

LOCATION: Fosters Estate, London, NW4 2DL

REFERENCE: 19/2517/FUL **Received:** 2 May 2019
Accepted: 10 May 2019

WARD: Hendon **Expiry:** 9 August 2019

APPLICANT: London Borough of Barnet

PROPOSAL: Demolition of Cheshire Hall (D1 use class), Cheshire House (C3 use class) and assorted outbuildings; and erection of 217no. residential units including 75no. extra care units (C3 use class) across six blocks (A-F) comprising 15no. residential buildings, ranging from 1 to 7 storeys in height; the erection of bin stores and other outbuildings; associated access, parking and landscaping works; and alterations to the external appearance of the retained residential blocks

Application Background and Summary

The application involves an Estate infill development on Fosters Estate, a Council housing estate located in Hendon Ward in the London Borough of Barnet. The scheme was commissioned by the London Borough of Barnet to develop a scheme for delivering additional housing including a significant amount of affordable housing while protecting and enhancing the existing accommodation on the site.

The application submission follows an extensive two year programme of 'co design' in which residents have been extensively involved in the development of the plans. The proposals protect and enhance the landscape core at the heart of the development which also providing for 217 new residential dwellings including 111 affordable housing units of which 75 are 'affordable extra care units in order to meet Barnet's housing needs. The scale of the development is modest at between 2-7 storeys in height and would not significantly affect the amenities of neighbouring residential properties.

The quantity of car parking proposed is informed by a detailed assessment of existing usage by inhabitants of the estate and aims to solve existing problems of commuter and high street parking on the Estate.

The scheme is considered acceptable for the reasons set out below and is recommended for approval.

RECOMMENDATION

Recommendation 1

The application being one of strategic importance to London it must be referred to the Mayor of London. As such any resolution by the committee will be subject to no direction to call in or refuse the application being received from the Mayor of London.

Recommendation 2

Subject to Recommendation 1 above, the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes of seeking to secure the following, subject to any changes as considered necessary by the Head of Development Management:

(a) Legal Professional Costs Recovery

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

(b) Enforceability

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

(c) Affordable housing

50% affordable housing by units across the whole development (111 units) on the basis of the following detailed mix:

London Affordable Rent (20 Units)

2 x 1 Bed

12 x 2 Bed

6 x 3 Bed

Affordable Rent 65% of Market Rent (75 Units)

63 x 1 Bed

12 x 2 Bed

Shared Ownership (16 Units)

5 x 1 Bed

11 x 2 Bed

(d) Affordable Housing – Review Mechanism

Submission of an early review mechanism (if implementation is delayed) as well as a near end review (once 75% of the private market units are sold).

(e) Carbon Offset Payment

Payment of £133,200 Carbon Offset payment to meet mayoral zero carbon target.

(f) Local Employment Agreement

Shall include Forecasting of job opportunities; Notification of job vacancies; Local labour target; Jobs brokerage and skills training; Apprenticeships and work experience; Use of local suppliers and delivery of specific LEA targets in regards to providing an agreed number of apprenticeships or alternative cash sum.

(g) Travel Plan measures and monitoring:

Including Provision of Travel Plans covering the following:

Travel Plan – Residential -

Travel Plan – Extra Care Accommodation

Travel Plan – Incentives Fund £65,100 (£300 per unit);

An appropriate Travel Plan Monitoring Fee of £15,000 would also need to be paid in relation to the above plans.

A minimum of five car club spaces shall be provided.

(h) CPZ Review

Local Parking Measures Contribution for CPZ reviews in the vicinity of the site
£60,000;

Traffic Regulation Order amendments to exclude (new) residents from CPZ permits (outside of the redline boundary) £2,500 per phase/sub-phase.

(j) Section 278 Works

Necessary works to the public highway under section 278 of the Highways Act to facilitate the implementation of the development.

(k) Section 106 Monitoring contributions

(l) All financial contributions listed above to be subject to indexation.

Recommendation 3

That subject to Recommendation 1 and upon completion of the agreement specified in Recommendation 2, the Service Director Planning & Building Control or Head of Strategic Planning to approve the planning application reference 19/2517/FUL under delegated powers, subject to the following conditions.

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

CONDITION(S):

Conditions and Informatives will be reported in full in the Addendum.

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that

development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case the development plan is The London Plan and the development plan documents in the Barnet Local Plan. These statutory development plans are the main policy basis for the consideration of this planning application.

A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

National Planning Policy Framework (February 2019)

The 2019 NPPF was adopted in February 2019 replacing the 2012 NPPF and includes minor clarifications to the revised version published in July 2018. The NPPF sets out the Government's planning policies for England and how these should be applied¹. It provides a framework within which locally-prepared plans for housing and other development can be produced.

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

The Mayor's London Plan 2016 (Jan 2017 fix)

The London Plan is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). In March 2016, the Mayor published (i.e. adopted) the London Plan 2011 consolidated with: the further alterations to the London Plan published in March 2015, the Housing Standards Minor Alterations to the London Plan published in March 2016 and the Parking Standards Minor Alterations to the London Plan published in March 2016.

The London Plan policies (arranged by chapter) most relevant to the determination of this application are as follows:

Context and Strategy:

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.2 (London and the Wider Metropolitan Area)

2.7 (Outer London Economy)

2.8 (Outer London Transport)

2.13 (Opportunity Areas and Intensification Areas)

2.18 (Green Infrastructure: The Multi-Functional Network of Green and Open Spaces)

London's People:

Policy 3.1 (Ensuring equal life chances for all)

Policy 3.6 (Children and young people's play and informal recreation facilities)
Policy 3.16 (Protection and Enhancement of social Infrastructure)

London's Response to Climate Change:

- 5.1 (Climate Change Mitigation)
- 5.2 (Minimising Carbon Dioxide Emissions)
- 5.7 (Renewable Energy)
- 5.10 (Urban Greening)
- 5.11 (Green Roofs and Development Site Environs)
- 5.12 (Flood Risk Management)
- 5.13 (Sustainable Drainage)
- 5.21 (Contaminated Land)

London's Transport:

- 6.1 (Strategic Approach)
- 6.2 (Promoting Public Transport Capacity and Safeguarding Land for Transport)
- 6.3 (Assessing Effects of Development on Transport Capacity)
- 6.4 (Enhancing London's Transport Connectivity)
- 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure)
- 6.7 (Better Streets and Surface Transport)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.11 (Smoothing Traffic Flow and Tackling Congestion)
- 6.12 (Road Network Capacity)
- 6.13 (Parking)

London's Living Places and Spaces:

- 7.4 (Local Character)
- 7.6 (Architecture)
- 7.8 (Heritage assets and archaeology)
- 7.14 (Improving Air Quality)
- 7.15 (Reducing and Managing Noise)
- 7.18 (Protecting Open Space and addressing deficiency)
- 7.19 (Biodiversity and Access to Nature)
- 7.21 (Trees and Woodlands)
- 7.7 (Location and design of tall and large buildings)

Draft Replacement London Plan 2017

The Draft London Plan (DLP) published November 2017 sets out the Mayor's overarching strategic planning framework from 2019 up to 2041. When adopted this will replace the London Plan 2016.

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

Mayoral Supplementary Guidance

Sustainable Design and Construction (April 2014)

The Sustainable Design and Construction (SPG) seeks to design and construct new development in ways that contribute to sustainable development.

Accessible London: Achieving an Inclusive Environment (October 2014)

The strategy sets out to provide detailed advice and guidance on the policies in the London Plan in relation to achieving an inclusive environment.

Planning for Equality and Diversity in London (October 2007)

This guidance sets out some of the overarching principles that should guide planning for equality in the London context.

All London Green Grid (March 2012)

This strategy provides guidance for designing and managing green and open spaces to bring about previously unrealised benefits. In doing so, we aim to encourage boroughs, developers, and communities to collectively increase the delivery of green infrastructure for London.

The control of dust and emissions during construction and demolition (July 2014)

The aim of this supplementary planning guidance (SPG) is to reduce emissions of dust, PM₁₀ and PM_{2.5} from construction and demolition activities in London.

Play and Informal Recreation (September 2012)

Provides guidance to Local Authorities and development to estimate the potential child yield from a development, and the resulting requirements for play space provision.

Housing (March 2016)

The housing SPG provides revised guidance on how to implement the housing policies in the London Plan.

Affordable Housing and Viability (August 2017)

Set's out the Mayor's policies for assessing and delivering affordable housing and estate renewal.

Better homes for local people, the Mayor's good practice guide to estate regeneration (February 2018)

Set's out the Mayor's vision and objectives for estate renewal.

Mayor's Transport Strategy (2018)

This Strategy outlines some of the key transport challenges in London such as poor quality public transport and high volumes of cars on some roads. 3.5.2 The Strategy places an emphasis on reducing car dependency and encouraging an increased use of walking, cycling and public transport use. To help encourage this modal shift, the Strategy has adopted the Healthy Streets Approach, which aims to improve and enhance the overall street environment. 3.5.3 In outer London, it is highlighted that streets are often dominated with cars and that significant transport improvements will be required to reduce this dependency. It encourages a more integrated

approach to planning transport and housing. Within Outer London, new or enhanced bus services will be introduced to reduce car dependency and support growth, particularly around Elizabeth line stations and in areas where housing growth is expected, including Colindale. 3.5.4 In addition, the strategy also focuses on delivering new homes and jobs on transport land and by 2020/21 aims to start on working on property development sites that will deliver 10,000 new homes.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD which were both adopted on 11 September 2012. The Local Plan development plan policies of most relevant to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)
CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth – The three strands approach)
CS5 (Protecting and enhancing Barnet's character to create high quality places)
CS7 (Enhancing and Protecting Barnet's Open Spaces)
CS8 (Promoting a strong and prosperous Barnet)
CS9 (Providing safe, effective and efficient travel)
CS10 (Enabling inclusive integrated community facilities and uses+)
CS11 (Improving health and wellbeing in Barnet)
CS13 (Ensuring the efficient use of natural resources)
CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)
DM04 (Environmental considerations for development)
DM05 (Tall Buildings)
DM14 (New and existing employment space)
DM13 (Community and education uses)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Documents and Guidance

The Council has a number of adopted Supplementary Planning Documents (SPDs) which provide detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet including generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. They are material considerations for the determination of planning applications:

Local Supplementary Planning Documents:

Affordable Housing (February 2008)
Sustainable Design and Construction (October 2016)
Planning Obligations (April 2013)
Delivering Skills, Employment, Enterprise and Training from Development through S106 (October 2014)

Sustainable Design and Construction (October 2016)
Residential Design Guidance (October 2016)
Green Infrastructure (October 2017)

1.2 Key Relevant Planning History

The Fosters Estate was constructed in the 1960's. There have been limited planning applications subsequent to this, non of which are relevant to the current planning application other than a screening request in connection with the current application submitted in 2017 under planning reference 17/7363/ESR, the outcome of which the LPA confirmed the applicants position that the application did not require the submission of an Environmental Impact Assessment.

1.3 Pre-application Consultation by the Applicant

A statement of community involvement has been submitted with the Planning Application which outlines the consultations which the applicant carried out prior to the submission of the application.

The applicant has carried out an extensive two year programme of 'Co Design' which has involved existing and adjoining residents and local stakeholders working as part of a Community Steering Group to develop the scheme. Other formal consultation and other activities have also taken place along with a monthly newsletter to inform residents on the scheme.

1.4 Public Consultations by the Council and Views Expressed

Public Consultation

1219 local residents were consulted on the planning application by letter on 10th May 2019. The application was advertised in the local press on 16th May 2019 and site notices were put up on site on 10th May 2019. The consultation process carried out for this application is considered to be appropriate for a development of this nature. The extent of consultation exceeded the requirements of national planning legislation and the Council's own adopted policy.

Public Representations

As a result of the consultation, a total of 316 responses have been received with 299 objections, 1 letter of representation and 11 letters of support.

The comments received from members of the public have been summarised as follows:

Summary of main points raised by members of the public in objecting to the scheme.

- Proposed Extra Care buildings (A1 & A2) is too close and too high to the existing residential homes on Brampton Grove.

- Scale, Mass, Bulk and Intensity of Development as a whole
- Proposed density too high for the site
- While acknowledging existing towers on site, new housing should be lower density
- Impact on Traffic and Access
- Noise and Disturbance Resulting from the additional Social Care accommodation
- Loss of existing social care accommodation, where will existing residents be moved to
- Overlooking/Loss of Privacy/Sense of Enclosure to Neighbouring Residents
- Safety risk to Synagogue from overlooking
- Proposal will destroy open nature of estate
- Loss of green areas and mature trees
- Loss of screening to ex servicemen club from removal of trees
- Loss of nesting area in mature trees proposed to be removed
- Increased risk of crime
- Proposal will reduce parking, which is just manageable at the moment.
- Access roads to estate narrow and not suitable for increased traffic
- Traffic surveys fail to take account of delivery vehicles and is out of date
- Visitors to site will increase including delivery vehicles as a result in increased number of units
- Loss of Community Centre
- Impact on services (doctor's and schools)
- Storage units (pram sheds) currently adjacent to blocks, will be moved further away.
- Internal estate roads not wide enough to become main thoroughfare

Summary of main points raised by members of the public neither supporting or opposing the scheme.

Having lived on the Foster Estate for 55 years, I welcome the forthcoming changes, if planning permission is granted for the changes I look forward to seeing the results of the estate looking Cleaner and brighter for all of us, not forgetting the provision of badly needed housing.

Summary of main points raised by members of the public in support of the scheme.

Building more homes for elderly people needed and welcomed Good that car park and under utilised part of estate being redeveloped. Good that existing housing being retained. Good that pram sheds are being retained albeit in different location. Good that car sharing is encouraged.

Concerned about three tall buildings in centre of the development. While not affected by parking understand why some car owners are.

Community consultation contact did good job of engaging residents and coming back quickly to queries.

Comment from Applicant

The applicant has sent in correspondence advising that some of the addresses listed by objectors do not exist. The applicant has sent in pro forma forms from some of the objectors stating that they wish for their objections to be removed. However as these matters have not been independently verified by Council officers, these objections are still included above.

Officer Comment

All of the above representations have been taken into account in the officer assessment, which form part of the officer assessment below.

Elected Representatives.

No representations received.

Consultation responses from neighbouring associations other non-statutory bodies.

None

Consultation Responses from Statutory Consultees

Greater London Authority GLA

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of Cheshir Hall (Class D1), Cheshir House (Class C3) and assorted outbuildings; and construction of 15 buildings ranging in height from 1-7 storeys, to provide 142 residential units and 75 extra care units (Class C3); erection of bin stores and other outbuildings; associated access, parking and landscaping works; and alterations to the external appearance of the retained residential blocks

The applicant

The applicant is **London Borough of Barnet (Barnet Homes)** and the architect is **Allies and Morrison.**

Strategic issues

Land use: Further justification is required regarding the loss of Cheshir community hall and the replacement of Cheshir House sheltered housing with extra care units before the proposed development can be supported in strategic planning terms. Detailed information regarding the relocation of existing Cheshir House tenants must be provided (paragraphs 16-24).

Estate regeneration and affordable housing: The proposal must re-provide the social rented floorspace at rent levels based on that which has been lost. The minimum re-provision (habitable room and floorspace) must be secured within a S106. The applicant's viability assessment will be robustly interrogated to ensure the maximum amount of additional affordable housing is provided. Review mechanisms in accordance with the draft London Plan and the Mayor's Affordable Housing and Viability SPG must be secured. (paragraphs 25-45)

Urban design: The overall approach to design, scale, massing and layout is supported. The plans demonstrate that a suitably high residential quality, amenity provision and public realm would be achieved. Robust conditions are required to secure detailed design, materials and other commitments made by the applicant. (paragraphs 52-58).

Transport: Car parking should be reduced in line with draft London Plan standards (paragraphs 66-72).

Further information is sought with respect to **energy** (paragraphs 60-62) and **sustainable drainage** (paragraphs 63-65).

Recommendation

That Barnet Council be advised that the application does not fully comply with the London Plan and draft London Plan for the reasons set out in paragraph 76 of this report, but possible remedies set out in that paragraph should address those deficiencies.

Thames Water (TW)

Waste Comments

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

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

The proposed development is located within 15m of a strategic sewer. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email:

developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided

Water Comments

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will

aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Metropolitan Police Crime Prevention Design Advisor

There is a risk of crime within both the public and non-public areas of the proposed development, and the interaction between the two should be considered at from the outset.

Consideration of preventative security measures should be made to reduce crime and the fear of crime for any new development, which will aid sustainability and allow an area to thrive.

Crime prevention and community safety are material considerations. If the London Borough of Barnet are to consider granting consent, I would ask that the conditions and information detailed below be attached. This is to mitigate the impact and deliver a safer development in line with national, regional and local planning policies. I would also like to draw your attention to Section 17 Crime and Disorder Act 1988 and the NPPF, in supporting my recommendations. Please see Appendix A for relevant extracts from the NPPF and local planning policy.

(1) I request that prior to carrying out above grade works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full Secured by Design' Accreditation.

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

(2) Prior to the first occupation of each building or part of a building or use, a 'Secured By Design' accreditation shall be obtained for such building or part of such building or use.

The reason for this is to ensure that appropriate physical security products are used and access control systems within the blocks of flats are installed that will provide this site with the minimum level of resilience required to protect it from the burglary and anti-social behaviour threat that this application face, please see Appendix B for more details in relation to crime in this area.

I note that in the design and access statement it states that the proposals wishes to achieve Secure by Design accreditation but I request it be made a condition to ensure compliance is achieved.

In addition to this proposed condition I have the following observations in relation to this proposal.

1. The removal of some of negative aspects of the current estate will have a positive impact in relation to crime and the fear of crime. The removal of the existing playground, external garages and pram stores is a significant positive for this entire estate.
2. The use of a ring road for vehicles with main pedestrian pathways bisecting the estate will provide greater natural surveillance and activity around the entire estate.
3. At present the poorest areas of the estate are the fringes, a lot of the proposed new buildings are in these areas bringing activity and oversight to these areas, thus making them safer.
4. I am pleased to see that Short Street is gated as without the gates this area would be vulnerable.
5. The pram stores – ideally pram store should be removed entirely. Throughout London pram stores are misused and become areas where drug dealing and anti-social behaviour can thrive, leading to their criminal damage and then their dishevelled appearance can increase the fear of crime and in turn encourage crime as it makes the area appear uncared for. However I have been informed that these pram stores cannot be removed, with that in mind the proposal of placing them in a secure enclosure is the next best option.
6. The parking surrounding the ring road means that the parking spaces will experience informal surveillance from the properties around the estate, which is better than having larger parking yard areas as often seen in estate design.
7. The estate suffers from a security weakness of being highly permeable and a particular concern that I would have liked addressed with this application are the two footpaths on West View that link this estate with Heriot Road and Raleigh Close as these areas are undesirable alleyways at present. They experience little or no natural surveillance and are long enough that members of public would be susceptible to fearing crime when having to of commit to walking down them as they could come across other people within these areas.

This permeability also contributes to a higher crime rate for the whole estate as offenders are naturally attracted to areas that are highly permeable as it provides easy routes of escape for them if they require it. I am disappointed to see that this aspect of the estate is not being altered. I have been informed that they are outside of the jurisdiction of this application, however seeing as these are the main links for this estate they are intrinsically linked to these application, especially considering that more people are now going to be in this area. I would encourage their removal, gating or at the very least I would

encourage that work be carried out to open these areas visually, and the lighting improved.

8. The care home is orientated in a suitable manner for its purpose.

Internal Consultation responses

Drainage

No objections following the receipt of additional information.

Adults Joint Commissioning, Commissioning Group

We are in support of this application and the development of extra care services is directly aligned with the strategy of supporting people to remain in the community in accommodation based services with the appropriate care and support.

Urban Design

No objections raised detailed comments incorporated in officer report below.

Transport and Regeneration

No objections subject to appropriate conditions and heads of terms. Detailed comments incorporated in officer comments below.

Environmental Health

No Objections raised subject to the attachment of appropriate conditions regarding noise mitigation, contamination and air quality.

Trees and Landscape

No objections subject to conditions. Detailed comments provided regarding tree protection and proposed landscaping. Comments incorporated in officer comments below.

2. DESCRIPTION OF THE SITE, SURROUNDINGS AND PROPOSAL

2.1 Site Description and Surroundings

The Fosters Estate measures 3.19ha in area, and currently comprises 196no. residential properties, including 28no. 'Sheltered Housing' units in Cheshir House (C3 Use Class) across 11no. residential blocks. The existing residential blocks range between 2 and 11 storeys. In addition to the existing residential accommodation, the Site also comprises Cheshir Hall (D1 Use Class); public open space; and assorted outbuildings.

Located in Hendon, within the London Borough of Barnet, the Site is bound to the east by the rear of existing commercial / residential properties to the west of Brent

Street (A502). The northern boundary of the Site is formed by the rear of the existing residential properties to the south of Brampton Grove and the recently constructed Salvation Army Hall, while the rear of those existing residential properties to West View forms the western boundary of the Site. To the south, the Site is bound by Eaton Road, with the rear of the residential properties along Heriot Road to the south of Eaton Road. Many of the properties to the north of Heriot Road benefit from existing vehicular access from Eaton Road. The Old Hendon Ex-Service Men's Club is also located to the south of the Site at the junction of Heriot Road and North Street. The Site's boundaries are therefore typified by the rear of existing neighbouring properties.

Existing vehicular access to the Site is achieved from Brent Street via Foster Street and New Brent Street, and from Heriot Road via North Street. Pedestrian and cycle access can also be achieved from Brampton Grove via Brampton Lane, and from West View via New Brent Street and Eaton Road.

The Site is located approximately 350m north-east of Hendon Central Station, which provides regular London Underground (Northern Line – Edgware Branch) services to Euston (18 minutes); Bank (28 minutes); and Edgware (7 minutes). Hendon Central Station is located within TfL Fare Zones 3/4. There are a number of bus stops along Brent Street to the east of the Site providing regular services to Edgware and Golders Green (No. 240), Pinner and Golders Green (No. 183), and Queens Road to the south providing services to Alpertown and Golders Green (No. 83).

The Site currently benefits from moderate accessibility, with a Public Transport Accessibility Level (hereinafter 'PTAL') ranging between 2 and 3.

2.2 Description of the Proposed Development

The application proposals seek the partial demolition of Cheshir Hall and Cheshir House along with assorted outbuildings and the erection of 217 residential dwellings (including 75 extra care units) with six blocks comprising 15 buildings ranging from between two to seven storeys in height.

Along with the new residential properties, the proposals provide for enhancements to the existing communal landscaping including the provision of new play space and external amenity space for existing and future residents. The proposals also incorporate the provision of new bin stores and storage for residents of the retained blocks. Improvements to the external appearance of the existing retained blocks are also proposed.

The proposals also provide for a reorganisation of the vehicular routes through the estate, with a new perimeter road network with the roads being removed from the centre of the estate allowing for an improved pedestrian and cycling environment in the centre of the estate.

The proposed description of the development as stated on the application form for the development is as follows:

“Demolition of Cheshire Hall (D1 use class), Cheshire House (C3 use class) and

assorted outbuildings; and erection of 217no. residential units including 75no. extra care units (C3 use class) across six blocks (A-F) comprising 15no. residential buildings, ranging from 1 to 7 storeys in height; the erection of bin stores and other outbuildings; associated access, parking and landscaping works; and alterations to the external appearance of the retained residential blocks”

3. PLANNING CONSIDERATIONS

3.1 Principle of Development

Loss of existing community hall

The proposal involves the demolition of Cheshir Hall which is located to the north of the site providing approximately 171 sq.m of community floorspace. This hall was constructed as part of the original Fosters estate comprising of a multi purpose hall together with kitchen and toilets.

Policy DM13 of the Barnet Development Management Policies document makes it clear that the loss of community uses will only be acceptable in exceptional circumstances where either:

- New community or education use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location.

Or

There is no demand for continued community or education use and the site has been marketed effectively for such use.

In the case of the application proposals, the application submission advises that Cheshir Hall provides outdated community floorspace that is underutilised and does not meet modern standards of community facilities, with current regular users being limited to:

- Six hours per week - ESOL classes
- Two hours per week – book club
- Three hours per week – adult training
- Two hours per week – family group one
- One hour per week – family group two

The state of the facility and its limited use would not in itself justify the removal of the facility if there were no suitable replacement facilities in the vicinity of the site capable of being used by local community groups. However in the case of the Fosters Estate three other facilities including the Salvation Army site, the Hendon ex-services club and the Christchurch hall directly adjoin the site all of which provide better facilities than the existing community building on the site.

The merits of re-providing the community centre were discussed extensively with existing residents as part of the co-design process. The outcome of which the scheme decided against incorporating a new community centre as part of the redevelopment scheme as this would result in an over provision of such facilities in

the location and would potentially adversely affect the viability of all four facilities. While the comments from local residents are noted in relation to the loss of facility, it is considered by officers that the loss of the existing facility is accepted in this instance due to the provision of alternative provision in the immediate vicinity of the site.

Loss of existing social care units

The application proposes the demolition of Cheshir Hall which currently comprises sheltered residential accommodation for 28 units in the form of 17 one bedroom (including 12 studios) and 1 two bedroom units, all of which are let at 'social rent' levels. The application supporting documents advise that the building which was constructed in the 1960's no longer meets current housing needs or standards. The configuration of the property also does not lend itself to easy or economic adaptation to meet these standards.

Policy DM07 of the adopted Local Plan resists the loss of residential accommodation unless it involves identified regeneration areas with large scale demolition of housing and estates which provides for the net replacement of the total residential units.

In the case of the existing tenants, Barnet Homes intends to re-locate the eligible current residents in alternative suitable accommodation. This includes other Sheltered Housing schemes, independent homes or extra care depending on their needs and inside or outside the borough depending on their preferences.

There is also the opportunity of assisting them to relocate to another part of the Country or to the seaside (Specialist Scheme) if this is what they wish subject to accommodation being available.

The replacement accommodation which is proposed on this site comprise of 75 'extra care' units, which represents a significant uplift over the number of existing units on the site in accordance with policy DM07. The proposed 'extra care' units will also be let at 'affordable rent' levels and fulfil an identified housing need for this type of accommodation due to the increasing age of the population and a desire for greater independence (with support) amongst elderly persons as opposed to the more traditional institutional facilities provided in the past.

Housing

The National Planning Policy Framework (NPPF) states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. Development that accords with an up-to-date Local Plan should be approved.

Policy 3.3 of the London Plan recognises the pressing need for more homes in London and seeks to increase housing supply to in order to promote opportunity and provide real choice for all Londoners in ways that meet their needs at a price they can afford. Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments proposing new housing to protect and enhance the character and

quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

Policy CS3 'Distribution of growth in meeting housing aspirations' identifies Colindale as one of the three main areas (the other two being Brent Cross and Mill Hill East) for providing the bulk of the housing requires for the borough, with Colindale providing an anticipated 8120 homes up to 2025/2026, as part of a borough wide requirement for 28000 additional homes over a 15 year time period.. It is noted that this housing target was subsequently revised upwards in the Further Alterations to the London Plan in 2014 to an annual target of 2349 over a ten year period.

The draft new London Plan (December 2017) will when adopted replace the existing London Plan 2016. The new London Plan sets out mayoral policies for the period 2019-2041, with housing targets set only for the first ten years of the Plan. The revised housing target for Barnet is to provide a revised "minimum" Borough Housing target of 31,340 homes, on an Annual Monitoring Target of 3,134 homes. The target date ends in 2029.

In relation to Fosters Estate the supporting text contained within the Core Strategy advises that achieve housing growth the Council will:

'to promote the development of the major regeneration and development areas, priority estates and town centres in order to provide in the range of 20,000 new homes (contributing to a borough total of 28,000 new homes) by 2026 to meet local and regional housing needs.'

The redevelopment accords with the abovementioned policies for an intensive, residential proposal within an existing housing estate, which is intended to positively transform the site and the area with its uses including residential and open space provision, as well as its design and the associated improved relationships to and connectivity with the surrounding area.

Specific aspects of the development principles of this proposal are discussed in more detail below.

Specific aspects of the development principles of this proposal are discussed in more detail below.

Housing Density

London Plan policy 3.4 seeks to optimise the housing potential of sites. This provides a guide to appropriate density ranges for particular locations, depending on accessibility and setting.

Setting	Public Transport Accessibility Level (PTAL)		
	0 to 1	2 to 3	4 to 6
Suburban	150–200 hr/ha	150–250 hr/ha	200–350 hr/ha
3.8–4.6 hr/unit	35–55 u/ha	35–65 u/ha	45–90 u/ha
3.1–3.7 hr/unit	40–65 u/ha	40–80 u/ha	55–115 u/ha
2.7–3.0 hr/unit	50–75 u/ha	50–95 u/ha	70–130 u/ha
Urban	150–250 hr/ha	200–450 hr/ha	200–700 hr/ha
3.8–4.6 hr/unit	35–65 u/ha	45–120 u/ha	45–185 u/ha
3.1–3.7 hr/unit	40–80 u/ha	55–145 u/ha	55–225 u/ha
2.7–3.0 hr/unit	50–95 u/ha	70–170 u/ha	70–260 u/ha
Central	150–300 hr/ha	300–650 hr/ha	650–1100 hr/ha
3.8–4.6 hr/unit	35–80 u/ha	65–170 u/ha	140–290 u/ha
3.1–3.7 hr/unit	40–100 u/ha	80–210 u/ha	175–355 u/ha
2.7–3.0 hr/unit	50–110 u/hr	100–240 u/ha	215–405 u/ha

The Site has an existing PTAL rating of Level 2 and 3. In accordance with Table 3.2 of the London Plan, the Site is located within a urban setting defined as an area “*areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes*”. Given the Site’s PTAL rating and urban locality, the London Plan seeks to provide residential densities of between 200-450 habitable rooms per hectare.

The Proposed Development results in an average density of 395 habitable rooms per hectare which is in the middle of the indicative range within the London Plan. The supporting text of London Plan Policy 3.4 confirms that the density matrix should not be applied mechanistically, and furthermore the Mayor’s Housing SPG notes that build to rent schemes can be particularly suited to higher density development within town centres or near to transport nodes.

The numerical application of the London Plan density matrix in any event needs to be balanced against design quality and the quality of residential environment created. Account also needs to be taken of the improved connectivity through the site and to the surrounding area including its public transport as well as the provision of social infrastructure on site. This reflects the approach of “*optimising*” housing according to London Plan Policy 3.4, it being noted that the density matrix is not intended to be applied mechanistically (London Plan para 3.28).

In addition the Mayors housing SPG sets out the exceptional circumstances where densities above the relevant density range may be justified (London Plan para 3.28A). Exceptional circumstances include the following and which are considered relevant in the case of this application:

- “Liveability” as described in section 2.2 – 2.4 of the SPG (E.g. Neighbourhood scale and provision of outdoor spaces, play space, designing out crime, social infrastructure, dwelling standards and facilities, and sustainability)
- Exemplary design and quality
- Access to services

- Management of communal areas
- Contribution to 'place shaping'

In relation to the current scheme, the proposed density is considered appropriate to the site, providing much needed additional housing including affordable housing while maintaining the green open nature of the estate. This is reflected in the GLA Stage 1 comments which raise no objections to the quantity of development proposed.

3.3 Housing Quality

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch 3 'London's People', and Ch 7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD and CAAP policy 5.2.

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 5: Proposed Housing Mix

Unit Size	Units	% of Units
1-Bed	117	54%
2-Bed	92	42%
3-Bed	8	4%
TOTAL	217	100%

In terms of dwellings types which constitute family accommodation provision, the London Housing Design Guide classifies family housing as all units upwards of 2 bedroom 3 person units and as such under this definition the proposal would provide for 100 units capable of accommodation by families. It is also noted that the predominate reason for the large volume of one bed units is due to the 75 extra care units. The unit split is also broadly similar to the existing estate which contains 2 studio, 32 one bed, 136 two bed and 13 three bed units.

Overall it is considered that the proposal proposes an appropriate split in housing

type to address housing preference and need in accordance with the abovementioned policies.

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 adopted in February 2018 'Better Homes for Local People: Good Practice Guide to Estate Regeneration (GPGER); key requirements are that estate regeneration proposals ensure no loss of affordable housing, with any affordable homes demolished being replaced on a like for like basis both in terms of floorspace and tenure. Additional affordable housing should be maximised, determined through the 'viability tested route' set out in the draft London Plan and the Mayor's Affordable Housing & Viability SPG.

The proposed development will provide 50% of new housing as on-site affordable housing (habitable room). A financial viability appraisal (FVA) has been submitted in support of this submission and is currently being scrutinised by the GLA viability team who will need to satisfy themselves at Stage 2 referral whether the scheme provides the maximum quantity of affordable housing. The GLA have also requested that the Council carry out it's own independent assessment which the Council intends to carry out prior to the Stage 2 referral.

The configuration of the units as proposed both by unit and by habitable room are as follows:

Table 6: Proposed Tenure Mix (Units)

Tenure	Units		% of Units	
Private	106	106	49%	49%
London Affordable Rent	20	111	9%	51%
65% of Market Rent	75		35%	
Shared Ownership	16		7%	
TOTAL	217		100%	

Table 7: Proposed Tenure Mix (Habitable Room)

Tenure	Units		% of Units	
Private	382	382	50%	50%
London Affordable Rent	88	384	11%	50%
65% of Market Rent	237		31%	
Shared Ownership	59		8%	
TOTAL	766		100%	

The proposal, providing 111 affordable housing units, is considered acceptable representing 51% by unit and 50% by habitable, which complies with Barnet and

GLA policy. Further clarification is being provided to the GLA by the applicant in relation to the existing social care units, which will be resolved at Stage 2 referral stage.

Floorspace standards

Housing standards are set out in the Nationally Described Space Standards (NDSS), the London Plan and London Housing SPG and Barnet's Sustainable Design and Construction SPD.

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling, as set out in the below table, which shows the areas relevant to the unit types in this proposal.

Table 3.3 Minimum Space standards for new dwellings (adapted from London Plan)

	Dwelling Type (bedroom/persons- bed spaces)	Gross Internal Area Standard (m ²)
Flats	1 bedroom 1 person	37
	1 bedroom 2 person	50
	2 bedroom 3 person	61
	2 bedroom 4 person	70
	3 bedroom 5 person	86
	3 bedroom 6 person	95
	4 bedroom 5 person	90
	4 bedroom 6 person	99
	2 storey house	2 bedroom 4 person
3 bedroom 4 person		87
3 bedroom 5 person		96
4 bedroom 5 person		100
4 bedroom 6 person		107
3 storey house		3 bedroom 5 person
	4 bedroom 5 person	106

	4 bedroom person	6	113
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All the dwellings meet the minimum standards as demonstrated in the applicant's supporting documents in relation to the unit sizes and room sizes.

Lifetime Homes and wheelchair housing standards

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst policy DM02 sets out further specific considerations. All units should comply with Lifetime Homes Standards (LTHS) with 10% wheelchair home compliance, as per London Plan policy 3.8.

In respect of LTHS, while this legislation has been abolished the applicant advises in their application submission that the majority of units will meet the equivalent replacement building regulation standard M4 (2), with the exception of 24 units which do not provide step free access to the principle private entrance door but are otherwise compliant in relation to internal standards. This is considered acceptable and in any event is controlled by other legislation.

In respects of wheelchair housing, the applicant has advised that 10% of units will be built to M4 (3) wheelchair standards and as such is in accordance with Policy. A suitable condition is attached to this affect.

Amenity space

Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements.

Table 2.3:Outdoor Amenity Space Requirements	Development Scale
For Flats: •5 m ² of space per habitable room.	Minor, Major and Large scale
For Houses: •40 m ² of space for up to four habitable rooms •55 m ² of space for up to five habitable rooms •70 m ² of space for up to six habitable rooms •85 m ² of space for up to seven or more habitable rooms	Minor, Major and Large scale
Development proposals will not normally be permitted if it compromises the minimum outdoor amenity space standards.	Householder

The Mayor's housing SPG sets out a requirement of 5 sq.m of private amenity space for 1 and 2 person dwellings with a further 1 sq.m per additional person.

The application proposes policy compliant levels of private amenity space with the exception of 1 bed flat which is provided with an increased level of internal floorspace to compensate. All residents have access to the extensive areas of open space being retained and enhance on the estate. Within the Extra Care block a variety of internal and external amenity spaces are proposed in the form of a public courtyard, private 'sensory' garden, café, communal lounge and seating areas. This is in addition to the private balconies provided to all apartments in the block.

Playspace

London Plan Policy 3.6 of the London Plan requires housing development to make provisions for play and informal recreation based on child yield, referring to the Mayor's SPG Shaping Neighbourhoods: Play and Informal Recreation 2012.

London Borough of Barnet Core Strategy Policy CS7 requires improved access the children's play space from all developments that increase demand, and Policy DM02 requires development to demonstrate compliance with the London Plan.

The Mayoral Stage 1 response did not object to this approach to community consultation, the Stage 1 response required that details of the playspace strategy, including the expected child yield (using the GLA's 2019 child playspace calculator), quantum of playspace and types of play elements for each age group, must be made clear and secured by either condition or S106 agreement. A suitable condition is attached to this effect and subject to this officers have no objections to this aspect of the proposal..

3.4 Design

The National Planning Policy Framework (published 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors; securing high quality design goes beyond aesthetic considerations.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.1 of the London Plan further emphasises the need for a good quality environment, with the design of new buildings supporting character and legibility of a neighbourhood. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area;

and is informed by the surrounding historic environment. Architectural design criteria are set out at Policy 7.6.

Policy CS5 of Barnet Council's policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard Policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance. Policy DM03 seeks to create a positive and inclusive environment that also encourages high quality distinctive developments. The above policies form the basis for the assessment on design.

The scheme proposes a total of 217no. residential units including 75no. extra care units (C3 use class) across six blocks (A-F) comprising 15no. residential buildings, ranging from 1 to 7 storeys in height; the erection of bin stores and other outbuildings; associated access, parking and landscaping works; and alterations to the external appearance of the retained residential blocks.

As previously mentioned the Proposed Development meets the Greater London Authority's requirement for 10% of new homes to be wheelchair accessible or easily adaptable for future residents who are wheelchair users.

Proposed Masterplan

The design and layout of the scheme was developed over a period of two years informed by both the co design process and pre application discussions with Council officers. Cost and viability considerations have also been fed into the location of buildings in order to utilise existing infrastructure and providing car parking and storage sheds in close proximity to existing residential dwellings. The design and access statement also advises that while the proposed buildings are a key component of the proposals, the landscape design needs to be given central precedent in order to maintain and enhance the character of the Estate. As such a large number of the existing stock of trees are retained including most of the high value trees as valued by residents. Additional tree planting is proposed around the edges of the open space in order to provide a sense of enclosure and to create a high quality landscape space in the centre of the development. The existing roads which previously ran through the middle of the development have been removed enhancing the usability of the space.

Scale, Massing and Design

The height of the existing buildings in the estate range from 2 storeys along the north western edge, 5 storeys to the south and 11 storeys in the centre of the estate. The additional dwellings proposed as part of the current application provide

for a similar range with the buildings along the edge of the development being limited to 2 storeys in locations where new dwellings back onto existing two storey properties and in places filling in gaps facing the green, up to 4 storeys where the development backs onto retail premises in Brent Street, 5-6 storey apartment blocks in the centre of the development and one taller 6-7 storey element in the extra care accommodation in the north east corner of the site, where the development adjoining the Salvation Army building.

The scale of the development is considered to be appropriate to its context with none of the buildings proposed being classified as a tall building. The buildings sit comfortably in scale with their surroundings and in accordance with Council policy.

Detailed design, including material finish

The predominate proposed building material is brick, with two brick colours being proposed with predominately a buff stock brick proposed in the central green area and a grey stock brick along the edge buildings. A slightly different material approach is proposed on the larger 4 to 7 storey buildings with a mixture of different brick types being used to create a striped approach, along with the use of the lighter brick amongst recesses and openings. Lighter coloured balconies and grey window frames are proposed to complement the proposed bricks. All ground level structures such as the reprovided storage sheds, refuse storage areas and substations will be clad in cedar cladding. The final material finish will be secured by condition, but the general material palette is considered acceptable and will result in a high-quality appearance while reducing future maintenance cost.

Improvements to Existing buildings

Along with the proposals for new residential dwellings, proposals are also proposed for the existing residential properties. Along with the more general improvements such as to the landscaping and parking arrangements, the proposals include improvements to the existing properties including new solid canopy entrance structures to the existing blocks helping to provide a more clear and secure entrance while also integrating the design of the existing blocks to the new dwellings proposed under this application. It is also proposed to paint existing balconies and panels in order to improve the visual appearance of the blocks and to provide more privacy to residents.

All of the properties also currently have external 'pram sheds' which provide storage for residents. These are currently run down and of poor visual appearance. The application proposes to remove these structures and to provide purpose built and robust replacement storage sheds provided in convenient locations throughout the estate. New refuse enclosures will also be provided to serve existing and proposed residents.

Safety, security and crime mitigation

Pursuant to London Plan policy 7.3 and Barnet Core Strategy Policy CS12, the scheme is considered to enhance safety and security and mitigate the potential of crime through the design of the scheme, providing active frontages and allowing for

passive surveillance of vehicular parking areas and the landscape open space.

The comments from the Crime Prevention Officer of the Metropolitan Police are noted regarding their conclusions that the proposed development would improve passive surveillance and reduce the potential for criminal and anti-social behaviour. While the comments from the Crime Prevention Officer regarding their preference for the removal of the storage units and the closing of existing pedestrian routes, these partly fall outside the remit of the application and would be contrary to the wishes of the existing residents of the estate as expressed during the co-design process. A condition is attached requiring that the scheme achieves secured by design accreditation.

3.5 Amenities of Neighbouring and Future Residents

Part of the 'Sustainable development' imperative of the NPPF 2012 is pursuing improvements to amenity through the design of the built environment (para 9). Amenity is a consideration of London Plan 2011 policy 2.6 'Outer London: Vision and Strategy' and is implicit in Chapter 7 'London's Living Places and Spaces'. In addition Barnet Development Management Policies DPD (2012) DM01 as well as the Sustainable Design and Construction SPD provide further requirements and guidance.

Privacy, overlooking and outlook

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

Privacy and separation to surrounding sites

All of the proposed buildings (other than flank walled elevations) are located over 11m from site boundaries and more than 21m from the elevations of neighbouring properties. In those instances where privacy distances are lower, overlooking has been prevented by means of building design i.e. avoiding windows on upper floor facing neighbouring sites. As such it is not considered that the proposals would result in any demonstrable loss of privacy to neighbouring properties

Privacy and separation within the site

In relation to buildings within the site, the proposed buildings are well spaced throughout the estate, with both the linear housing and the apartment blocks located fronting the new estate road, and in the case of the apartment blocks angled to reduce the degree of overlooking between blocks both existing and proposed.

Noise and general disturbance

No significant new or cumulative operational noise impacts are identified for neighbours as a consequence of the proposed development. The proposed

residential uses are compatible with the existing and surrounding land uses and it is not considered that any intensification of the use would result in any undue disturbance to neighbouring residents.

In considering the potential impact to neighbours, conditions are recommended to ensuring that any plant or machinery associated with the development achieves required noise levels for residential environment. The council's environmental health team have recommended the attachment of conditions to ensure adequate sound levels within the proposed plant and to avoid noise disturbance from plant or machinery. It should be noted that any excessive or unreasonable noise is covered by the Environmental Protection Act 1990.

Air quality

In respect of air pollution, the applicant has submitted an air quality assessment in support of the application. The Council's environmental health team have examined this document, and while raising no objections to the proposal has requested the attachment of conditions requiring further details to be submitted to demonstrate the achievement of air quality neutral standards. Subject to these conditions it is considered that the proposals would not adversely affect air quality as a result of the development.

Daylight and Sunlight

The application is accompanied by a Daylight/Sunlight report prepared by GL Hearn Delva Patman Redler LLP which provides an assessment of the potential impact of the development on sunlight, daylight and overshadowing to neighbouring residential properties and the proposed units based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning 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 than potential light. The ADF requires the achievement of values of 1% in bedrooms, 1.5% in living rooms and 2% in kitchens.

The BRE guidelines explain that the BRE guidelines are not mandatory and that the guide should not be seen as an instrument of planning policy; its aim to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. In special circumstance the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

It should also 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.

In relation to the current scheme the Daylight and Sunlight assessment concludes that the proposal would not significantly affect levels of daylight and sunlight to both existing and surrounding residential properties as well as the proposed new residential units themselves. The proposal would also not result in any significant overshadowing of surrounding properties, and the proposed amenity areas surrounding the proposed new residential properties would also receive the required minimum two hours of sunlight as required by the guidance.

3.6 Transport, highways and parking

Introduction

This section of the report examines the transport elements to the application. It summarises the information provided by the Applicant in the Transport Assessment (TA) in terms of the likely impacts on the transport system, as well as the mitigation measures and controls that are recommended as a means of ensuring that the proposed development can be safely accommodated on the transport system without unacceptable impacts.

The highway and transport proposals have been taken through a pre-application process following the developer's submission and a review of the previous masterplan. A number of discussions included parking and highway layout options and it is understood that this is a co-design approach project. There were some issues with the highway layout in order to meet highway option and highway safety standards and design changes will be required under RIBA Stage 4 Detail Design and the requirements have been conditioned. Further mitigation is being provided by the developer in the form of S106 contributions and highway works under a S278 highway agreement.

In summary with the required changes and mitigation the development will be a positive improvement to the existing estate with improved public realm and parking controls to remove the existing car dominant nature of the site as well as promoting the use of sustainable modes of transport by reducing car ownership and car clubs, improvements to walking and cycling.

Existing Transport Conditions

The existing transport network is discussed in Section 3 of the TA.

Upper and Lower Fosters is a late 1960s housing estate built to a relatively low density despite its proximity to Brent Street, a local high street and with good transport accessibility. The Estate currently comprises 196 units with 28 of these located within Cheshir House which provides a sheltered accommodation facility.

In addition to the residential element of the estate it is important to note that the estate caters to several other uses and user groups. These include, but are not limited, to a community centre, on-street commuter parking and parking for local shops and businesses. A small number of properties achieve some form of access from within the estate via Brampton Lane, Short Street and Cowley Place, as these properties are outside of the site boundary, current access arrangements must be maintained.

The local highway network is focused around Brent Street (the A502), this is the primary north-south route through Hendon and acts as a typical high street as well as providing access to the wider highway network. The site is accessed from Brent Street via two access roads, Foster Street and New Brent Street. These, in turn, form part of the internal road highway network within the site.

Brent Street connects the North Circular approximately one kilometre south-east of the site this provides a direct link to the strategic highway network, particularly the M1 and A5, which pass within 1.5 kilometres of the site.

The sites internal road network is made of two-way single carriageway roads, between five and six metres in width and subject to significant level of on-street parking. Existing Car Parking Characteristics

Parking within the Fosters Estate has been uncontrolled for a number of years. Parking permit schemes have previously been implemented but are now not enforced. This has resulted in the estate being widely regarded as free local parking for all users.

Existing Parking

Parking in Upper and Lower Fosters is uncontrolled and is used by residents, commuters and shoppers in a hap-hazard fashion reducing road width and impacting on highway safety. Street surrounding the site are controlled and form part of a Controlled Parking Zone with restrictions between 11am and 12 noon Monday to Friday.

There is space for 125 cars to park on the site. Based on surveys carried out as detailed in Section 3 of the TA this does not include the existing garages. This would equate to a provision of 0.64 spaces per unit. The Census 2011 car ownership data for the site suggests a car ownership of 0.5 per dwelling.

Type of Parking	Parking spaces	Restrictions	No. of Permit Holders
Warner Close Car Park shared bays WHH (Resident), WHZ (Business) and Pay by Phone	71	Pay by Phone 9am-5pm Mon-Sat	
WHH (Resident)	194	10-11am Mon-Fri	137
WH2 (Resident)	162	10-11am Mon-Fri	44
TOTAL (Residents)	427		
WHZ (Business) on-street	14	10-11am Mon-Fri	
Short Stay Pay by Phone	37 + side roads	9am-5.30pm Max Stay 90 mins	
Long Stay Pay by Phone (Perryfield Way Car Park)	65	Pay by Phone 9am-5pm Mon-Sat	
WHZ (Business) (Perryfield Way Car Park)	20	Pay by Phone 9am-5pm Mon-Sat	10

Parking beat surveys were carried out on the estate and surrounding streets within walking distance of the site. This showed that around half of those parked were not residents of the estate. The site is close to Brent Street shopping area and within walking distance of Hendon Central tube station and the Hendon Synagogue is directly to the west of the site and with no parking controls is not restricting the use of the car in the area.

Pedestrians and Cyclists

Existing Pedestrian Links

There are good pedestrian connections into the site from surrounding streets from the east. Hendon Central tube station is within 800 metres of the site and provides an easily accessible means of access to this strategic public transport link. On the main streets of Brent Street and Queens Road there are footways on both sides of suitable width for a town centre location. Crossing points are provided at numerous locations and the area is well lit and overlooked. Side streets have footways with the majority having tactile crossing points and dropped kerbs.

PERS Audit

A Pedestrian Environment Review (PERS) was audited that identified that the majority of the pedestrian area received a Good rating however there is some level of improvement required and are highlighted below.

- Brent Street (west side) – Tactile paving required at crossing points.
- West View – Lack of surveillance and variable footway widths.
- Brampton Lane – no pedestrian footway.
- Heriot Road – restricted footway, poorly maintained and lack of dropped crossings and tactile paving at crossing points.
- Raleigh Close – Legibility.
- Wykenham Road – Legibility.

The required improvements will be identified and work carried out by the developer under a S278 highway agreement with the Highway Authority and this has been conditioned as part of the recommendation.

Existing Cycle Links

A number of roads surrounding the site are highlighted on TfL's Local Cycling Guide 4 as suitable for cyclists. West View is marked as an off-road cycle route which provides a traffic free environment and extends through Hendon Park to the south and Sunny Hill Park to the north. New Brent Street runs through the site and is a route for cycling and should be maintained

Road Safety

Accident data was collected from Crashmap for the last five years and shows that a total of 5 personal injuries occurred that equates to an average of 1 accident per annum. 3 of the accidents were slight and 2 were serious.. 2 accidents involved children 0-5, 1 accident involved a pedestrian and 2 accidents involved vehicle collisions.

Existing Bus Routes

Bus services are well provided for in the vicinity of the site, there are a total of five bus stops that are served by a nine principal bus routes which allow for easy connection to a wide number of key areas of retail and employment as well as

connecting to London Underground services. All bus stops have shelters and bus stop routing maps.

The five principal bus services operating in the area are summarised below:

Route No.	Destination	Key Connections	Max. Hourly Frequency		Operator
			Weekday	Saturday	
83	<i>Golders Green – Hendon Central – Hendon– Wembley Park – Wembley Stadium – Wembley Central - Alperton</i>	Queens Road	Every 6-10 minutes	Every 8-12 minutes	Every 10-12 minutes
143	<i>Archway – East Finchley – Finchley Central – Hendon Central - Brent Cross Shopping Centre</i>	Watford Way A41, The Burroughs, Church Road A504	Every 10-12 minutes	Every 11-12 minutes	Every 15-20 minutes

186	<p>St Mark's/North wick Park Hospital, Harrow – Harrow Bus Station – Harrow Town Centre – Harrow & Wealdstone – Belmont Health Centre – <i>Canons Park</i> – <i>Edgware</i> – <i>Edgware Bus Station</i> – Mill Hill Broadway - <i>Hendon Central</i> – Brent Cross Shopping Centre</p>	Brent Street A502, Church Road A504, The Burroughs	Every 8 minutes	Every 8 minutes	Every 10 minutes
240	<p><i>Golders Green</i> – North Circular Road – <i>Mill Hill East</i> – St Vincent's School - Mill Hill Broadway - <i>Edgware</i></p>	Brent Street A502	Every 11-14 minutes	Every 12 minutes	Every 20 minutes

324	<i>Stanmore – Stanmore College – Culver Grove Park High School – Kingsbury – St Joseph’s School - Hendon Central – Brent Cross Shopping Centre – TESCO Brent Cross</i>	Watford Way A41	Every 19-21 minutes	Every 17-30 minutes	Every 18-30 minutes
326	<i>The Spires – High Barnet – New Barnet – Totteridge & Whetstone – Finchley Central – Hendon Town Hall – Hendon Central - Brent Cross Shopping Centre</i>	Watford Way A41, The Burroughs, Church Road A504	Every 10-14 minutes	Every 11-14 minutes	Every 15 minutes

N5	Charing Cross – <i>Leicester Square – Tottenham Court Road - Goodge Street - Warren Street – Euston Square – Euston – Mornington Crescent – Camden Town – Chalk Farm – Belsize Park – Hampstead – Golders Green – Hendon Central – Hendon – Colindale – Burnt Oak - Edgware</i>	Queens Road	Every 30 minutes (23:40-05:10)	
N83	<i>Golders Green - North Circular Road - Hendon Central – Hendon – Wembley Park - Wembley Stadium – Wembley Central - Alpertion</i>	Queens Road	Every 30 minutes (00:29-05:00)	Every 30 minutes (00:30-05:00)

N113	<i>Edgware Bus</i> – University of London Observatory – St Joseph’s School - <i>Hendon Central</i> – North Circular Road – <i>Finchley Road & Frogna</i> l – Swiss Cottage – St John’s Wood – Baker Street – Oxford Circus – Piccadilly Circus – Trafalgar Square	Watford Way A41	Every 30–39 minutes (00:25 – 04:00)	Every 30-39 minutes (00:20 – 04:00)
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Existing Rail

Hendon Central underground station is located approximately 800 metres south-west of the Estate. There are regular Northern Line services from this station, which comprise journeys between Edgware and Morden, and Kennington and Edgware. The journey time to Central London (Leicester Square) via underground services takes approximately 25 minutes.

The station is accessible by wheelchair users without the need for additional assistance when using the designated level access boarding points as indicated at the station. There are also lifts at this station.

The Estate is also situated approximately 2 kilometres north-east of Hendon railway station (circa 20 minutes’ walk or 8-minute cycle ride). Destinations served from this station include London St Pancras International, City Thameslink, Wimbledon, St Alban’s City and Luton Airport. The journey time from Hendon railway station to Central London (City Thameslink) is approximately 22 minutes.

At Hendon railway station there are 6 cycle parking spaces at the booking office next to the entrance to Platform 1, and a car park operated by Indigo providing 41 spaces including 1 disabled parking bay, along with cycle parking. Car parking is charged daily on a 24-hour basis with reduced rates during off-peak periods. The car park has a height restriction and is accessible by disabled users. The station itself does not have step-free access. There is accessibility for taxi services.

Existing Public Transport Accessibility Levels (PTALs)

Public Transport Accessibility Levels (PTALS) is an accessibility index of rail, underground and bus services within given travel times from a particular location. PTAL scores range from 1 (poor) to 6 (excellent) and take into account walking distance, service reliability, number of services and average waiting time. The site has a moderate PTAL score of 3 which is an average figure in a London wide context, but above average for an outer London location and for Barnet.

Development Proposals and Phasing – Transport Impacts

The masterplan for the proposed development is based on a community co-design approach, involving the estate residents, neighbours and local community organisations from 2017 to inform the architectural approach and quantum of development. The proposals for which Full Planning Permission is sought comprises the retention of Foster Court, Upper Fosters and Lower Fosters, the demolition of Cheshir House including Cheshir Hall as well as assorted outbuildings such as storage enclosures and garages, and the construction of 217 residential homes including 75 extra care homes (C3 use class) within six residential blocks, each comprising between one and four buildings and ranging from one to 7 storeys. The proposals also provide for significant enhancements to landscaping and external amenity space, including the provision of play space, facilitated by the relocation of vehicular circulation and the rationalisation of pedestrian and cycle circulation, together with the provision of new refuse stores and the re-provision of storage enclosures for existing residents. In addition, the proposals incorporate improvements to the external appearance of the retained residential blocks of Foster Court, Upper Fosters and Lower Fosters.

These proposals will result in the addition of 142 dwellings and 47 extra care units to the existing provision amounting to a total of 310 dwellings and 75 extra care units.

Pedestrian links will be maintained ensuring connectivity between Raleigh Close, Brampton Grove and Heriot Road.

Whilst the internal layout of the Estate will change, no changes to the external road network are proposed. Access into the Estate will remain via;

- Fosters Street
- New Brent Street
- North Street

The primary vehicular route through the development forms a circular path around the central park area. The existing accesses from Brent Street and Heriot Road form junctions with this perimeter road, these take the form of simple priority junctions.

The revised highway layout will require stopping up of existing highway through Section 247 of the Town and Country Planning and this will be conditioned. New highway will be created and existing highway will be improved, the applicant will be required to enter into a combined S278/38 highway agreement with the council prior to works being carried out.

The submitted highway layout aim has is to reduce carriageway width and car dominance. However this will create some issues with highway safety. With a carriageway width of 4.8 metres this is suitable in some lightly trafficked situations but with long lengths of residential streets and bends this can cause some difficulty for passing vehicles if not designed correctly. This can be shown with the existing situation where there are increased radius at North Street and Fosters Walk. The existing carriageway dimensions on the estate vary between 4.8 metres Foster Walk and North Street around 65 metres in length, 5.3 metres on New Brent Street 220 metres in length, and 5.9 metres on Foster Street 170 metres in length. Car parking is available on street typically using 1.8 metres width of carriageway in bays to a maximum length of 50 metres allowing for passing spaces in between.

The proposed design includes perpendicular parking in order to increase the number of parking spaces on-street for the new units. The use of this type of parking is widely used on singular driveways on domestic crossovers where visibility is maintained with low level wall or fences below 0.6 metres to avoid any risks to pedestrians who may be walking on footways behind a reversing vehicle. In the case of long lines of parking visibility is blocked by cars parked either side. In off-street supermarket car parks this is often mitigated by providing footways at the front of the bays avoiding any pedestrian/vehicle conflicts. If bays are provided at right angles then 6 metres carriageway is required for turning vehicles. Carriageway widths can be reduced if parking bays are angled. The design would seem to increase the effective carriageway width from 4.8 metres to 10.8 metres with perpendicular parking on one side and 15.6 metres if on both sides.

The existing section of North Street between Eaton Road and New Brent Street has 13 spaces and will increase to 32 spaces with the proposals going against the aim of the scheme.

Following the submission of the planning application a Stage 1 Road Safety Audit was submitted following a request from Highways. A number of issues arise out of this road safety audit including: on local alignment, pedestrian and vehicle conflicts and road widths. These issues will require some changes to the highway and parking layout and are to be conditioned as part of the application proposals and will be approved by the highway authority through the discharge of condition process and S278/38 highway agreement.

Pedestrian and Cycle Proposals

The internal pedestrian network has been positioned in line with the existing natural desire lines within the estate. These include links to Raleigh Close and West View, providing traffic free routes to and from the site. Several pedestrian routes converge in the central park area, this provides a focal point for the development.

Frequent crossing points are provided where pedestrian routes meet the perimeter road. These feature carriageway narrowings to encourage low vehicle speeds and prevent the carriageway becoming a barrier to pedestrian movement throughout the estate.

Generous footway widths are to be provided, generally two metres in width adjacent to carriageways and three metres elsewhere. However there are issues with vehicle and pedestrian conflicts discussed in this report that require resolution.

There is little information in the TA regarding cycling and further work is required to identify cycling through the site and how this can be maintained and improved for the local community. Cycle parking will be required in accordance with London Plan standards some details have been submitted but further details are required and will need to be submitted via a condition.

Trip Generation

Predicted trip rates per unit have been derived from selected developments across London with similar characteristics such as number of units, unit type, car parking ratio and public transport accessibility.

The trip rates were applied to the number of unit , to give the total trip generation for the development in each peak, as summarised below.

Land Use	Period	Arrivals	Departure
Combined	AM Peak 08:00-09:00	27	97
	PM Peak 17:00-18:00	39	29

A comparison has been made between the existing vehicle counts from the site and the proposed trip numbers and these will reduce. This is mainly due to the parking controls being implemented on site removing the uncontrolled parking of shoppers and commuters.

Parking Provision

The proposed car parking provision takes into account the characteristics of the site and in has been eloped in consultation with LBB, who have agreed the principle.

Flat / House	Number Units	Car Parking	Car Parking
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Type		Ratio	Total
1 Bed Flat (1B2P)	54	0	0
2 Bed Flat (2B3P)	14	0	0
2 Bed Flat (2B4P)	15	0.5	7.5
2 Bed Maisonette (2B4P)	33	0.5	16.5
2 Bed House (2B4P)	18	1	18
3 Bed Maisonette (3B5P)	6	1	6
3 Bed Flat (3B5P)	2	1	2
Car Club	-	5	5
Total	142	-	55
Whole Site (inc existing 168)	310 (excluding extra care)	-	162

Under the London Plan and Barnet's Local Plan, the maximum residential car parking requirements are as shown below.

1	1 to less than 1 per unit
2 (LBB)	1 – 1.5 per unit
2 (GLA)	1 to less than 1 per unit
3	1 – 1.5 per unit
4+	1.5 – 2 per unit

Taking in to account the level of accessibility and the provision of a travel plan and car club bays a reduced level of parking is accepted, however the Council will condition that to control parking levels within the site that residents will be excluded from purchasing a parking permit within the CPZ. An overall Car Parking Management Plan for the whole site will be conditioned to be submitted and approved

The applicant will provide electric vehicle charging points for 20% of spaces at the site, with an additional 80% passive provision for electric vehicles in the future. Again, this is considered acceptable and will be conditioned.

Appropriate levels of disabled parking will be provided in accordance with best practice and statutory requirements. For the detailed application accessible parking bays will be allocated to wheelchair housing standard units that will be provided at 1:1 provision. A Car Parking Management Plan will be conditioned to monitor the future provision of additional accessible parking bays.

Controlled Parking Zone (CPZ) Review and Exclusions

A separate CPZ will be required to control parking on the site and will require consultation and implementation. There is potential for some overspill into other streets due to remove shoppers and commuters from the site. A contribution of £60,000 is required to carry out this work including changes to any Traffic Management Orders within or surrounding the site.

Travel Planning

A Framework Travel Plan has been submitted which is considered to be acceptable, subject to Condition. A Travel Plan is aimed at encouraging the use of non-car modes of travel.

In order to ensure the objectives of the individual Travel Plans are met a 'Monitoring Contribution' is required for the Council to undertake monitoring of the objectives and targets of the Travel Plans. This £15,000 contribution has been agreed and will be secured through the Section 106 Agreement, which will also include the requirement for a Travel Plan Champion for the whole site to be appointed.

To help deliver the targets of the Residential Travel Plan, the applicant has agreed to the provision of a Residential Travel Plan Incentives Fund to be secured via the Section 106 agreement. The fund will be aimed at incentivising the Residential Travel Plan by providing up to £300 per dwelling (£65,100 in total) for any two of the following: purchase of Oyster Cards, subsidised Car Club Membership or for Cycle Purchase vouchers.

As this development is to be constructed in phases over a number of years the initiatives set out in each of the Travel Plans should be updated and reviewed annually until at least five years after full occupation.

As part of the travel planning a Car Club is proposed to operate within the site, with five spaces. This is a scheme that provides its members with quick and easy access to a car for short term hire. Members can make use of car club vehicles as and when they need them. This scheme is aimed at reducing the need for individuals to own a car.

Construction Management Plan

A Construction Management Plan has been submitted with this application, however this does not give all the required information so this has been conditioned to be provided.

The CMP should also include limits on times of operation for the lorries and identify a designated safe route for lorries to ensure minimal impact on the public highway and to demonstrate how the operation and construction can be done safely.

Delivery and Servicing

Refuse/recycling vehicles will require regular access upon occupation of the dwellings and for other users that currently occupy this site and are planned to in the future. A plan of refuse collection points has been submitted however there are some issues with turning within the sites and this will be conditioned for resolution.

Section 106 Highways and Transport Contributions

To summarise from the above Highways and Transport section of this report the Section 106 Transport and Highways package that has been agreed is set out below:

- Residential Travel Plan Incentives Fund £65,100 (£300 per unit);
- Local Parking Measures Contribution for CPZ reviews £60,000;
- Traffic Regulation Order amendments to exclude (new) residents from CPZ permits outside of the redline boundary £2,500 per phase/sub-phase.
- Travel Plan Monitoring £15,000;

Total of £142,600

It should be noted that this does not include the costs of S278/38 highway improvements or stopping up under S247 as they are under separate agreements.

Conclusion and recommendation

Officers consider that the impacts of the development on the transport network have been robustly assessed, and that all appropriate mitigation measures and control mechanisms are provided for, should permission be granted. The planning conditions and obligations recommended in this report are considered to provide an effective framework of control and officers therefore recommend the scheme for approval on matters relating to highways and transport.

3.7 Waste and Recycling

Although the NPPF does not contain specific waste policies, it does state that part of the environmental dimension to 'sustainable development' is waste minimisation (para 7). As part of London Plan 2011 Chapter 5 'London's Response to Climate Change' policy 5.17 seeks suitable waste and recycling storage provision in new developments as does the Barnet Core Strategy DPD 2012 policy CS14 which also promotes waste prevention, reuse, recycling, composting and resource efficiency over landfill.

A suitable condition is attached to ensure the provision of adequate waste and recycling facilities in accordance with the above requirements.

3.8 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 statement outlines a series of measures which will be incorporated into the proposal to improve sustainability and reduce carbon emissions, including the use of Air Sourced Heat Pumps, Photovoltaics and fabric efficiency. The proposed measures achieve the following energy reductions:

Carbon dioxide emissions after each stage of the energy hierarchy

Table 5: Carbon emissions after each stage of energy hierarchy.

	Dwellings		Non-Dwellings	
	Regulated Tonnes CO ₂ /year	Unregulated Tonnes CO ₂ /year	Regulated Tonnes CO ₂ /year	Unregulated Tonnes CO ₂ /year
SAP 10 baseline	292	125	18	11
Be Lean.	255	125	17	11
Be Clean.	255	125	17	11
Be Green.	74	125	6	11

Regulated carbon dioxide savings from each stage of the energy hierarchy

Table 6: Regulated carbon emissions savings from each stage of the energy hierarchy.

	Dwellings		Non-Dwellings	
	Tonnes CO ₂ /year	Percentage	Tonnes CO ₂ /year	Percentage
Savings from Be Lean.	37	12.6%	2	17.7%
Savings from Be Clean.	0	0.0%	0	0.0%
Savings from Be Green.	181	62.2%	11	60.7%
Total reduction:	218	74.7%	13	69.3%
Target reduction:	292	100.0%	6	35.0%
Annual shortfall	74	25.3%	-6	n/a
Carbon offset payment Rate (£/tCO₂)	£1,800		£1,800	
Offset payment	£133,200		£0	
Total offset payment	£133,200			

In order to achieve zero carbon, the developer will need to make a carbon offset contribution. As the energy strategy of £133,200 (based on £60 a tonne over 30 years). The GLA have confirmed in their stage 1 response that the energy strategy is considered broadly acceptable subject some clarifications.

3.9 Landscaping, Trees and biodiversity

The 'sustainable development' imperative of NPPF 2012 includes enhancing the natural environment and improving biodiversity (para 7). London Plan 2016 policy 7.19 states that development proposals, where possible, should make a positive contribution to the protection, enhancement, creation and management of biodiversity. Barnet Local Plan policy DM16 states that when it is considering development proposals the council will seek the retention, enhancement or creation of biodiversity.

Upper and Lower Fosters Estate is a housing estate built in the 1960's and is typified by the large blocks of houses/flats surrounded by expanses of green spaces/soft landscape.

The proposal to increase the number of housing units within the estate by 217. Residents of the estate were actively involved with the design of the estate.

The arboricultural survey found 39 individual trees, 7 groups and 2 hedges recorded on site. 2 of these are category A; 16 are category B; 24 are category C and 6 are category U.

To achieve the proposal, 9 individual Category B, 12 individual Category C trees and 8 Category C trees in two groups would be removed. The loss of these trees will have an impact on the visual tree amenity in the local area of Upper and Lower Fosters Estate. A review of the design and access statement indicates that trees have been a key consideration in the design evolution of the scheme.

A summary of the impacts provided within the arboricultural is shown below:

Arboricultural Impact	Category A	Category B	Category C
Trees requiring removal to facilitate development resulting in a small loss of amenity. Can be mitigated by replacement planting	-	T11, T12, T13, T14, T18, T19, T27, T31, T40	T4, T6, T7, T20, T21, T25, T28, T33, T34, T35, T38, T39, G4, G5
Trees potentially affected by ground disturbance resulting in premature decline and death. Can be prevented by tree protection fencing.	T24	-	T5, T26
Trees with RPA incursion that is considered tolerable and majority of the RPA will be protected	-	T2 G1, G6, G7	T29, T30
Trees with RPA incursion therefore requiring specialist construction methods	T1	T8, T37	T3, T10, T17 G2

Subject to a significant level of replacement tree planting, as detailed on the landscape plan, in the longer term the loss of these trees would be offset.

Within the arboricultural impact assessment a proposed set of 'heads of terms' for the method statement have been proposed. An arboricultural method statement and tree protection plan are secured as a pre-commencement condition.

To ensure the retention of remaining trees on the site a tree preservation order has been proposed and is likely to be in place of this item being reported to Planning Committee.

Tree works

The application proposes the following tree works which are recommended for good tree husbandry and should be undertaken regardless of any approval. These works are supported by the Council's arboricultural officer.

Tree / Group No	Recommended works	Work Priority	Tree Officer comments
T1	Crown lift above pavement to statutory clearance	4	No impact
T2	Crown lift to facilitate mowing operations	5	No impact
T5	Crown clean	4	No impact
T6	Crown lift to statutory clearance	4	No impact
T8	Crown reduce back from building to achieve approx. 2-3m clearance	4	No impact
T11	Crown reduce back from building to achieve approx. 2-3m clearance	4	No impact
T12	Crown reduce back from streetlamp No:2	4	No impact
Tree / Group No	Recommended works	Work Priority	Tree Officer comments
T13	Crown reduce back from building to achieve approx. 2-3m clearance; strip ivy	4	No impact
T15	Fell & treat stump to prevent re-gen	4	No impact
T18	Re-pollard to secondary pollard points (approx. 8m in height)	3	No impact
G2	Works only for cherry: crown reduce back from streetlamp and from path; crown lift to statutory clearance; crown clean; remove cable	4	No impact
G3	Fell	4	Tree in poor condition
T22	Fell	3	Tree in poor condition
T23	Retain in short-term; fell in mid to long-term	4	Tree in poor condition

Landscaping

The landscape plans proposes 92 new trees to mitigate the loss of trees and help soften the new buildings into the landscape. The proposed trees are as follows;

No	Species	Size	Comments
3	Acer platanoides	18/20cm	Poor species; consider Tilia cordata or similar.
6	Betula utilis 'Jaquemontii'	18/20cm	Acceptable but consider other species of birch.
33	Carpinus betulus	18/20cm	Having 1 primary species is contrary to current guidance. Reduce Carpinus by 75% and introduce 2 other species
1	Liquidambar styraciflua	18/20cm	Acceptable
1	Liriodendron tulipifera	18/20cm	Acceptable, needs to be planted more widely.
14	Prunus 'accolade'	18/20cm	Acceptable, if soil conditions correct, species sensitive to compacted heavy soils that will be present at Fosters Estate.
12	Pyrus calleryana 'Chanticleer'	18/20cm	Acceptable
5	Sorbus aucuparia 'Cardinal Royal'	18/20cm	Acceptable
15	Amelanchier x grandiflora 'Robin Hill'	3 to 3.5m high	Acceptable

The proposed landscape scheme is considered broadly acceptable resulting in an appropriate landscape design.

Conclusion

There will be a significant loss of / impact on visual tree amenity to facilitate this development. This impact will be primarily limited to the Upper and Lower Fosters Estate and its residents and visitors.

The proposed landscape plan provides 92 replacement trees which will in the longer term will offset the loss of the 29 trees removed to facilitate this development. Details of ecological enhancement measures are secured by condition.

3.10 Other matters

Utilities

In support of the application a Utilities report has been submitted in support of the application. The utility report maps the existing connections in the site and advises that the new dwellings will connect to the existing infrastructure and that care will be taken to ensure that existing connections to existing dwellings are not affected. It is not considered that there are any significant constraints on the development of the site.

Ground conditions and Contamination

In regards to potential contamination, a contaminated land assessment in support of the application. The content of this report has been examined by the Council's Scientific services team who raise no objections in this regards subject to the

attachment of appropriate conditions requiring appropriate remediation is carried out.

Impact upon Services

Comments have been received from numerous neighbouring residents concerning the impact of the development on local services in particular doctors and schools. It is noted that these concerns have not been raised by any statutory bodies such as the Primary Care Trust or Education Officers and any impact of infrastructure is expected to be mitigated by Cil and S106 requirements under the planning process.

3.11 Viability, Planning Obligations & CIL

S106 obligations & viability

Policy CS15 of the Barnet Local Plan states that where appropriate the Council will use planning obligations to support the delivery of infrastructure, facilities and services to meet the needs generated by development and mitigate the impact of development.

The full list of planning obligations is set out in the heads of terms to this report.

In summary the scheme includes **50%** affordable housing by unit which will be secured by legal agreement, along with other contributions such as the proposed travel plan, cpz contributions and funding for apprenticeships.

LB Barnet CIL

As noted in SPD para 2.2.11, the purpose of Barnet's CIL is to secure capital funding to help address the gap in funding for local infrastructure. The money raised by Barnet's CIL will be used to pay for infrastructure required to mitigate the impact of development across the Borough.

Pursuant to the LB Barnet Planning Obligations SPD, the CIL charging rate is £135 per sq.m. In the case of Barnet's CIL, ancillary car parking space is not chargeable (SPD Para 2.2.14).

Mayoral CIL

Pursuant to the Table 3: Mayoral CIL Charging Rates of the Mayor's April 2013 SPG 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy', a flat rate charge of £35 applies to the application.

In total approximately the applicant's supporting documents indicate that £2,656,590 (subject to indexation and before any social housing relief has been taken into account) will be payable under both Barnet and Mayoral Cil before affordable housing relief is taken into account.

4. 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; and
- 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.

A minimum of 10% of units will be wheelchair adaptable.

Dedicated parking spaces for people with a disability will be provided in locations convenient to the entrances to the parking area.

The proposals are considered to be in accordance with national, regional and local policy by establishing an inclusive design, providing an environment which is accessible to all.

7. CONCLUSION

In conclusion, the scheme is considered acceptable on balance having regard to relevant national, regional and local planning policies and guidance. The principle of the redevelopment of Foster's Estate is considered acceptable and accords with national, regional and local plan policy guidance

The proposed detailed design is considered to be high quality with appropriate levels of amenity space, public open space and residential standards achieved for future occupiers reflecting a development of which successfully balances the need

to provide additional housing, particularly affordable housing while maintained the open landscape nature of the estate.

The amenities of neighbouring residential occupiers are not considered to be unduly impacted by the proposals.

The potential transport impacts of the scheme have been considered and it is considered that the proposal is providing an appropriate level of car parking in the context of the site constraints.

The scheme deals with its waste and recycling requirements and in terms of energy and sustainability, a range of measures are proposed including a carbon offset payment to achieve mayoral standards for a reduction in CO2 emissions.

A suitable approach is taken to landscaping and biodiversity with retention of trees where possible as well as enhancement of the biodiversity values within the site with appropriate planting.

The scheme has also considered utilities provision and contamination and appropriately worded conditions are recommended. The scheme is considered to be appropriate and acceptable having regard to the full range of considerations in this report including the stated policies and guidance.

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 referral to the Mayor of London and subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.

SITE LOCATION PLAN: Fosters Estate

REFERENCE: 19/2517/FUL

