approved shall be constructed in accordance with the approved details.

Reason: To ensure the safe form of access to the development and to protect the amenity of the area and to conform to London Borough of Barnet’s Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

11. Prior to the commencement of the development hereby approved detailed designs of the kerb radii for the junctions between Claremont Park Road and the residential side streets, and the junction between Claremont Park Road and Claremont Avenue shall be submitted to and approved in writing by the Local Planning Authority and the development shall be constructed in accordance with the approved details.


BIODIVERSITY AND LANDSCAPING

12. The removal of trees and shrubs shall only be undertaken outside of the bird breeding season (March to August, inclusive). Any tree works or removal within the bird breeding season shall be carried out no more than 24 hours following an inspection by a suitably qualified ecologist confirming the absence of any breeding birds.


13. No more than eighteen months before the felling of any tree within the application site, an inspection of the relevant tree shall be undertaken to determine the potential for roosting bats. Should bat potential be identified, further surveys should be undertaken as required to determine the presence/likely absence of roosting bats. Should bat roosts be identified, this shall be reported in writing to the LPA, and tree removal shall not be undertaken until any necessary Natural England mitigation licence has been obtained. The mitigation measures, which shall first be submitted to and agreed in writing by the LPA, shall be undertaken in accordance with the requirements of the mitigation licence.

Any pre-felling inspections are to be undertaken in accordance with the most up to date best practice guidance (Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition) 2016, and any updated guidance).

Reason: To ensure that protected species are appropriately safeguarded during the demolition and construction phase of the development in accordance with Policy CS7

14. Prior to the commencement of the relevant part of the development, details of materials and site furnishings (including samples where appropriate) as set out within section 4 of the approved ‘Landscape Design Statement: Public Realm’ prepared by Townshend Architects dated October 2018, or otherwise specified with justification provided, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Design and location of any electricity infrastructure, including surface treatment and means of enclosure;
2. Surface materials and finishes;
3. Highways details (e.g. crossing and kerb heights);
4. Access and wayfinding strategy;
5. Materials, types and siting of all furnishings including cycle racks, benches, communal seating, movable seating, cycle parking, bins for litter (including drawings and sections showing thresholds);
6. Street furniture, lighting and signage;
7. Details of all proposed trees (including tree pit details), hedge, shrub and other soft landscaped features, including proposed species, plant sizing, density and arrangement;
8. Ecological enhancements;
9. Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
10. The position of any proposed excavation within the recommended protective distance referred to in BS5837:2012;
11. Means of planting, staking and tying of trees, including tree guards;
12. Details of all proposed hard landscape works, including proposed materials, samples and details of techniques to be used to provide conditions appropriate for new plantings.

The detailed phase of the development shall be carried out in accordance with the approved details.

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

15. All new planting shall comply with the requirements specified in BS 5236 (1975) Advanced Nursery stock Trees; BS 3936 (1980) ‘Specification of nursery stock: Part 1, Trees and Shrubs’, and in BS 4428 (1969) ‘Recommendations for general landscape operations’, or subsequent versions of such standards. Apart from formative pruning in accordance good arboricultural practice, none of the new trees, plants or shrubs planted shall be pruned within a period of five years from the completion of the development.

Any trees, plants or shrubs which, within a period of five years, from the completion of the development die, are removed, or become seriously damaged or diseased or otherwise fail to thrive, shall be replaced in the next planting season with others of similar size and species unless and to the extent that any variation to the approved landscaping works is first approved in writing by the LPA.
Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan.

16. Prior to the development hereby approved coming into use or being open to the public, a Landscape and Ecology Management Plan (LEMP) including long-term design objectives, proposed management responsibilities and draft maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the LPA. The LEMP shall be carried out and implemented as approved and subsequent variations shall be agreed in writing by the LPA. Further to the above, the LEMP shall include the following elements:

   a) detail extent, type and provenance of new planting (native species only)
   b) details of maintenance regimes
   c) details of monitoring for all landscape and ecological elements
   d) details of treatment of site boundaries and/or buffers around water bodies.

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

17. The Development shall not begin (including Temporary Works and Preparatory Works save and except the works required in accordance with this Condition) unless and until a pre-construction survey has been carried out in respect of the application site curtilage to identify any areas that are affected by buried or surface invasive non-native plants including but not limited to Japanese Knotweed, Giant Hogweed and Himalayan Balsam. The survey should be accompanied by a method statement containing measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. In the event that the survey identifies the presence of such plants, or any other proscribed noxious weeds, details of the locations and methods for their removal or long-term management/eradication with methods of working and measures that will prevent its spread during any works operations, (such as gaining access, erection of security fencing, clearance and demolition, site investigation, earthworks, mowing, trimming and other vegetation management, or soil movement,) shall be submitted to and approved in writing by the LPA and implemented before development begins. Development shall proceed in accordance with the approved method statements.

Reason: To prevent the spread of non-native plants, and in particular Japanese knotweed and Giant hogweed, which are invasive species, in line with policy CS7 of Barnet Council’s Core Strategy (adopted) 2012 and DM16 of Barnet Council’s Development Management Policies (adopted) 2012; as well as Policies 7.19 and 7.21 of the London Plan (2016, with amendments) and the National Planning Policy Framework (2012).
**LIGHTING**

18. Prior to the commencement of the relevant part of the scheme, an External Lighting Assessment of lighting proposed within the application site, shall be submitted to and approved in writing by the Local Planning Authority. The external lighting assessment submitted shall detail the existing average night time luminance and light spread levels across the site area at night, identify the levels of light pollution received at the windows to adjacent residential properties and, where appropriate, identify the measures to be used to mitigate any impacts to species including bats. Any light pollution mitigation identified in the external lighting assessment shall be implemented in full prior to occupation of the detailed elements of the scheme.

Reason: to ensure the development does not cause harm to the amenities of adjoining occupiers to accord with Policy DM01 of the Local Plan and to mitigate the impact to species including bats in accordance with Policies CS7 and DM16.

**DRAINAGE STRATEGY**

19. Development shall not begin until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed

The scheme shall be based upon the principles within the agreed Drainage Statement prepared by Arup dated October 2018 and shall also include:

- ii) Drainage Strategy with plan layout;
- iii) Evidence of third party agreement for discharge to their system;
- iv) Maintenance program and on-going maintenance responsibilities/adoptation of the surface water drainage system;
- v) Detailed development layout;
- vi) Detailed drainage design drawings;
- vii) Detailed hydraulic calculations including the proposed attenuation and flow control structure;
- viii) Development Management & Construction Phasing Plan;
- ix) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan.

**CONTAMINATION**

20. 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.

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.

21. Where remediation of contamination on the site is required under Condition 22 of this permission, 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.

OTHER

22. Prior to the use of the highway and public realm as consented by this permission, an Estate Management Framework, which shall be prepared in consultation with the LPA and may include the establishment of an Estate Management Body for adopting managing cleansing maintaining repairing and/or renewing area of public realm and highways as permitted under this planning application, shall have been submitted to and approved by the LPA.

Reason: To ensure that the future management maintenance repair and upkeep of development is delivered to an appropriately high standard of safety and quality across
the whole of the Development and protect the amenities of the area and neighbouring occupiers in accordance with policy DM01 of the Barnet Local Plan and saved Policies CGrick and C1 of Chapter 12 of The Council’s UDP (2006), and Policy CS2 of The Council’s Local Plan: Core Strategy DPD (2012).

23. Save in respect of land owned by the Local Planning Authority, no development permitted by this planning permission can be carried out on any part of the land benefiting from the planning permission until the relevant part of the land (which for the avoidance of doubt may be part only of the site) has been bound by a planning obligation entered into pursuant to Section 106 of the Town and Country Planning Act 1990, containing the following obligation:

The Owner covenants that from commencement of planning permission reference 18/6645/FUL within the land shown edged red on Plan BXS-PLAN-PLAP-06-A-P01 Rev P01.2 no further works shall be carried out on that area of land pursuant to planning permission reference F/04867/13 dated 23 July 2014.

Reason: to ensure the delivery of the S73 planning permission granted on 23rd July 2014 (planning reference F/04687/13) (‘S73 Permission’) is nor prejudiced therefore securing the continued objectives contained within saved Policies CGrick and C1 of Chapter 12 of The Council’s UDP (2006), and Policy CS2 of The Council’s Local Plan: Core Strategy DPD (2012).
DRAFT INFORMATIVES

A. In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

B. The applicant is advised that a Section 38 Agreement under the Highways Act 1980 will be required in relation to any carriageway or footway that is required to be adopted by the Highway Authority and maintained thereafter as public highway.

C. The applicant is advised that a Stopping Up Order is required for any public highway that is required to enable the implementation of this permission. Such Stopping Up Order will be progressed under Section 247 of the Town and Country planning Act 1990 (as amended) and all council costs pertaining to the Order will be paid for by the applicant.

D. The submitted Construction Environmental Management Plan shall include, as a minimum, details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999. Proof within the contractor’s specification that all NRMM will be registered on the local government website
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- Provide a copy of an asbestos survey for smaller developments confirmation that a survey has been carried out.
- 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.

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

3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

**National Grid Informative**

F. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent’s legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent’s Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent’s Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent’s Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) Tel: 0800 688 588