

LOCATION: Brake Shear House
164 High Street
Barnet
EN5 5XP

REFERENCE: 18/4700/FUL Validated: 06.08.2018

WARD: High Barnet Expiry: 05.11.2018

APPLICANT: Shanly Homes

PROPOSAL: Demolition of existing buildings (Use Class B1(c), Sui Generis, A3 and C3) and erection of 8 semi-detached houses, 50 apartments and 754 sq.m of flexible B1 floorspace with associated car parking, landscaping and infrastructure (AMENDED DESCRIPTION).

RECOMMENDATION

Recommendation 1

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

(a) Legal Professional Costs Recovery

The Council's legal and professional costs of preparing the Agreement and any other enabling arrangements will be covered by the applicant.

(b) Enforceability

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

(c) Affordable Housing

9 shared ownership units to be provided comprising of 7 x one bedroom and 2 x two bedroom shared ownership flats

(d) Affordable Housing – Early Stage Review Mechanism

The undertaking of an affordable housing viability review mechanism which would be triggered if development were not commenced within an agreed timescale.

(e) Employment and Enterprise

The applicant would be required to enter into a Local Employment Agreement with the Council to secure a minimum of the following:

- Progression into employment, less than 6 months – 4
- Progression into employment, more than 6 months – 2
- Apprenticeships – 5
- Work experience – 9
- School / College / University site visits – 54
- School / College workshops – 43

Alternatively, the applicant may wish to make a financial contribution in lieu of the employment outcomes outlined above. Such a contribution would be commensurate with the number of outcomes secured and in line with SPD guidance and subject to agreement with the LPA.

(f) Traffic Management Order

A contribution of £2,000 towards the amendment of Traffic Management Order (TMO) to ensure that the new occupants are prevented from purchasing parking permits in local CPZs.

(g) Travel Plans

The proposed development would require provision of a Travel Plan as follows

- A Local Level Residential Travel Plan requiring a monitoring contribution of £5,000;

Residential Travel Plan incentives to be secured with each 1st household to be offered to select 2 of the 3 following incentives to the value of £300 (up to a maximum of £17,400):

- Oyster card with £150 credit
- Cycle shop voucher to the values of £150
- Car club credit/membership to the value of £150

(h) Carbon Offset Contribution

A carbon offset contribution of £90,223 would be secured in order to mitigate the shortfall below the zero-carbon target.

(i) Highway Works

All necessary works to the public highway under section 278 of the Highways Act (or such other mechanism as may be appropriate) to facilitate the implementation of the development in agreement with the Local Highways Authority. The scope of the highway works shall be agreed with the LPA to include the following:

- Pedestrian safety improvements at the proposed site access including adjacent footways in the immediate vicinity of the site
- Relocation of bus cage if deemed necessary and deliverable

(j) Affordable Workspace

Affordable commercial floor space is to be provided within the scheme of development. This shall be subject to a management agreement relating to the provision of affordable rented commercial accommodation, to be agreed in writing with the Council, and provided and retained within the development thereafter.

(k) Air Quality Abatement Contribution

A financial contribution towards an identified item of air quality mitigation strategy within the Air Quality Action Plan 2017-2022.

(l) Indexation

All financial contributions listed above to be subject to indexation.

Recommendation 2

That upon completion of the agreement specified in Recommendation 1, the Service Director Planning & Building Control or Head of Strategic Planning approve the planning application reference 18/4700/FUL under delegated powers, subject to the conditions listed in this report.

Recommendation 3

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 their absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

CONDITIONS

- 1) This development must be commenced within three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

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

- Location Plan - 1331/PLN/100 Rev A
- Site Plan - 1331.PLN.101 Rev B
- Information Plan - 1331.PLN.102 Rev B
- Housetypes Plots 1 – 8 Elevations and Floor Plans - 1331.PLN.103 Rev A
- Apartment Elevations front and rear - 1331.PLN.104 Rev
- Apartment Elevations side - 1331.PLN.105 Rev C
- Basement and Ground floor - 1331.PLN.106 Rev A
- First and Second Floor - 1331.PLN.107 *
- Third and Fourth Floor - 1331.PLN.108 Rev A
- Employment space elevations - 1331.PLN.109 *
- Employment Space floor plans - 1331.PLN.110 *
- Sections AA & BB - 1331.PLN.111 Rev B
- Sections CC, DD & EE - 1331.PLN.112 Rev B
- View from High Street - 1331.PLN.113 *
- View from No.14 Hyde Close - 1331.PLN.114 *
- View from St George's Field - 1331.PLN.115 *
- Existing Building floor plans - 1331.PLN.EB01 *
- Commercial cycle store - 1331.PLN.116 *
- Storey Heights Plan - 1331.PLN.118 *
- Conservation Area Views - 1331.PLN.119 *
- Proposed Drainage Layout - P17-106:SK01 Rev H
- Drainage Details Sheet 1 of 2 - P17-106:SK02
- Drainage Details Sheet 2 of 2 - P17-106:SK03

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with policies CS1, CS4, CS5, DM01 and DM02 of the Barnet Local Plan and policy 1.1 of the London Plan.

- 3) Notwithstanding the details shown on the plans otherwise hereby approved the development hereby permitted shall not commence (other than for Demolition to slab level) unless and until details and appropriately sized samples of the materials to be used for all the external surfaces (external elevations and roofs) of the proposed building at the site shall have been submitted to and approved in writing by the Local Planning Authority.

The Development shall thereafter be implemented in full accordance with such details and samples as so approved before the Development is first occupied or brought into use.

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

- 4) Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence (other than for demolition to slab level) unless and until details of the levels of the proposed buildings, roads and landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with such details as so approved before the dwellings otherwise hereby approved are first occupied or brought into use.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers and the health of any trees or vegetation in accordance with policies DM01, DM04 and DM17 of the Barnet Local Plan and policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan.

- 5) Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development is not to commence (other than for Demolition, Ground works and Site Preparation Works) unless and until details of the following features

and elements of the scheme have been submitted to the Local Planning Authority and approved in writing:

- Brick bonding and brick and stone detailing (annotated plans at a scale of not less than 1:20)
- External windows, balconies, doors, metal screens and balustrading (annotated plans at a scale of not less than 1:10).
- Depth of window reveals (annotated plans at a scale of not less than 1:20).
- Rainwater goods (annotated plans at a scale of not less than 1:10).
- Privacy screens (annotated plans at a scale of not less than 1:10).
- All means of enclosure proposed for the sites pedestrian and vehicular access points (annotated plans at a scale of not less than 1:10).

The development shall be implemented in full accordance with the approved details prior to the first occupation of the dwellings hereby approved.

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

6) Notwithstanding the details submitted with the application and otherwise hereby approved, before the development hereby permitted is brought into use or occupied the following information shall be submitted to and approved in writing by the Local Planning Authority:

- i. A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider.
- ii. Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable.
- iii. Plans showing satisfactory points of collection for refuse and recycling.

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

Reason: To ensure a satisfactory refuse and recycling facilities are provided at the

development in accordance with policies CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

- 7) No construction work in relation to the development hereby approved shall be carried out on the site at any time on Sundays, Bank or Public Holidays, before 8.00am or after 1.00pm on Saturdays, or before 8.00am or after 6.00pm on any other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan.

- 8) All work comprised in the approved scheme of hard and soft landscaping shall be carried out before the end of the first planting and seeding season following the first occupation of any part of the building or completion of the construction of the development, whichever is sooner.

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

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

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

- 10) Prior to the first occupation of the development, a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details of landscaping submitted shall include but not be limited to the following:

- the position of any existing trees and hedges to be retained or removed and the crown spread of each retained tree;
- details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

- existing site contours and details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the recommended protective distance referred to in BS5837: 2012.
- details of all tree, hedge, shrub and other planting proposed as part of the scheme and all planting proposed for green and brown roofs, green walls and other soft landscaped structures, including proposed species, plant sizes and planting densities;
- means of planting, staking and tying of trees, including tree guards, and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use; details of all proposed hard landscape works, including proposed materials, samples and details of special techniques to minimise damage to retained trees and details of techniques to be used to provide conditions appropriate for new plantings;
- timing of planting;
- details of all proposed boundary treatments, fencing, gates or other
- means of enclosure to be erected at the site

Reason: To ensure a satisfactory appearance to the development and protect the amenities of the area and future and neighbouring occupiers in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 3.6 and 7.21 of the London Plan.

- 11) Before the residential dwellings (Use Class C3) hereby permitted are first occupied details of the water efficiency measures to be installed in them to ensure that they achieve a water usage standard of not more than 110 litres per head per day shall be submitted to and approved in writing by the Local Planning Authority. The details provided shall include sufficient particulars to demonstrate how the water usage standard of not more than 110 litres per head per day for the new dwellings would be achieved. The development shall be implemented in full accordance with the details as approved prior to the first occupation of the residential dwellings.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Local Plan and policy 5.15 of the London Plan.

- 12) The development shall be implemented in accordance with the details identified in the approved Energy Strategy in full prior to the first occupation of the relevant part of development.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan.

- 13) Prior to occupation, details of the design, location and extent of the proposed photovoltaic panels to be installed on the roof area of the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan and policies 5.2 and 5.3 of the London Plan.

- 14) Prior to the first occupation of the development hereby approved a Car Parking Management Plan detailing the following shall be submitted to and approved in writing by the Local Planning Authority:

- i. The location and layout of car parking spaces
- ii. The allocation of car parking spaces;
- iii. The location and layout of cycle parking spaces
- iv. On-site parking controls
- v. The enforcement of unauthorised parking
- vi. The location of disabled parking spaces
- vii. Turning spaces

The approved details shall be implemented in full prior to the first occupation of the development hereby approved and the approved car parking and cycle parking spaces shall not be used for any purpose other than the parking of vehicles in connection with the approved development thereafter.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 15) No development (other than demolition to slab level) shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- i) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- ii) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To protect any archaeological remains present on the site in accordance with Policy DM06 of the Barnet Local Plan.

- 16) Prior to the first occupation of the development, details of all extraction and ventilation equipment to be installed as part of the development, including a technical report have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using anti-vibration mounts. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

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

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

be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

- 18) No development shall take place (other than demolition and site clearance) until a scheme of proposed noise mitigation measures against externally generated noise has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic noise/mixed use in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.15 of the London Plan 2011.

- 19) No development shall take place (other than demolition and site clearance) until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. The recommendations listed in the Acoustic Technical Report shall be applied.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the

Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and 7.15 of the London Plan 2015.

- 20) Before development commences (other than for demolition and site clearance), an air quality assessment report written in accordance with the relevant current guidance shall be submitted to and approved by the Local Planning Authority. The report shall include an assessment of the air quality impacts of the demolition, construction and operational phases of the development.

The assessment shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to the commencement of construction.

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

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

- 21) Before development commences other than for demolition to slab level and investigative work:
- a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual

Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

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

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

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

- 22) The development hereby approved shall not be occupied until details of the proposed highway works have been submitted to and approved in writing by the local Highway authority. The applicant will be required to enter into a s278/184 agreement with the council for these works.

Reason: To improve safety and access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

23) Each element of the development shall not be occupied until the parking space(s) connected with that element have been laid out within the site in accordance with the approved plans and shall not be used for any other purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

24) Prior to the first occupation of the development full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 20% of the approved residential parking spaces to be provided with active electric vehicle charging facilities and 20% passive electrical charging facility. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

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

25) Prior to the first occupation of the development, details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 106 (long stay) and 4 (short stay) cycle parking spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

26) No site works including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall

thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractor's compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.
- xi. Provision of a competent banksman.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 27) Before the permitted development is occupied a full Delivery and Servicing and Parking Management Plan (DSPMP) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved delivery service plan.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

28) The applicant shall carry out a “before” and “after” condition survey of the site access vehicular crossover. The “before” survey shall be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development. The “after” survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority. Any recommended works necessary to reinstate the condition of the site access to that identified within the “before” survey shall be implemented as approved following completion of the development.

Reason: To ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway.

29) Prior to the commencement of development (other than demolition to slab level) a detailed surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by London Borough of Barnet planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance (such as the SuDS Manual, C753).

30) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no development which would otherwise fall within Classes A, B, C, D, E, F, G and H in Part 1 of Schedule 2 to that Order shall be carried out in relation to the dwellinghouses hereby permitted without the prior written permission of the local planning authority.

Reason: To ensure the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

31) The flexible use class B floorspace shall be used for this use class only and shall not be amalgamated or subdivided without the prior written agreement of the Local Planning Authority.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers or adversely affect highway safety in accordance with policy DM01 of the Barnet Local Plan.

32) Prior to the commencement of development (other than demolition to slab level) a detailed piling or other penetrative foundation design method statement shall be submitted to and approved by the London Borough of Barnet planning authority. The scheme shall subsequently be implemented in accordance with the approved details.

Reason: To protect the water environment from contamination as piling has the potential to create new pathways for contamination to reach ground water, in accordance with the provisions of the NPPF and Policy DM04 of the Barnet Local Plan.

MATERIAL CONSIDERATIONS

Key Relevant Planning Policy

Introduction

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

Barnet's Local Plan is made up of a suite of documents, including the Core Strategy and Development Management Policies development plan documents. The Core Strategy and Development Management Policies documents were both adopted by the Council in September 2012.

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.

More detail on the policy framework relevant to the determination of this development and an appraisal of the proposal against the development plan policies of most relevance to the application is set out in subsequent sections of this report dealing with specific policy and topic areas. This is not repeated here.

The London Plan

The London Plan (2016) is the development plan in terms of strategic planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The London Plan policies (arranged by chapter) most relevant to the determination of this application are:

Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (Outer London: Vision and Strategy); 2.7 (Outer London: Economy); 2.8 (Outer London: Transport); 2.15 (Town Centres); and 2.18 (Green Infrastructure: the Network of Open and Green Spaces)

London's People:

3.1 (Ensuring Equal Life Chances for All); 3.2 (Improving Health and Addressing Health Inequalities); 3.3 (Increasing Housing Supply); 3.4 (Optimising Housing Potential); 3.5 (Quality and Design of Housing Developments); 3.6 (Children and Young People's Play and Informal Recreation Facilities); 3.8 (Housing Choice); 3.9 (Mixed and Balanced Communities); 3.10 (Definition of Affordable Housing); 3.11 (Affordable Housing Targets); 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) and 3.13 (Affordable Housing Thresholds).

London's Economy:

4.1 (Developing London's Economy); 4.2 (Offices); 4.3 (Mixed Use Development and Offices); 4.4 (Managing Industrial Land and Premises); 4.6 (Support for and Enhancement of Arts, Culture Sport and Entertainment Provision); 4.7 (Retail and Town Centre Development); 4.10 (Support New and Emerging Economic Sectors); and 4.12 (Improving Opportunities for All)

London's Response to Climate Change

5.1 (Climate Change Mitigation); 5.2 (Minimising Carbon Dioxide Emissions); 5.3 (Sustainable Design and Construction); 5.5 (Decentralised Energy Networks); 5.6 (Decentralised Energy in Development Proposals); 5.7 (Renewable Energy); 5.8 (Innovative Energy Technologies); 5.9 (Overheating and Cooling); 5.10 (Urban Greening); 5.12 (Flood Risk Management); 5.13 (Sustainable Drainage); 5.14 (Water Quality and Wastewater Infrastructure); 5.15 (Water Use and Supplies); 5.17 (Waste Capacity); and 5.21 (Contaminated Land).

London's Transport

6.1 (Strategic Approach); 6.2 (Providing 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); and 6.13 (Parking)

London's Living Places and Spaces

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise) and 7.18 (Protecting Local Open Space and Addressing Local Deficiency).

Implementation, Monitoring and Review:

8.2 (Planning Obligations); and 8.3 (Community Infrastructure Levy)

Barnet Local Plan

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance 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)
- CS3 (Distribution of growth in meeting housing aspirations)
- CS4 (Providing quality homes and housing choice in Barnet)
- CS5 (Protecting and enhancing Barnet's character to create high quality places)
- CS6 Promoting Barnet's Town Centres
- 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 and integrated community facilities and uses)
- CS11 (Improving health and well-being in Barnet)
- CS12 (Making Barnet a safer place)
- CS13 (Ensuring the efficient use of natural resources)
- CS14 (Dealing with our waste)
- CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

- DM01 (Protecting Barnet's character and amenity)
- DM02 (Development standards)
- DM03 (Accessibility and inclusive design)
- DM04 (Environmental considerations for development)
- DM06 (Barnet's Heritage and Conservation)
- DM08 (Ensuring a variety of sizes of new homes to meet housing need)
- DM10 (Affordable housing contributions)
- DM11 (Development principles for Barnet's town centres)
- DM13 (Community and education uses)
- DM14 (New and existing employment space)
- DM16 (Biodiversity)
- DM17 (Travel impact and parking standards)

A number of local and strategic supplementary planning guidance (SPG) and documents (SPD) are material to the determination of the application.

Local Supplementary Planning Documents:

- Sustainable Design and Construction (October 2016)
- Residential Design Guidance (October 2016)
- Planning Obligations (April 2013)
- Affordable Housing (February 2007 with updates in August 2010)

Strategic Supplementary Planning Documents and Guidance:

- Barnet Housing Strategy 2015-2025
- Accessible London: Achieving an Inclusive Environment (April 2004)
- Sustainable Design and Construction (April 2014)
- Health Issues in Planning (June 2007)
- Wheelchair Accessible Housing (September 2007)
- Planning for Equality and Diversity in London (October 2007)
- All London Green Grid (March 2012)
- Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
- Affordable Housing and Viability (2017)

National Planning Guidance:

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published in March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance.

The NPPF is a key part of reforms to make the planning system less complex and more accessible. The NPPF 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'. This is taken to mean approving applications which are considered to accord with the development plan. In March 2014 the National Planning Practice Guidance was published (online) as a web based resource. This resource provides an additional level of detail and guidance to support the policies set out in the NPPF.

The Community Infrastructure Levy Regulations 2010:

Planning obligations need to meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) to be lawful. Were permission to be granted, obligations would be attached to mitigate the impact of development which are set out in Section 10 of this report.

PLANNING ASSESSMENT

1.0 Site Description

- 1.1 The application site covers 0.48 hectares in area and lies within the High Barnet ward in the northern part of the borough. The majority of the site falls within

Chipping Barnet Town Centre. The site does not lie in a Conservation Area though the northern boundary of the site is close to the Monken Hadley Conservation Area. There are no listed buildings on site.

- 1.2 The site consists of several small buildings, all built within a tight, compact grain consisting of service yards and alleyways between buildings. The service yards are predominantly used for off-street parking for existing users of the site. This urban form developed organically. The buildings on site vary in size and design, though the majority are one or two storeys with the exception of Brake Shear House which has three storeys. The site is not identified as a locally significant employment site. The site is identified as being within Flood Zone 1 of the Environment Agency's Flood Risk Map.
- 1.3 The site currently features several commercial uses and some residential premises in 'the Forge', Gate House Cottage and Brake Shear House. There is a mix of properties within the B use classes providing a range of employment including vehicle testing and servicing garages, coffee machine repairs, framing and printing shops and theatre props storage. There are approximately 20 businesses. The total existing B use floorspace amounts to approx. 4,000 sqm.
- 1.4 The site is adjoined by a nursery which currently uses the Bath Place entrance as an access. This part of Bath Place adjoins the site boundary. On the northern side of Bath Place away from the application site lies the Monken Hadley Conservation Area.
- 1.5 The site is adjoined by low density two storey residential housing to the north and east; Hyde Close and Belgravia Close. Both these residential areas are predominantly characterised by dwellinghouses, in pairs of semis or short terraces.
- 1.6 Hyde Close also has a two-storey block of flats which adjoins the north east boundary of the site (No. 12 Hyde Close). This provides residential accommodation for people with physical and learning disabilities.
- 1.7 The land directly adjoining the southern boundary consists of rear yards serving the high street retail units. The southern side backs onto Novia House, a 3/4 storey block of flats which was approved in August 2008. This consists of 16 residential units and has a building footprint of 444sqm.

2.0 Proposed Development

- 2.1 Permission is sought for the demolition of existing buildings (Use Class B1(c), Sui Generis, A3 and C3) and erection of 8 semi-detached houses, 50 apartments and 754 sqm of flexible B1 floorspace with associated car parking, landscaping and infrastructure.
- 2.2 The development would propose the following mix:
- 29 x 1-bedroom apartments
 - 21 x 2-bedroom apartments
 - 8 x 3/4 bedroom house
- 2.3 The development would be laid out in three main elements, with the main flatted block, a row of 4 pairs of semi-detached houses and a separate building accommodating the employment floorspace. The main flatted block of the development would vary between 3 and 5 storeys with the fourth floor set back and recessed behind a parapet and the fifth floor, comprising a light-weight structure set back even further. The houses would be of a 3-storey height with the second floor forming a mansard roof, set behind a parapet. The building accommodating the employment floorspace would be of a part 2, part 3 storey height with a flat roof.
- 2.4 Parking would be largely provided at basement level (29 spaces accessed from a ramp to the east elevation of the main block) with total parking provision equating to 54 spaces, including 7 disabled spaces.

3.0 Relevant Planning History

- 3.1 A Planning Brief for this site was adopted on 22nd March 2016 by the Policy and Resources Committee and the document underwent the appropriate consultation and adoption procedures.
- 3.2 The Brief provides the vision for the future transformation of the Brake Shear House site and identifies there being significant opportunity to deliver a mixed-use development on a complex and constrained site in Chipping Barnet. The Brief explores the current constraints on the site including level changes, limited site permeability, the adjoining High Street and Monken Hadley Conservation Area and the Chipping Barnet Area of Special Archaeological Significance. The Brief goes on to assess the approach to redevelopment including analysis of appropriate land use and urban form.
- 3.3 The Brief is informed by the consultation responses received. During the consultation procedure, it became apparent that at a key issue for Councillors, Local

Groups and residents was the provision of affordable workspace. The Brief was amended to state “The Council is keen to promote the provision of affordable workspace on the site, if this isn’t possible, rates will need to be comparable with other similar uses within Chipping Barnet town centre”.

- 3.4 Subsequent to the adoption of the planning brief, planning permission was granted on 02.02.2017 for the demolition of existing buildings (Use Class B1(c), Sui Generis, A3 and C3). Erection of new three storey building to provide flexible Use Class B floorspace. Erection of new four storey residential apartment building providing 32 self-contained units and construction of 8 semi-detached houses. Associated car and cycle parking, landscaping and associated works (application ref: 16/2466/FUL).

4.0 Consultations

- 4.1 An initial consultation exercise was undertaken in August 2018 with 644 letters being distributed to neighbouring occupiers – 19 objections were received as a result of the consultation. Following detailed design meetings with Council officers, a complete redesign of the development took place. An additional consultation exercise was undertaken in June 2019 with 11 objections being received and 1 letter of support.

Summary of Neighbour Objections

- 4.2 The material planning considerations contained within the objections received from neighbouring residents can be summarised as follows:

Objection	Officer Response
The height of the development is excessive within its context.	Whilst the height of the proposed apartment block at the front elevation would be comparable to that of the frontage buildings on the high street, the set back and the land level changes would ensure that the overall height would not be overly dominant in the context of the 3 storey properties to the front. Furthermore, with regards to the baseline consideration of the extant consent, it is considered that the additional height of the proposed development in views from the high street would not be readily perceptible.
The development would result in	The development has been fully

<p>additional traffic stress to the A1000, increasing waiting times and increasing likelihood of accidents.</p>	<p>assessed by the Council's Transport and Highways officers who are satisfied that the trip generation of the development would not result in any undue harm to the surrounding highway network. The development would entail a net decrease in vehicle movements compared to the lawful previous use. This is set out in more detail in Section 15 of this report.</p>
<p>The proposed materials are not from sustainable sources.</p>	<p>All materials would be required to be submitted for approval by condition where officers would be able to ensure that materials were from sustainable sources, as considered necessary.</p>
<p>The development would result in additional noise pollution.</p>	<p>The development entails residential and business uses which in themselves are not considered to be excessive noise generating uses. It is considered that any noise generated from the development would not be over and above that of the lawful previous use and would not be uncommon in such a town centre location.</p>
<p>The development would increase existing levels of air pollution.</p>	<p>The application is supported by an Air Quality Assessment which has been fully assessed by the Council's EHO. It is considered that subject to a condition and a planning obligation, the impact of the development on air quality would be acceptable. This is discussed further in Section 14 of this report.</p>
<p>Insufficient levels of parking are provided within the development.</p>	<p>The development proposes 47 residential car parking spaces. Based on the lower and high standards, Policy DM17 would allow for a parking provision for the residential units ranging between 33 and 77 spaces. The proposals are to provide 47 car parking spaces for the residential element is therefore within the acceptable standards. The commercial parking for 7 spaces meets the requirement of the</p>

	draft London Plan.
The proposed houses would result in a loss of daylight/sunlight, privacy and outlook to neighbouring homes on Belgravia Close.	The application is supported by a daylight/assessment which demonstrates that the development would not have an unacceptably adverse impact on the daylight/sunlight of the neighbouring properties. The application has also been fully assessed in terms of the impact on neighbouring privacy and outlook and is considered to be acceptable. This is set out fully in Section 10 of this report.
The development proposes insufficient soft landscaping and green space.	The development proposes a mix of private and communal amenity areas. The residential flats would mostly be provided with a private balcony whilst the residential houses would be provided with private rear garden areas. The scheme has been amended from the extant consent to move the car parking to basement level which allows for additional landscaping to be incorporated into the scheme. It is considered that the development proposes a substantially higher quality landscaping scheme than the extant consent.
The development would put additional strain on local services.	The development would attract the payment of a large Community Infrastructure Levy (CIL) payment which could be used to contribute to local infrastructure improvements.

Responses from External Consultees

4.3 The responses received from external consultees can be summarised as follows:

Consultee	Response
Thames Water	No objection subject to conditions.
London Fire Brigade	No objection.

Natural England	No objection.
Historic England (Archaeology)	No objection subject to condition.
Transport for London	In principle, TfL does not object to the regeneration of this site. However, the proposed car parking must be confirmed to ensure it does not exceed draft London Plan maximum standards. Therefore, in its current form, TfL has raised a holding objection to this application.

Responses from Internal Consultees

4.4 The responses received from internal consultees can be summarised as follows:

Consultee	Response
Environmental Health	No objection subject to conditions.
Transport and Highways	No objection subject to conditions.
SUDS/Drainage	No objection subject to conditions.
Flood Risk / SUDS	No objection subject to conditions.
Conservation and Design	Objection to the application, based on perceived harm to views from the adjacent CA, views from King George Playing Fields and uncharacteristic nature of mews houses.

PLANNING ASSESSMENT

5.0 Principle of Development

5.1 The existing site is occupied by mix of properties within the B use classes providing a range of employment including vehicle testing and servicing garages, coffee machine repairs, framing and printing shops and theatre props storage. The total existing B use floorspace amounts to approximately 4000 sqm.

5.2 The site is subject to a planning brief which states the following:

“Due to the presence of residential properties on site and in the surrounding area, the principle of residential development is acceptable, subject to compliance with other relevant policies and standards and subject to satisfactorily re-providing B employment space on site.” (para 7.3)

5.3 The application site also benefits from an extant planning permission (16/2466/FUL) which entailed a significant reduction in the quantum of employment floorspace alongside the provision of 40 residential units. The extant permission comprises the provision of 779 sqm of B use class floorspace which would be aimed at facilitating Small and Medium Enterprises (SMEs) as well as larger businesses.

5.4 The proposed development seeks permission for the same mix of land uses, comprising a very similar 754 sqm quantum of B1 floorspace. Given that the current application retains the same mix of uses with a similar level of employment floorspace, it is considered that the acceptability of the proposed land uses is established and the principle of development is acceptable. The proposed development also accords with the aims of the adopted Planning Brief.

5.5 Throughout the formal process of adopting the Planning Brief and in the determination of the previous application, it was evident that there was a dearth of affordable work space within Barnet town centre and thus the provision of 130 sqm of affordable workspace within the extant consent is a significant benefit to the development. The current application seeks to retain the same level of affordable workspace as the extant consent which is accordingly considered to be a significant benefit of the scheme.

5.6 In summary, the principle of development comprising a mixed-use development of residential and employment uses is fully accordant with the adopted planning brief, is consistent with the extant consent and is therefore considered to be acceptable.

6.0 Residential Density

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

- 6.2 It should be noted that the Draft London Plan, takes a less prescriptive approach and Policy D6 states inter alia that the density of a development should result from a design-led approach to determine the capacity of the site with particular consideration should be given to the site context, its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D6 goes on to state that proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.
- 6.3 The application site covers an area, which has a Public Transport Accessibility Level (PTAL) of 3. In terms of its 'setting' the site is considered to fall within an area of transition using the features identified in the London Plan. The High Road has some urban characteristics, while surrounding residential roads have strongly suburban characteristics.
- 6.4 Taking these factors into consideration the London Plan density matrix would suggest a range of between 45 and 120 units per hectare.
- 6.5 The density of the proposed development would equate to 139 dwellings per hectare (387 hr/ha). The proposed density is clearly therefore marginally in excess of this optimum range, however it is considered that there are mitigating circumstances which provide justification for the slight exceedance over and above the optimum range. Officers consider that the density of the scheme is expressed through development of a height and scale that is appropriate for its context and town centre location.
- 6.6 Furthermore, the London Plan also outlines that the density matrix should not be applied mechanistically and in this case it is considered that, notwithstanding the proposed density being in excess of the optimum range, it is appropriate for the site and in accordance with Policy 3.4 of the London Plan and the emerging Draft London Plan.

7.0 Housing Quality

- 7.1 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', Ch3 'London's People', and Ch7 '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 and Residential Design Guidance SPD.

Dwelling Mix

7.2 Policy DM08 of the DMP – DPD states that new residential development should provide an appropriate mix of dwellings and with regards to market housing states that 4 bedroom units are the highest priority and 3 bedroom units are a medium priority.

7.3 The development proposes 58 residential units across all phases with the following mix of units:

Unit Size	Number of Units	% of Units
1 bedroom	29	50%
2 bedroom	21	36%
3/4 bedroom	8	14%
Total	58	100%

7.4 It is considered that the scheme comprises a good mix of housing types and sizes, including a good level of larger family sized units. Whilst there is a large proportion of 1 and 2 bedroom units, this is considered to be appropriate given the site's characteristics and location within the town centre. Officers therefore consider the proposed dwelling mix to be acceptable and in accordance with Policy DM08 of the Local Plan.

Residential Space Standards

7.5 Table 3.3 in the London Plan provides a minimum gross internal floor area for different sizes of dwelling. This is set out in the table below, which shows the areas relevant to the units proposed within the development:

	Dwelling Type (bedrooms/persons)	Minimum Internal Floorspace (square metres)
Flats	1 bed (2 persons)	50
	2 bed (3 persons)	61
	2 bed (4 persons)	70
Houses	3 bed (5 persons)	85

7.6 All of the proposed units would at least meet and in most cases would exceed the minimum standards, providing a good standard of accommodation for future occupiers.

Wheelchair Housing

- 7.7 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 have 10% wheelchair home compliance, as per London Plan policy 3.8.
- 7.8 The applicant's Planning Statement sets out that 10% of the residential units would be provided as wheelchair adaptable in line with aforementioned policy context and in accordance with Part M4(3) of the Building Regulations. This is considered to be acceptable and a condition is attached which would secure these wheelchair units.

Amenity Space

- 7.9 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. The minimum requirements are set out in the table below:

Outdoor Amenity Space Requirements	Development Scale
For Flats: 5m ² of space per habitable room	Minor, major and large scale
For Houses: 40m ² of space for up to four habitable rooms 55m ² of space for up to five habitable rooms 70m ² of space for up to six habitable rooms 85m 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

- 7.10 The development proposes a mix of private and communal amenity areas. The residential flats would mostly be provided with a private balcony whilst the residential houses would be provided with private rear garden areas – all of which would comply with the minimum standards outlined above.

Children's Play Space

- 7.11 Based on the GLA Shaping Neighbourhoods Play and Informal Recreation SPG, Child Yield Calculator (updated June 2019), the development would be likely to generate 11 children. Where developments would generate over 10 children, the Mayor's SPG advises that on-site provision should be made for playspace. In this case, no on-site playspace is provided. Nevertheless, it is considered that the site is constrained in terms of available land and as such a commensurate financial contribution should be made to local off-site playspace to be secured through the S106.

Privacy

- 7.12 Policy DM01 of the Local Plan requires that development have regard to the amenity of residential occupiers. In this regard it is necessary to consider the design of the scheme and the privacy that would be afforded to future occupiers of the development.
- 7.13 There would be a separation distance of approximately 17 metres between the main residential block and the terrace of houses. Whilst this is below the recommended minimum of 21 metres, given the location of the site and the tight urban grain, it is considered that the separation distance would not result in any undue loss of privacy for the occupiers in the facing residential units. This separation distance was also considered acceptable under the extant permission.
- 7.14 To the west of the main residential block, the separation distance to the facing windows to the rear of the adjacent commercial units would be less than 5 metres. The windows to the west elevation of the block have therefore been designed to be secondary windows and would be obscurely glazed.
- 7.15 To the east of the main residential block, the separation distance from the east elevation windows to the nearest facing window would be 25 metres, in excess of the recommended minimum ensuring that there would be no undue loss of privacy to future residents of the development. Following submission of the application the applicant and agent met with a number of local residents. In response, notwithstanding the reduction in flank windows in the revised scheme, compared with the extant approved scheme, to further mitigate any loss of privacy / overlooking the scheme has been amended to provide obscure glazed privacy screens to secondary flank windows. This was a welcomed enhancement of the scheme by the neighbouring residents.

- 7.16 To the north of the terrace of houses, the rear windows would enjoy a separation distance of over 21 metres to the facing windows of Bath Place ensuring acceptable levels of privacy for future occupiers.

Outlook

- 7.17 With regards to the outlook from the proposed residential units, as outlined in the Privacy section of this report above, there would be a separation distance of 17 metres between the facing windows of the main residential block and the terrace of houses. This is considered to be adequate to ensure an acceptable level of outlook from the front windows of the houses and the north elevation windows of the main block
- 7.18 As outlined in the preceding section of this report, the relationship between all other windows of the proposed development and surrounding development either enjoy a minimum 21 metre separation distance or represent secondary, obscurely glazed windows. The outlook from all habitable windows would therefore be acceptable.

Daylight/Sunlight/Overshadowing

- 7.19 A daylight/sunlight report assessing the daylight and sunlight levels of the proposed residential units, undertaken by Avison Young, was submitted in support of the application.
- 7.20 In terms of daylight, the report sets out that 87.6% of all habitable rooms pass the BRE requirements in relation to the Average Daylight Factor (ADF) test whilst in relation to the No Sky Line (NSL), 94.7% meet the target criteria. This level of compliance is considered to be good in light of the urban setting of the scheme.
- 7.21 In terms of sunlight, the report sets out that most of a large proportion of the windows within the development would achieve the 25% APSH target value within BRE guidance. Upon further analysis of the results set out within the report appendices shows that of the few windows that do not achieve the target values, those that serve the main living room areas are served by multiple windows which would go some way to mitigate against any reduced sunlight from individual windows.
- 7.22 In terms of overshadowing of amenity areas, some of the amenity areas to the north of the buildings would inexorably receive less than the target values. However, when considered in the whole over 50% of the amenity space would receive at least 2 hours sun on 21st March. Given the urban location of the site and the tight urban

grain, this is considered to be acceptable. Similar levels were considered acceptable under the extant permission.

Noise

- 7.23 The application is supported by an acoustic assessment (MLM Technical Report – Acoustic Assessment revision 01, status I, dated 02/05/2019). The document is a comprehensive noise report and concludes that for the majority of the site noise is not a constraint and the Council's standard noise level requirements can be met with no mitigation.
- 7.24 However, to the south of the site is the Misty Moon Public House which is a noise generating use and would have potential to result in noise disturbance to the residential properties to the south of the proposed development. The report concludes that balconies on the south façade closer to the pub location will generally experience levels in excess of 55 and 60 dBA during live music events. In assessing the application, the Council's Environmental Health officers outlined that this potential noise disturbance would require a scheme of mitigation to ensure appropriate internal and external ambient noise levels. A condition is therefore attached requiring that a scheme of mitigation is submitted for approval.

Conclusion

- 7.25 Having regard to the above, it is considered that the development would provide an acceptable quality of residential accommodation in accordance with Policies 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.

8.0 Affordable Housing

- 8.1 London Plan 2015 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. The Council will also seek to ensure that affordable housing is provided with a 60/40 ratio of social/affordable rented products to intermediate housing.
- 8.2 Within the application submission, it is set out that the provision of any affordable housing on the site is unviable and thus zero affordable housing was initially proposed. A Financial Viability Assessment (FVA) from Turner Morum (TM) was also

submitted with the application which the Council instructed Carter Jonas (CJ) to undertake an independent review of the FVA.

- 8.4 Within the submitted FVA, two scenarios were modelled on the basis of a policy compliant 40% affordable housing provision and a 0% provision. TM indicates that the residual land value of the proposed scheme in both cases produces an overall deficit when compared against the Benchmark Land Value and therefore concludes that the scheme is unable to provide any affordable housing.
- 8.5 In their review of the FVA, CJ challenged numerous assumptions made within the document and adopted consequently different input figures which resulted in their conclusion that the scheme as proposed would produce a surplus and would be able to viably provide an element of affordable housing.
- 8.6 Following the initial review of the FVA, the applicant accepted most of the adjusted assumptions made by CJ and made a revised affordable housing offer of 10% shared ownership (by habitable room) or 16% (by dwelling) which equates to 9 units (7 x 1 bedroom and 2 x 2 bedroom). Such affordable housing provision would result in a marginal deficit below the viable position however the applicant is prepared to go forward on this basis.
- 8.7 CJ carried out a further review of the amended FVA comprising the 10% offer and concluded that the offer of 9 shared ownership units is the maximum that the scheme can viably support. This 10% offer is in accordance with Paragraph 64 of the NPPF which states that “where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership”.
- 8.8 Whilst officers note that the extent consent on the site secured 20% affordable housing provision, this position must be considered in the context of the consented scheme not ever being delivered. It is also noted that the affordable housing offer comprises of 100% shared ownership with no provision for social/affordable rented products, however in this case the viability position is such that the scheme cannot viably support the provision of a policy compliant mix and the proposed mix is the maximum that can be provided by the scheme. Officers are satisfied that the maximum affordable housing provision will be secured through the s106 and that there are significant material benefits of the proposed scheme when assessed against the extant permission that further support the recommendation for approval.

9.0 Visual Impact

- 9.1 The National Planning Policy Framework (NPPF) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. Local Plan Policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.
- 9.2 The application site also benefits from an adopted planning brief which highlights the importance of the scale, bulk and mass of the development and the relationship to its context.

Height, Scale and Massing

- 9.3 The extant consent at the site comprised of a main residential building rising to a maximum of 4 storeys at the front and 3 storeys to the rear. The current application seeks permission for a development rising to a maximum of 4 storeys at the front with a set-back fifth floor and 3 storeys at the rear with a set-back fourth floor. The heights of the proposed terrace houses have been reduced from the extant consent, working with the topography of the site towards the east, to reduce the appearance and scale on the properties to the north. Similarly, the height of the commercial building has also been reduced when assessed against the extant consent. The image below shows a side / front main elevation of the proposed apartment block with the extant consent outlined in blue for comparative purposes.



- 9.4 The majority of the buildings in the surrounding area are of a 2 and 3 storey height with some limited 4 storey buildings. The key issue is therefore whether the additional height and the scale of the development over and above the approved scheme would be congruent within its surrounding context.

9.5 Whilst the height of the apartment block at the front elevation would be comparable, and no higher than the frontage buildings on the high street, the set back and the land level changes would ensure that the modest additional height over the extant permission would not be overly dominant in the context of the 3 storey properties to the front. Furthermore, with regards to the baseline consideration of the extant consent, it is considered that the additional height of the proposed development in views from the high street would not be readily perceptible. The image below shows a CGI of the proposed development in the context of the frontage buildings.



9.6 The adopted planning brief states at paragraph 8.6 that “the existing building heights on the site and adjoining the site do not exceed 2/3 storeys... therefore proposed buildings will be expected to reflect these parameters”. It is clear that the proposed development would exceed these parameters in terms of the number of storeys, however it is important to note that this is similarly true of the extant consent and this needs to be balanced against the increasing demand for housing and NPPF objectives for sustainable development and making best use of previously developed urban land. Furthermore, the proposed enhancement to the design utilises the existing fall in site levels to an advantage whereby the lower floors of the flat block are comparably significantly lower than those of the extant permission. It is considered that the additional height would not substantially alter the consented relationship between the proposed development and the frontage development and as such it is similarly considered that the deviation from the planning brief is once again considered to be acceptable. One major change and benefit of the revised

scheme is a significant reduction in the width of the flats when viewed from Hyde Close when compared to the extant permission.

Layout

- 9.7 The proposed layout retains the same overarching layout as the extant consent with a main residential apartment block, a terrace of mews houses and a commercial building in largely the same locations as approved and thus is considered acceptable.

Design and Appearance

- 9.8 The design of the scheme proposes an industrial warehouse style aesthetic, highlighting the historic use of the site. The aesthetic would be achieved using a simple but quality mix of materials including yellow stock bricks with brick detailing coupled with grey windows and black metal railings and balconies. Grey painted timber panels would articulate the facades and provide interest in the elevations. It is considered that the proposed design is a substantial enhancement on the approved scheme, reflecting an industrial vernacular of the existing buildings and Barnet's commercial past, with a contemporary styling, such that the revised scheme is more appropriate to the surrounding and existing context.

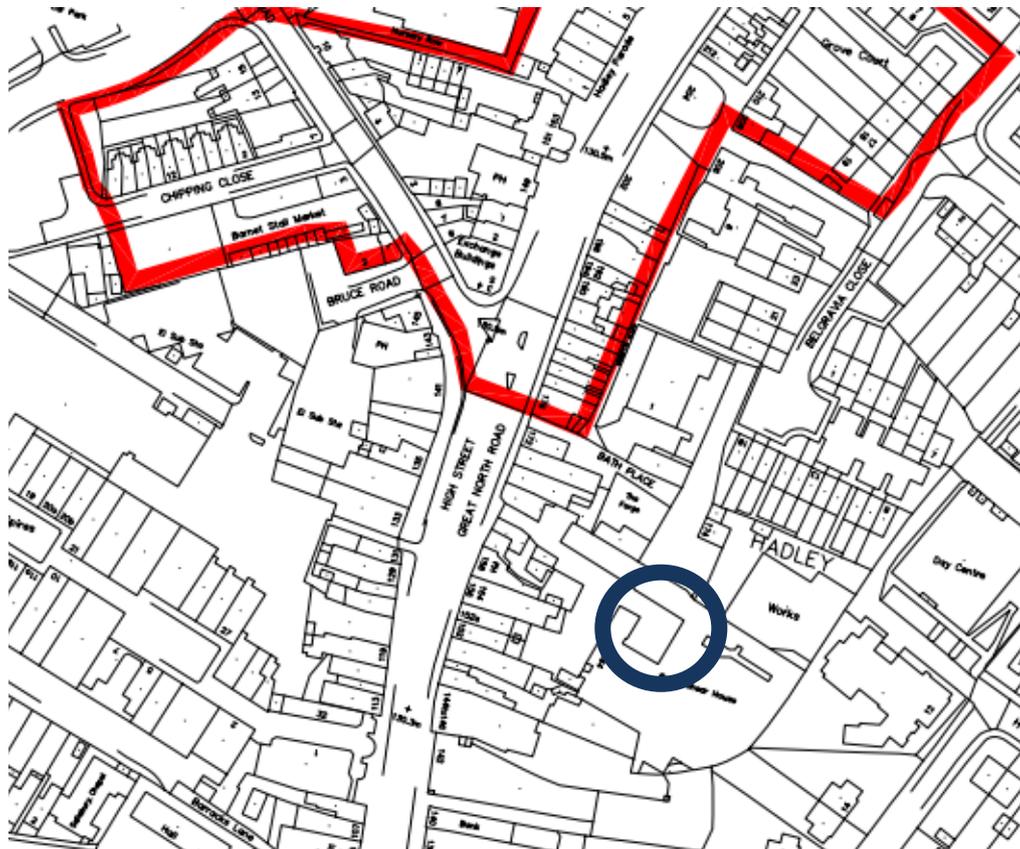
Conclusion

- 9.9 Having regard to all of the above, officers consider that the height and layout of the proposed building in this location is acceptable, in consideration of the other design enhancements and benefits of the scheme. Officers also consider that the scheme is of a high design quality and would integrate well with its surrounding context in accordance with London Plan Policy 7.7 and Local Policies CS5 and DM01.

10.0 Heritage and Conservation

- 10.1 The application site is not located within a conservation area, nor does it contain any listed buildings. The northern boundary of the site is however located close to the Monken Hadley Conservation Area whilst the site is also located within the locally protected view of Chipping Barnet from King George V Playing Fields.
- 10.2 Policy DM06 of the Local Plan is therefore relevant and in relation to the current application it is necessary to consider the impact of the proposal on the setting of the heritage asset (the adjacent conservation area in this case).

- 10.3 The map extract below shows the location of the application site (blue) in the context of the adjacent conservation area (outlined in red).



- 10.4 The application site is set back from the street frontage with a narrow road access which provides the only view of the development from the high street. The buildings on the high street are a mix of two and three storeys in height and it is clear that the part 4, part 5 storey height of the development would be of a comparable height to the frontage buildings. Nevertheless, as set out in the preceding section of this report, officers consider that the height of the development over and above the extant consent would not be readily perceptible in views from the street. Given the location of the conservation area to the north and the backland location of the application site, it is considered that the development itself would not be viewed in the setting of the conservation area. This is illustrated in the CGI visual below, which is taken from the closest point within the conservation area to the application site, and demonstrates that that proposed development is only marginally visible in a glimpse oblique view. The development will cause **no harm** to the setting and significance of the Monken Hadley Conservation Area and to the townscape context of the site on Barnet High Street. The revised design minimises the visual impact of the development enabling it to sit more comfortably within its local context through the use of a visually simplified and good quality architectural language which uses more

appropriate materials, light-weight appearance to the top floor set back and articulated elevational treatments. The amended design would therefore have less of a visual impact and is more appropriate to its local context than the approved scheme.



- 10.5 It is noted that the Council's Conservation officer has objected to the application, partly on the basis of the impact of the development on the setting of the conservation area in glimpsed views from the high street. In considering this objection, it is important to consider the reduced visibility of the development from the high street directly opposite the site. Much of the character of the adjacent CA, and where one experiences the CA is derived from the character of the high street and in this case, the development would be even less visible as one moves away from the narrow visual gap in the buildings and towards the CA.
- 10.6 Both the CA and the wider Chipping Barnet present in the locally protected view from King George Playing Fields. Again, the starting point for the consideration of the impact of the development on this view is the extant consent and officers must consider the additional impact of the current proposal over and above the baseline

consent. The image below shows the outline of the proposal (green) along with the outline of the consented scheme (blue).



- 10.7 Again, the objection from conservation officers is noted however it is considered that the proposed development would not significantly exceed the visibility of the consented scheme and would not result in any perceptible harm to the protected view. Given the land level changes, the massing of both the consented scheme and the proposed scheme would be subsumed within the massing of development located further to the west. On the basis that proposed scheme would not project above the established skyline and would not present an obtrusive element within this view, officers consider that the impact of the development on the view would be acceptable.

11.0 Amenity Impact on Neighbouring Properties

Daylight

- 11.1 The applicant has submitted a Daylight/Sunlight report from Avison Young which is inclusive of a full daylight assessment in respect of neighbouring properties. The standardised assessment methodology for daylighting is set out within the BRE document Site Layout Planning for Daylight and Sunlight (BRE, 2011). Within this document it is set out that the primary tool is the Vertical Sky Component (VSC) and that the target value for windows to retain the potential for good daylighting is 27% or more than 0.8 times its former value.
- 11.2 In line with BRE guidelines, it is only necessary to carry out the VSC assessment on a neighbouring window if a 25-degree line drawn from the centre of the window would subtend the facing elevation of the subject development. In this case, the GL Hearn report identifies the following neighbouring properties as necessitating the additional assessment:

- 8-18 Belgravia Close
- 12 Day Centre, Hyde Close
- 14-18 Hyde Close
- 166-172 High Street

11.3 In light of the above, officers consider that both the scope and the methodology of the daylight assessment was appropriate. Having undertaken the assessment, the report demonstrates the following results:

Property	Daylight (VSC)
8-18 Belgravia Close	100% Pass
12 Day Centre, Hyde Close	100% Pass
14-18 Hyde Close	100% Pass
166-172 High Street	100% Pass

11.4 It is therefore clear that all of the neighbouring properties assessed would achieve full BRE compliance in respect of daylight.

Sunlight

11.5 In relation to sunlight, the BRE recommends that the Annual Probable Sunlight Hours (APSH) received at a given window in the proposed case should be at least 25% of the total available including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period.

11.6 The BRE guidelines state that “..all main living rooms of dwellings should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block out too much sun”. In accordance with the BRE Guidelines the following properties were therefore assessed:

- 18 Hyde Close
- 166-172 High Street

- 11.7 Of the properties assessed, all achieved full compliance with the APSH target values indicating a good level of sunlight will be retained for the neighbouring properties.

Outlook

- 11.8 In terms of outlook, the most sensitive relationship would be between the rear of the residential properties on Hyde Close and the eastern elevation of the proposed apartment block. Hyde Close sits at a lower land level and given the 3 storey height (with set back additional floor) of the proposed development, it is inexorable that the development would be clearly visible in views from the rear of the Hyde Close. Nevertheless, both the existing and consented massing on the site must also be considered when assessing the relative impact on the outlook from the Hyde Close properties. The image below shows a rendered view of the proposed development with the building line of the existing massing (red), the consented massing (green) and the originally proposed massing (blue).



- 11.9 It is clear from the image above that the massing of the proposed development in this particular view would be marginally greater than the consented scheme, albeit with the additional massing comprising of a set-back storey clad in a lightweight material. It is considered that the additional massing over and above the consented scheme would not be so significant as to result in unacceptable harm to the outlook from the rear windows of Hyde Close. Even if one was to disregard the fall-back

position of the consented scheme, the existing massing in situ is broadly the same as that which is proposed with the current application. The existing buildings are also on the shared boundary, whereas the proposed scheme is significantly set back from the shared boundary.

- 11.10 To the north of the site, the row of semi-detached houses are considered to be adequately separated from the residential properties on Belgravia Close to ensure that there would be no material loss on the outlook from the neighbouring properties.

Privacy

- 11.11 Again, the most sensitive adjacency is to the east of the site in the relationship between the main apartment block and the Hyde Close properties. Nevertheless in this location - the separation distance from the east elevation windows to the nearest facing window would be 36.5 metres, in excess of the recommended SPD minimum. Those closest windows are proposed to be obscurely glazed. The closest non-obscure glazed window is 39m away.
- 11.12 Following submission of the revised design scheme, the applicant and agent met with residents of Hyde Close in July 2019. Discussions highlighted that the revised scheme proposes a significant reduction in balconies/windows overlooking towards Hyde Close in the extant permission. Previously there were 10 large balconies directly facing the residents of Hyde Close. The revised scheme increases the separation distance and reduced the width of the amended block with only 7 obscure glazed secondary windows now proposed. To further respond to the residents, the applicant agreed and subsequently submitted revised drawings with the addition of obscure glazed screens to the balconies to achieve a further enhancement compared with the extant permission and a significant improvement to privacy and reduction in overlooking for the Hyde Close residents.
- 11.13 To the north of the terrace of houses, the rear windows would enjoy a separation distance of over 21 metres to the facing windows of Bath Place ensuring acceptable levels of privacy are retained for the neighbouring occupiers.

12.0 Sustainability

- 12.1 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
- 12.2 Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in new 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.
- 12.3 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.
- 12.4 With regards to the energy hierarchy set out within London Plan Policy 5.2, it is considered that the application is broadly in accordance. The application is accompanied by an Energy Statement from Blue Sky Unlimited which sets out that the energy efficiency measures and sustainable energy measures that would be incorporated within the scheme which are set out below in accordance with the hierarchy.
- 12.5 The submitted Energy Statement sets out that the scheme will incorporate a number of sustainability measures to reduce demand, ensure energy is supplied efficiently and to ensure that energy is from renewable sources in line with the ‘Be Lean, Be Clean, Be Green’ approach.
- 12.6 It is proposed to enhance the fabric insulation standards of the buildings above the minimum required by the Building Regulations. The proposal is of insufficient scale to efficiently provide a communal space heating and hot water system either with CHP or not and therefore the apartments will be provided with individual combination gas boilers and space heating and cooling to the non-residential units will be provided by air source heat pumps. In addition it is proposed to install a total of 136 x 327W photovoltaic panels on the flat roof of the apartment building and the commercial building.
- 12.7 Based on the energy assessment submitted, subsequently submitted details and inclusive of the all the measure outlined above, the scheme would deliver the following overall carbon dioxide reductions:

	Total residual regulated CO ₂ emissions	Regulated CO ₂ emissions reductions	
	(tonnes per annum)	(tonnes per annum)	(per cent)
Baseline i.e. 2013	232		

Building regulations			
Energy Efficiency	192	40	17%
CHP	174	18	9%
Renewable energy	149	25	14%
Total		83	36%

Other Sustainability Issues

- 12.8 With regards to the Code for Sustainable Homes (CSH), the government issued a Written Ministerial Statement which confirmed that the scheme has been withdrawn with immediate effect. Therefore planning applications, other than those which have already been approved with a CSH condition, are no longer required to comply with the code.
- 12.9 In relation to the non-residential floorspace, the Council supports the use of Building Research Establishment Environmental Assessment Method (BREEAM) which is used to measure the environmental performance of non-residential buildings and a standard of 'Very Good' is required in all new non-residential developments. The Energy Statement sets out that the non-residential floorspace would achieve a BREEAM level of 'good', which falls below the Council's requirements. If permission were to be granted, a condition would be attached to ensure that the development achieved a BREEAM level of Very Good.

13.0 Flood Risk / SUDS

- 13.1 Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".
- 13.2 The application has been fully reviewed by the Council's appointed drainage consultants who had no objection to the application subject to conditions. Such conditions would be attached accordingly if permission were granted.

14.0 Contaminated Land

- 14.1 A Phase I Environmental Site Assessment document dated April 2016 has been undertaken in support of the application which recommends further intrusive ground investigations should take place given the historical commercial/industrial land use of the site.

14.2 Given the above, the Council's Environmental Health officers have requested a condition requiring site investigation works to be carried out prior to the commencement of development and subsequent mitigation should it be required. Such a condition would be attached if permission were granted.

15.0 Air Quality

15.1 London Plan Policy 7.14 Improving Air Quality states that developments should be at least air quality neutral and not lead to further deterioration of existing poor air quality. In this regard, it is considered that mitigation is required and it should be noted that none have been proposed in the application documents.

15.3 The application is supported by an Air Quality Assessment (MLM) which dates from 2016 and is mainly predicated on the previous application for this site. In reviewing the document, the Council's EHO noted that the new development will likely result in additional vehicle movements and that the development site is adjacent to an air quality Focus Area, Barnet High Street (as designated by the GLA). The designation of the area as a Focus Area indicates that it is an area with particularly bad air quality and that the Council should seek to improve the air quality of the area where possible.

15.4 Given the time elapsed since the submitted 2016 AQA, the Council's EHO has requested that a revised AQA be secured through condition. In addition, a S106 contribution is sought towards funding measures within the Council's Air Quality Action Plan. Subject to the condition and S106 obligation, it is considered that the application would be acceptable from an air quality perspective.

16.0 Transport / Highways

16.1 Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Access

16.2 The site is in a town centre location and a busy shopping street with retail frontages and commercial buildings fronting the High Street (A1000). To the east, the site is adjacent to the rear boundary of the detached properties facing Hyde onto Hyde

Close, a public car park served by an access road between Nos. 140 and 142 High Street to the south, residential properties at the southern end of Belgravia Close to the north and the rear boundary buildings occupying Nos 146 -172 to the west.

- 16.3 The High Street (A1000) becomes Great North Road to the north and to the south the road continues as Barnet Hill. Together, these form a key north-south arterial route linking High Barnet to Finchley and central London. In the vicinity of the site, the A1000 is a single carriageway with three northbound lanes, two ahead lanes and a left-turn lane as it approaches the signal controlled junction of High Road with St Albans Road.
- 16.4 The site is in a CPZ which operates from Mon-Sat, 9am-6.30pm and there are double yellow lines and parking areas in the form of designated disabled bays and “pay by phone” parking bays on both sides in the section of the High Road fronting the site. 9 bus routes can be accessed from stops within 7 minutes walking distance from the site. The nearest bus stops served by bus routes 383, 384, 234 & 326 are located directly outside and opposite the site providing direct connections to destinations in Harrow, Wembley, Finchley, Central London and further afield.
- 16.5 The site has a PTAL score of 3 (average) on a scale of 0-6, where 0 equals no access to public transport and 6 equals excellent access to public transport.

Parking

- 16.6 The development proposes 47 residential car parking spaces. Based on the lower and high standards, Policy DM17 would allow for a parking provision for the residential units ranging between 33 and 77 spaces. The proposals are to provide 47 car parking spaces for the residential element is therefore within the acceptable standards.
- 16.7 With regard to the proposed B1 commercial use on the site, the emerging London Plan sets a maximum parking provision of up to 1 space per 100m² gross internal area (GIA). The combined GIA of the proposed commercial units would be 754m² and thus the proposed provision of 7 parking spaces is in accordance with the standards.
- 16.8 For both the residential and commercial elements, the development makes provision for a minimum of 10% disabled parking in line with policy requirements. In accordance with London Plan standards for residential use 20% active and 20% passive vehicle charging points would be required; the development proposes to accord with this requirement and condition would be attached to secure their provision.
- 16.9 In terms of cycle parking, for the residential element 100 long stay spaces will be provided within the basement. In addition, 2 short stay spaces are to be installed outside Block E (100 long stay + 2 short stay). For the B1 office use element, 8 cycle spaces are to be installed outside Block B opposite the office (6 long stay and 2 short

stay). The quantum and the location of the proposed cycle stores and stands are considered to be acceptable. Details of internal dimensions of the cycle store, gaps between stands, aisle width and the type of stands would be secured by condition.

Road Safety

- 16.10 An analysis of the personal injury accidents on roads surrounding the site has been carried out for the four-year period 2013 to 2016. The results showed that there were 9 accidents personal injury comprising 1 fatal, 1 serious and 7 slight accidents. 2 (22%) of the 9 accidents involved pedestrians. The accident that resulted in a serious injury was a shunt accident and it occurred just north of the St Albans Road/Hadley junction. The fatal accident occurred when which a car turning right from Salisbury Road hit the pedestrian crossing then Street.
- 16.11 Notwithstanding the road safety audit undertaken, it should be noted that the development would result in a net decrease in vehicle trips. In these circumstances, it is reasonable to conclude that the development would not result in an increased risk to road safety.

Trip Generation

- 16.12 Surveys were carried out at the three access points to the site to ascertain existing trip generation from the site. The results were then compared with trip generation forecasted using the industry standard database called TRICS. In summary, the site currently generated 29 two-way trips during the morning peak hour (8-9am) and 33 two-way trips during the evening peak hour (5-6pm). This compares with 13 two-way trips during the morning peak and 10 two-way trips during the evening peak for the proposed development. The proposed development will therefore generate less trips compared to the current use. Trip generation from the site will not have a significant impact on the local highway network, and therefore the development should be supported in accordance with paragraph 109 of the NPPF.

Access, Internal Layout and Servicing

- 16.13 The site is currently served by three existing egress points along the High Street frontage. The northernmost access is Bath Place, followed by a second access that serves Break Shear House roughly in the middle of the High Street frontage and a third access point at the southern end of the site.
- 16.14 It is proposed to access the site solely via an improved 5.5m wide access located at the same position as the Break Shear House access. This access will provide a 2 metre wide footway on the northern side to provide safe pedestrian access and visibility when exiting the site. Given that a footway will only be provided on one side, dropped kerbs, tactile paving and road markings would be secured to improve pedestrian safety.

- 16.15 There is a bus cage adjacent to the access and the applicant has indicated that should TfL consider it desirable to move the cage southwards then the necessary funding will be made available.
- 16.16 The internal layout of the site is considered acceptable as it allows vehicles to freely enter and exit the site in forward gear. A turning head is provided adjacent to Block E for service and emergency vehicles. Swept path analysis has been carried out using a refuse and fire appliance vehicle and the results are satisfactory. Block entrances are prominently located and are directly accessible from the street which is welcomed.

Highway Works

- 16.17 As part of the development, the following works have been identified as highway improvements:
- Pedestrian safety improvements at the proposed site access including the footway immediately adjacent to the site
 - Relocation of the bus cage adjacent to the site if considered necessary and deliverable
- 16.18 Highways officers are satisfied that these improvements would represent an acceptable scope of works to mitigate the impact of the development and the works would be secured through condition or S106/S278 as appropriate.

17.0 Conclusion

- 17.1 In consideration of the simplified and contextual industrial warehouse architecture, the improved relationship, with a reduction in the number of balconies/windows and obscure glazed screens to the residents in Hyde Close, the removal of surface for basement parking, thereby creating enhanced areas for landscaping and amenity space, officers consider that, on balance, the development, notwithstanding the modest increase in height is acceptable having regard to the relevant local, regional and national policies. The principle of the redevelopment of the site and the provision of a residential-led mixed use scheme is acceptable and established with the extant permission.
- 17.2 Overall the enhanced scheme now proposed, will cause no harm to the setting and significance of the Monken Hadley Conservation Area, strategic view from King George Playing Fields nor to the townscape context of the site on Barnet High Street. The revised design minimises the visual impact of the development enabling it to sit more comfortably within its local context, in relation to neighbouring residents, and will contribute to the objectives of increased housing delivery and sustainable development in accordance with the objectives and principles of the NPPF and emerging draft new London Plan.
- 17.3 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 therefore concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission. Accordingly, subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out in Appendix 2 of this report.

Site Location Plan

