

LOCATION: Colindale Gardens (formerly Peel Centre), Aerodrome Road, NW9 5JE

REFERENCE: 19/6445/S73

Received: 2 December 2019

Accepted: 12 December 2019

WARD(S): Colindale

Expiry: 12 March 2020

APPLICANT: Redrow Homes Limited

PROPOSAL: Minor material amendment to vary the wording of the following conditions 16 (Level of Parking), 18 (Car Parking Management Plan), 57 (Cycle / Motorcycle Parking Details) and 59 (School Parking Spaces) to hybrid planning permission ref. 16/7836/S73 dated 05/05/2017, which amended H/04753/14 dated 23/12/2015

Background

Hybrid planning permission for the phased comprehensive redevelopment of the site was granted on the 23rd December 2015 (Ref: H/04753/14). It allows the comprehensive redevelopment of part of the former Peel Centre site (now known as 'Colindale Gardens') for 2,900 homes and associated development, including the creation of new public open space and the provision of a new primary school. It was granted subject to 60 conditions and a Section 106 agreement.

The development was designed as part of a masterplan and will be constructed in three development stages, each comprising a number of 'phases'.

The application was granted in hybrid form. Full planning permission was granted for part of the development comprising Development Stage 1, with outline planning permission (with all matters reserved except access) granted for Development Stages 2 and 3. Reserved Matters Approvals have been submitted for all of Stage 2. A new drop in Outline application has been submitted covering the Stage 3 area, which is currently under consideration under planning application reference 19/6512/OUT.

The S73 Application

The current application is made under Section 73 of the Town and Country Planning Act 1990 (as amended). The principal purpose of this application is to seek approval for amendments to the wording of the following conditions to hybrid planning permission ref. 16/7836/S73 dated 05/05/2017, which amended H/04753/14 dated 23/12/2015:

- Condition 16 (Level of Parking)
- Condition 18 (Car Parking Management Plan)
- Condition 57 (Cycle / Motorcycle Parking Details)
- Condition 59 (School Parking Spaces)

The proposed changes to the above conditions basically amend the approved site wide car parking to lower the quantity of car parking (including motorcycle parking)

from 0.71 spaces per dwelling to between 0.5- 0.55 spaces per dwelling. The application effectively reflects that the level of parking which has been delivered to date through the various Reserved Matters Approvals which have been granted for this site and would not in itself affect the number of spaces provided on site. The car parking for the proposed school has also been changed from dedicated drop off spaces, to the shared use of residential spaces.

The proposed amendment effectively regularises the original outline approval to match what has been approved by the Council at reserved matters stage. As the level of car parking on individual blocks have already been assessed and considered acceptable, the proposed changes proposed to the wording of the above conditions is considered acceptable and the proposal is recommended for **APPROVAL**

RECOMMENDATIONS

Approve subject to:

Recommendation 1

The applicant and any other person having a requisite interest in the site be invited to enter into a Deed of Variation varying the extant section 106 Agreement dated 23 December 2015 in accordance with the terms set out in the Application Summary section of this report.

Recommendation 2:

That upon completion of the agreement specified in Recommendation 1, , The Committee also grants delegated authority to the Service Director Planning & Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice-Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

Conditions

1. The development hereby permitted shall be carried out in accordance with the Primary Control Documents and detailed drawings, subject to the conditions in this permission and unless otherwise agreed in writing with the Local Planning Authority.

The outline components are set out in the following three Primary Control Documents:

- i. PC5 Revised Development Schedule, Revision 9 (June 2020)
- ii. PC6 Revised Parameter Plans Nos. Prefix: 1735-FCB-SITE: 0102-P2; 0103-P2; 0104-P2; 0105-P2; 0106-P3; 0107-P2; 0108-P5; 0109-P2
- iii. PC7 Revised Design Principles Document (June 2015)"

The detailed components are set out in the PC5 Revised Development Schedule, Revision 9 (June 2020) and the PC8 Detailed Drawings listed as follows:

PC8 Detailed Drawings

BLOCK H

BLOCK H LEVEL 00 (28/09/16) REF: 1606-P100-D
BLOCK H LEVEL 1 (28/09/16) REF: 1606-P101-E
BLOCK H LEVEL 2 (28/09/16) REF: 1606-P102-D
BLOCK H LEVEL 3 (03/11/16) REF: 1606-P103-D
BLOCK H LEVEL 4 (03/11/16) REF: 1606-P104-C
BLOCK H LEVEL 5 (03/11/16) REF: 1606-P105-D
BLOCK H LEVEL 6 (03/11/16) REF: 1606-P106-C
BLOCK H LEVEL 7 (03/11/16) REF: 1606-P107-E

BLOCK H LEVEL 8-13 (03/11/16) REF: 1606-P108-D
BLOCK H PROPOSED NORTH ELEVATION (12/10/16) REF: 1606-P200-E
BLOCK H PROPOSED EAST ELEVATION (11/10/16) REF: 1606-P201-F
BLOCK H PROPOSED SOUTH ELEVATION (07/10/16) REF: 1606-P202-E
BLOCK H PROPOSED WEST ELEVATION (07/10/16) REF: 1606-P203-F
BLOCK H PROPOSED EAST COURTYARD ELEVATION (12/10/16) REF:
1606-P204-D
BLOCK H PROPOSED WEST COURTYARD ELEVATION (12/10/16) REF:
1606-P205-D

BLOCK J

BLOCKS J AND K BASEMENT PLAN (DEC 16) REF: 537/PLJK/100 REV P1
BLOCK J GROUND FLOOR PLAN (DEC 16) REF: 537/PLJ/100 REV P1
BLOCK J FIRST FLOOR PLAN (DEC 16) REF: 537/PLJ/101 REV P1
BLOCK J SECOND FLOOR PLAN (DEC 16) REF: 537/PLJ/102 REV P1
BLOCK J THIRD FLOOR PLAN (DEC 16) REF: 537/PLJ/103 REV P1
BLOCK J FOURTH FLOOR PLAN (DEC 16) REF: 537/PLJ/104 REV P1
BLOCK J FIFTH FLOOR PLAN (DEC 16) REF: 537/PLJ/105 REV P1
BLOCK J SIXTH FLOOR PLAN (DEC 16) REF: 537/PLJ/106 REV P1
BLOCK J ROOF PLAN (DEC 16) REF: 537/PLJ/107 REV P1
BLOCK J NORTH ELEVATION (DEC 16) REF: 537/PLJ/200 REV P1
BLOCK J SECTIONAL ELEVATION A-A (DEC 16) REF: 537/PLJ/201 REV P1
BLOCK J SECTIONAL ELEVATION B-B (DEC 16) REF: 537/PLJ/202 REV P1
BLOCK J SECTIONAL ELEVATION C-C (DEC 16) REF: 537/PLJ/203 REV P1
BLOCK J SOUTH ELEVATION (DEC 16) REF: 537/PLJ/204 REV P1
BLOCK J EAST ELEVATION (DEC 16) REF: 537/PLJ/205 REV P1
BLOCK J SECTIONAL ELEVATION D-D (DEC 16) REF: 537/PLJ/206 REV P1
BLOCK J SECTIONAL ELEVATION E-E (DEC 16) REF: 537/PLJ/207 REV P1
BLOCK J WEST ELEVATION (DEC 16) REF: 537/PLJ/208 REV P1
BLOCK J SECTIONAL ELEVATION F-F (DEC 16) REF: 537/PLJ/209 REV P1
BLOCK J SECTIONAL ELEVATION G-G (DEC 16) REF: 537/PLJ/210 REV P1

BLOCK K

BLOCK K GROUND FLOOR PLAN (DEC 16) REF: 537/PLK/100 REV P1
BLOCK K FIRST FLOOR PLAN (DEC 16) REF: 537/PLK/101 REV P1
BLOCK K SECOND FLOOR PLAN (DEC 16) REF: 537/PLK/102 REV P1
BLOCK K THIRD FLOOR PLAN (DEC 16) REF: 537/PLK/103 REV P1
BLOCK K FOURTH FLOOR PLAN (DEC 16) REF: 537/PLK/104 REV P1
BLOCK K FIFTH FLOOR PLAN (DEC 16) REF: 537/PLK/105 REV P1
BLOCK K ROOF PLAN (DEC 16) REF: 537/PLK/106 REV P1
BLOCK K NORTH ELEVATION (DEC 16) REF: 537/PLK/200 REV P1
BLOCK K SECTIONAL ELEVATION A-A (DEC 16) REF: 537/PLK/201 REV P1
BLOCK K SOUTH ELEVATION (DEC 16) REF: 537/PLK/202 REV P1
BLOCK K SECTIONAL ELEVATION B-B (DEC 16) REF: 537/PLK/203 REV P1
BLOCK K SECTIONAL ELEVATION C-C (DEC 16) REF: 537/PLK/204 REV P1
BLOCK K EAST ELEVATION (DEC 16) REF: 537/PLK/205 REV P1
BLOCK K SECTIONAL ELEVATION D-D (DEC 16) REF: 537/PLK/206 REV P1
BLOCK K SECTIONAL ELEVATION E-E (DEC 16) REF: 537/PLK/207 REV P1
BLOCK K WEST ELEVATION (DEC 16) REF: 537/PLK/208 REV P1
BLOCK K SECTIONAL ELEVATION F-F (DEC 16) REF: 537/PLK/209 REV P1

BLOCK K SECTIONAL ELEVATION G-G (DEC 16) REF: 537/PLK/210 REV P1

BLOCK L & N (APPROVED UNDER NON-MATERIAL AMENDMENT APPLICATION 16/2646/NMA)

BLOCK LN GA PLAN – SITE PLAN BLOCKS L & N COMBINED GROUND FLOOR REV B (MARCH 2016) REF: 537/F001

BLOCK L GA PLAN – GROUND FLOOR REV B (MARCH 2016) REF: 537/F100

BLOCK L GA PLAN – FIRST FLOOR REV B (MARCH 2016) REF: 537/F101

BLOCK L GA PLAN – SECOND FLOOR REV B (MARCH 2016) REF: 537/F102

BLOCK L GA PLAN – THIRD FLOOR REV B (MARCH 2016) REF: 537/F103

BLOCK L GA PLAN – FOURTH FLOOR REV B (MARCH 2016) REF: 537/F104

BLOCK L GA PLAN – ROOF REV A (MARCH 2016) REF: 537/F105

BLOCK L GA ELEVATION – SOUTH REV B (APRIL 2016) REF: 537/F201

BLOCK L GA ELEVATION – NORTH REV B (APRIL 2016) REF: 537/F202

BLOCK L GA ELEVATION – EAST REV B (APRIL 2016) REF: 537/F203

BLOCK L GA ELEVATION – WEST REV B (APRIL 2016) REF: 537/F204

BLOCK LN GA SECTION – AA REV B (APRIL 2016) REF: 537/F301

BLOCK LN GA SECTION – BB REV B (APRIL 2016) REF: 537/F302

BLOCK N GA PLAN – GROUND FLOOR REV B (MARCH 2016) REF: 537/F106

BLOCK N GA PLAN – FIRST FLOOR REV B (MARCH 2016) REF: 537/F107

BLOCK N GA PLAN – SECOND FLOOR REV B (MARCH 2016) REF: 537/F108

BLOCK N GA PLAN – THIRD FLOOR REV B (MARCH 2016) REF: 537/F109

BLOCK N GA PLAN – FOURTH FLOOR REV B (MARCH 2016) REF: 537/F110

BLOCK N GA PLAN – ROOF REV A (MARCH 2016) REF: 537/F111

BLOCK N GA ELEVATION – SOUTH REV B (APRIL 2016) REF: 537/F205

BLOCK N GA ELEVATION – NORTH REV B (APRIL 2016) REF: 537/F206

BLOCK N GA ELEVATION – EAST REV B (APRIL 2016) REF: 537/F207

BLOCK N GA ELEVATION – WEST REV B (APRIL 2016) REF: 537/F208

BLOCK M

BLOCK M GROUND FLOOR PLAN (DEC 16) REF: 537/PLM/100 REV P1

BLOCK M FIRST FLOOR PLAN (DEC 16) REF: 537/PLM/101 REV P1

BLOCK M SECOND FLOOR PLAN (DEC 16) REF: 537/PLM/102 REV P1

BLOCK M THIRD FLOOR PLAN (DEC 16) REF: 537/PLM/103 REV P1

BLOCK M FOURTH FLOOR PLAN (DEC 16) REF: 537/PLM/104 REV P1

BLOCK M FIFTH FLOOR PLAN (DEC 16) REF: 537/PLM/105 REV P1

BLOCK M SIXTH FLOOR PLAN (DEC 16) REF: 537/PLM/106 REV P1

BLOCK M ROOF PLAN (DEC 16) REF: 537/PLM/107 REV P1

BLOCK M NORTH ELEVATION (DEC 16) REF: 537/PLM/201 REV P1

BLOCK M SOUTH ELEVATION (DEC 16) REF: 537/PLM/202 REV P1

BLOCK M EAST ELEVATION (DEC 16) REF: 537/PLM/203 REV P1

BLOCK M WEST ELEVATION (DEC 16) REF: 537/PLM/204 REV P1

BLOCK M SECTIONAL ELEVATION AA (DEC 16) REF: 537/PLM/205 REV P1

BLOCK M SECTIONAL ELEVATION BB (DEC 16) REF: 537/PLM/206 REV P1

BLOCK M SECTIONAL ELEVATION CC (DEC 16) REF: 537/PLM/207 REV P1
BLOCK M SECTIONAL ELEVATION DD (DEC 16) REF: 537/PLM/208 REV P1

BLOCK P

BLOCK P GA PLAN – GROUND FLOOR (JULY 2016) REF: 537/FP101 REV G
BLOCK P GA PLAN – FIRST FLOOR (JULY 2016) REF: 537/FP102 REV F
BLOCK P GA PLAN – SECOND FLOOR (JULY 2016) REF: 537/FP103 REV F
BLOCK P GA PLAN – THIRD FLOOR (JULY 2016) REF: 537/FP104 REV F
BLOCK P GA PLAN – FOURTH FLOOR (JULY 2016) REF: 537/FP105 REV F
BLOCK P GA PLAN – FIFTH FLOOR (JULY 2016) REF: 537/FP106 REV F
BLOCK P GA PLAN – SIXTH FLOOR (JULY 2016) REF: 537/FP107 REV F
BLOCK P GA PLAN – SEVENTH FLOOR (JULY 2016) REF: 537/FP108 REV F
BLOCK P GA PLAN – EIGHTH FLOOR (JULY 2016) REF: 537/FP109 REV F
BLOCK P GA PLAN – ROOF (JULY 2016) REF: 537/FP110 REV F
BLOCK P GA ELEVATION – EAST (JULY 2016) REF: 537/FP200 REV E
BLOCK P GA ELEVATION – SOUTH (JULY 2016) REF: 537/FP201 REV E
BLOCK P GA ELEVATION – WEST (JULY 2016) REF: 537/FP202 REV C
BLOCK P GA ELEVATION – NORTH (JULY 2016) REF: 537/FP203 REV E
BLOCK P GA ELEVATION – EAST COURTYARD (JULY 2016) REF: 537/FP204 REV C
BLOCK P GA ELEVATION – SOUTH COURTYARD (JULY 2016) REF: 537/FP205 REV B
BLOCK P GA ELEVATION – WEST COURTYARD (JULY 2016) REF: 537/FP206 REV C
BLOCK P GA ELEVATION – NORTH COURTYARD (JULY 2016) REF: 537/FP207 REV C

BLOCK Q

BLOCK Q GA PLAN – GROUND FLOOR (JULY 2016) REF: 537/FQ101 REV D
BLOCK Q GA PLAN – FIRST FLOOR (JULY 2016) REF: 537/FQ102 REV D
BLOCK Q GA PLAN – SECOND FLOOR (JULY 2016) REF: 537/FQ103 REV C
BLOCK Q GA PLAN – THIRD FLOOR (JULY 2016) REF: 537/FQ104 REV C
BLOCK Q GA PLAN – FOURTH FLOOR (JULY 2016) REF: 537/FQ105 REV C
BLOCK Q GA PLAN – FIFTH FLOOR (JULY 2016) REF: 537/FQ106 REV C
BLOCK Q GA PLAN – SIXTH FLOOR (JULY 2016) REF: 537/FQ107 REV C
BLOCK Q GA PLAN – SEVENTH FLOOR (JULY 2016) REF: 537/FQ108 REV C
BLOCK Q GA PLAN – EIGHTH FLOOR (JULY 2016) REF: 537/FQ109 REV C
BLOCK Q GA PLAN – ROOF (JULY 2016) REF: 537/FQ110 REV C
BLOCK Q GA ELEVATION – EAST (JULY 2016) REF: 537/FQ200 REV D
BLOCK Q GA ELEVATION – SOUTH (JULY 2016) REF: 537/FQ201 REV C
BLOCK Q GA ELEVATION – WEST (JULY 2016) REF: 537/FQ202 REV C
BLOCK Q GA ELEVATION – NORTH (JULY 2016) REF: 537/FQ203 REV D
BLOCK Q GA ELEVATION – EAST COURTYARD (JULY 2016) REF: 537/FQ204 REV C

BLOCK Q GA ELEVATION – SOUTH COURTYARD (JULY 2016) REF:
537/FQ205 REV C
BLOCK Q GA ELEVATION – WEST COURTYARD (JULY 2016) REF:
537/FQ206 REV B
BLOCK Q GA ELEVATION – NORTH COURTYARD (JULY 2016) REF:
537/FQ207 REV B

BLOCK R & S (APPROVED UNDER NON-MATERIAL AMENDMENT
APPLICATION 16/1668/NMA)

PLOT RS: COMBINED LEVEL 0 PLAN 15017-RS-00-100
PLOT R: PROPOSED LEVEL 0 PLAN 15017-R-03-100
PLOT R: PROPOSED LEVEL 1 PLAN 15017-R-03-101
PLOT R: PROPOSED LEVEL 2 PLAN 15017-R-03-102
PLOT R: PROPOSED LEVEL 3 PLAN 15017-R-03-103
PLOT R: PROPOSED LEVEL 4 PLAN 15017-R-03-104
PLOT R: PROPOSED LEVEL 5 PLAN 15017-R-03-105
PLOT R: PROPOSED LEVEL 6 PLAN 15017-R-03-106
PLOT R: PROPOSED ROOF PLAN 15017-R-03-107
PLOT S: PROPOSED LEVEL 0 PLAN 15017-S-03-100
PLOT S: PROPOSED LEVEL 1 PLAN 15017-S-03-101
PLOT S: PROPOSED LEVEL 2 PLAN 15017-S-03-102
PLOT S: PROPOSED LEVEL 3 PLAN 15017-S-03-103
PLOT S: PROPOSED LEVEL 4 PLAN 15017-S-03-104
PLOT S: PROPOSED LEVEL 5 PLAN 15017-S-03-105
PLOT S: PROPOSED LEVEL 6 PLAN 15017-S-03-106
PLOT S: PROPOSED ROOF PLAN 15017-S-03-107
PLOT R: PROPOSED SECTION AA 15017-R-04-100
PLOT R: PROPOSED SECTION BB 15017-R-04-101
PLOT R: PROPOSED SECTION CC 15017-R-04-102
PLOT R: PROPOSED SECTION DD 15017-R-04-103
PLOT S: PROPOSED SECTION AA 15017-S-04-100
PLOT S: PROPOSED SECTION BB 15017-S-04-101
PLOT R: PROPOSED ELEVATIONS SOUTH 15017-R-05-100
PLOT R: PROPOSED ELEVATIONS NORTH 15017-R-05-101
PLOT R: PROPOSED ELEVATIONS EAST 15017-R-05-102
PLOT R: PROPOSED ELEVATIONS WEST 15017-R-05-103
PLOT S: PROPOSED ELEVATIONS SOUTH 15017-S-05-100
PLOT S: PROPOSED ELEVATIONS NORTH 15017-S-05-101
PLOT S: PROPOSED ELEVATIONS EAST 15017-S-05-102
PLOT S: PROPOSED ELEVATIONS WEST 15017-S-05-103
PLOT R&S REFUSE AND RECYCLING STRATEGY 15017-PL (23)-005
PLOT R&S BICYCLE PARKING 5017-PL (57)-004

BLOCK T & U (APPROVED UNDER NON-MATERIAL AMENDMENT
APPLICATION 16/1683/NMA)

Block T
3520-PL (03)200 1:100 A0 GA – GROUND FLOOR PLAN
3520-PL (03)201 1:100 A0 GA – 1ST FLOOR PLAN

3520-PL (03)202 1:100 A0 GA – 2ND FLOOR PLAN
3520-PL (03)203 1:100 A0 GA – 3RD FLOOR PLAN
3520-PL (03)204 1:100 A0 GA – 4TH FLOOR PLAN
3520-PL (03)205 1:100 A0 GA – 5TH FLOOR PLAN
3520-PL (03)206 1:100 A0 GA – 6TH FLOOR PLAN
3520-PL (03)207 1:100 A0 GA – 7TH FLOOR PLAN
3520-PL (03)208 1:100 A0 GA – 8TH FLOOR PLAN
3520-PL (03)209 1:100 A0 GA – 9TH FLOOR PLAN
3520-PL (03)210 1:100 A0 GA – 10TH FLOOR PLAN
3520-(PL) 200 1:100 A1 BLOCK T SOUTH ELEVATION
3520-(PL) 201 1:100 A1 BLOCK T EAST ELEVATION
3520-(PL) 202 1:100 A1 BLOCK T NORTH ELEVATION
3520-(PL) 203 1:100 A1 BLOCK T WEST ELEVATION
3520-(PL) 204 1:100 A1 BLOCK T NORTH COURTYARD ELEVATION
3520-(PL) 205 1:100 A1 BLOCK T SOUTH COURTYARD ELEVATION

Block U

3520-PL (03)100 1:100 A0 GA – GROUND FLOOR PLAN
3520-PL (03)101 1:100 A0 GA – 1ST FLOOR PLAN
3520-PL (03)102 1:100 A0 GA – 2ND FLOOR PLAN
3520-PL (03)103 1:100 A0 GA – 3RD FLOOR PLAN
3520-PL (03)104 1:100 A0 GA – 4TH FLOOR PLAN
3520-PL (03)105 1:100 A0 GA – 5TH FLOOR PLAN
3520-PL (03)106 1:100 A0 GA – 6TH FLOOR PLAN
3520-PL (03)107 1:100 A0 GA – 7TH FLOOR PLAN
3520-PL (03)108 1:100 A0 GA – 8TH FLOOR PLAN
3520-PL (03)109 1:100 A0 GA – 9TH FLOOR PLAN
3520-PL (03)110 1:100 A0 GA – 10TH FLOOR PLAN
3520-PL (03)111 1:100 A0 GA – 11TH FLOOR PLAN
3520-PL (03)112 1:100 A0 GA – 12TH FLOOR PLAN
3520-PL (03)113 1:100 A0 GA – 13TH FLOOR PLAN
3520-PL (03)114 1:100 A0 GA – 14TH FLOOR PLAN
3520-(PL) 100 1:100 A0 BLOCK U WEST ELEVATION
3520-(PL) 101 1:100 A0 BLOCK U SOUTH ELEVATION
3520-(PL) 102 1:100 A0 BLOCK U EAST ELEVATION
3520-(PL) 103 1:100 A0 BLOCK U TOWER NORTH ELEVATION
3520-(PL) 104 1:100 A0 BLOCK U NORTH ELEVATION
3520-(PL) 105 1:100 A0 BLOCK U SOUTH COURTYARD ELEVATION
3520-(PL) 106 1:100 A0 BLOCK U WEST COURTYARD ELEVATION
3520-(PL) 107 1:100 A0 BLOCK U NORTH COURTYARD ELEVATION
3520-(PL) 108 1:100 A0 BLOCK U EAST COURTYARD ELEVATION

S73 16/7836/S73: Supporting Documents (for information only):

- DESIGN & ACCESS STATEMENT ADDENDUM (PAGES 166-191) – BLOCKS J & K (DECEMBER 2016)
- DESIGN & ACCESS STATEMENT ADDENDUM (PAGES 206-229) – BLOCK M (DECEMBER 2016)
- COMPARISON DOCUMENT – BLOCK H (DECEMBER 2016)
- SCHEDULE OF ACCOMMODATION BLOCK H (DATED 06.02.2017)

- SCHEDULE OF ACCOMMODATION BLOCK J REV E (DATED 07.12.2016)
- SCHEDULE OF ACCOMMODATION BLOCK K REV D (DATED 07.12.2016)
- SCHEDULE OF ACCOMMODATION BLOCK M REV F
- ADDENDUM REPORT FOR THE REVISED LIGHT WITHIN ASSESSMENT – DESIGN AND ACCESS STATEMENT VOLUME III: MINOR MATERIAL AMENDMENTS TO BLOCKS H, J, K AND M (JANUARY 2017)
- TRANSPORT STATEMENT: MINOR MATERIAL AMENDMENTS TO BLOCKS H, J, K AND M (DATED DECEMBER 2016)
- PLANNING STATEMENT: AMENDMENTS TO BLOCKS H, J, K AND M (DECEMBER 2016)

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

2. The development hereby permitted shall begin no later than 3 years from the date of this permission and, in the case of Development Phases, no later than 2 years from:
 - i. the final approval of the last Reserved Matters Application pursuant to Condition 3, or
 - ii. The final approval of any pre-commencement condition associated with that Development Phase.

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

3. Applications for the approval of the reserved matters (being scale, layout, appearance, landscaping and siting) for Stages 2, 3 and the school plot shall be made to the Local Planning Authority before the expiration of seven years from the date of this permission.

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

4. With the exception of Ground Works and Site Preparation Works, no development shall commence until a Phasing Plan identifying the Development Phases and associated infrastructure works (including highways works) has been submitted to and approved by the Local Planning Authority. This shall be in general accordance with the Construction Management Plan and Delivery Strategy (ref. PC30) unless otherwise agreed in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out in appropriate phases and to allow the phasing plan to be amended to reflect changes to the phasing of the development that were not foreseen at the date when the phasing plan was approved.

5. Prior to Ground Works and Site Preparation Works, no development shall commence within a Development Phase until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the ES (ref. PC14) and shall include:

Construction site and works

- i. Site information (including a site plan and management structure)
- ii. Description of works, equipment and storage
- iii. Programme of works
- iv. Temporary hoarding and fencing
- v. Temporary works
- vi. Interim drainage strategy
- vii. Intrusive site investigation works and monitoring (the scope to be agreed in writing with the Local Planning Authority)

Construction management and procedures

- viii. Code of Considerate Practice
- ix. Consultation and neighbourhood liaison
- x. Staff training and briefing procedures
- xi. Schedule of environmental legislation and good practice
- xii. Register of permissions and consents required
- xiii. Environmental Audit Programme
- xiv. Environmental Risk Register
- xv. Piling Works Risk Assessment
- xvi. Health and safety measures
- xvii. Complaints procedures
- xviii. Monitoring and reporting procedures

Demolition and waste management

- xix. Demolition Audit
- xx. Site clearance and waste management plan
- xxi. Asbestos survey and disposal strategy

Construction traffic

- xxii. Construction traffic routes
- xxiii. Construction traffic management (including access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution)

Environmental Management

- xxiv. Ecology surveys and management plan (as required by the ES) in relation to any existing ecological features that may be affected by works in that Development Phase
- xxv. Measures to minimise visual impact during construction
- xxvi. Measures to minimise noise and vibration levels during construction
- xxvii. Measures to minimise dust levels during construction
- xxviii. Measures to control pollution during construction (including a Pollution Response Plan)
- xxix. Construction lighting strategy, including measures to minimise light spill
- xxx. Measures to reduce water usage during construction
- xxxi. Measures to reduce energy usage during construction
- xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan 2015.

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

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

7. In accordance with the ES, and unless otherwise agreed with the Local Planning Authority, no construction works shall occur outside the following times:

- 08:00 – 18:00 hours weekdays
- 08:00 – 13:00 hours Saturdays

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. Vegetation clearance should take place outside the bird breeding season (October to February). In accordance with the ES, any clearance of vegetation with the potential to support nesting birds during this period may only occur following a check by a qualified ecologist. If any active nests are found, works must cease, the area left in situ and an appropriate buffer zone established until such time as a qualified ecologist confirms that the nest is no longer in active use.

The clearance of vegetation within the gardens of properties that adjoin Rowan Drive must be undertaken according to a precautionary working method, with progressive clearance undertaken under the supervision of a qualified ecologist during the period that reptiles are active (April to September).

Reason: To avoid the potential for an offence under the Wildlife and Countryside Act 1981, as amended.

9. No works within 7m of a watercourse shall commence without first obtaining Watercourse Consent from the council in pursuance to the Flood and Water Management Act 2010.

Reason: To protect the waterway in accordance with LB Barnet Policies CS13 and DM04.

10. No development shall commence within a Development Phase (with the exception of Ground Works and Site Preparation Works) until a scheme of Advanced Infrastructure Works associated with that Development Phase is submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. Underground drainage details
- ii. Below ground energy infrastructure
- iii. Below ground services and utilities
- iv. Groundworks, earthworks, contouring and levels
- v. A statement of compliance with the site wide strategies (including the DAS Volume I and Addendum sections 6.19, 7.1 – 7.16, 8.1 – 8.3 and approved Primary Control Documents)

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: To ensure appropriate arrangements are made for servicing, utilities and infrastructure and to avoid potential conflicts between impacts upon the development as proposed and its servicing, utilities and infrastructure, in the interests of a sustainable development in accordance with the NPPF.

11. No Surface Infrastructure Works shall commence within the relevant Development Phase until a scheme of Landscaping Works for that Development Phase is submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the scheme shall include:

- i. Design and location of electricity sub stations, including surface treatment and means of enclosure
- ii. Vehicle parking and surfacing treatment (including petrol/oil interceptors)
- iii. Surface drainage details
- iv. Surface materials and finishes
- v. Cycle parking locations and details
- vi. Highways details (e.g. crossings and kerb heights)
- vii. Access and wayfinding strategy
- viii. Materials, types and siting of all fencing, boundary treatments, gates or other enclosures (including temporary arrangements to be in place until the site is completed in full)
- ix. Street furniture, lighting and signage
- x. Children's play spaces and play provision
- xi. Details of all proposed trees, hedge, shrub and other planting and all planting proposed for green walls and other soft landscaped structures, including proposed species, plant sizing, density and arrangement
- xii. Ecological enhancements (in accordance with ES)
- xiii. The position of any existing trees and hedges to be retained or removed and the crown spread of each retained tree
- xiv. details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site
- xv. the position of any proposed excavation within the recommended protective distance referred to in BS5837: 2012
- xvi. means of planting, staking and tying of trees, including tree guards, and a detailed landscape maintenance schedule for regular pruning, watering and fertiliser use, referencing details approved under conditions 9 and 14 as relevant
- xvii. Details and specifications of all play, sport and recreational features to be included within the landscaped areas
- xviii. 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
- xix. timing of planting

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Prior to completion of the development within the relevant Development Phase the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

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 2015.

12. Discharge from the site shall be limited to a rate of 9.31/s/ha in accordance with the Flood Risk Assessment (PC25) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

13. With the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works, no development shall be occupied until a Landscape Management Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and maintained in accordance thereafter.

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 2015.

14. If within a period of five years from the date of planting any tree, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place in the next available planting season (unless otherwise agreed in writing with the Local Planning Authority).

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.

15. A Site Wide Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment (ref. PC16), Transport Statement Addendum and section 8.1 of the DAS Addendum Volume I (ref. PC16).

The development shall be carried out in accordance with the approved Site Wide Car Parking Management Strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

16. The level of parking shall be no less than 0.50 car parking spaces per dwelling and no more than 0.55 car parking spaces per dwelling across the site excluding school staff parking which shall be limited to no more than 20 car parking spaces unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

17. Private parking provision for residential units shall be used for the purpose of residential parking and servicing only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015).

18. Prior to first occupation of the relevant Development Phase a detailed Car Parking Management Plan for that Development Phase, demonstrating compliance with the Site Wide Car Parking Management Strategy (Conditions 16 and 17), shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:
- i. Location and layout of car parking spaces
 - ii. Allocation of car parking spaces
 - iii. On-site parking controls and charges
 - iv. The enforcement of unauthorised parking
 - v. For Stages 2 only, monitoring of parking in the development including use of electric vehicle charging points and disabled spaces
 - vi. 'Blue badge' space quantities in accordance with London Plan (2015) guidance
 - vii. Community transport points and taxi drop-offs
 - viii. Location of a minimum of 2 car club spaces per Stage with a minimum of 8 spaces across Stages 1 and 2
 - ix. Electric Charging Points: Location, specification and timing. For residential parking spaces, timing and delivery of the 20% of parking spaces which shall be active and 20% which shall be passive electric charging points. For non-residential spaces, provision at 20% of spaces shall be undertaken with potential provision at a further 10% of spaces. The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan and the abovementioned provisions shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and also, To ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

19. The Primary Route will be designed in accordance with Transport for London guidance BP2/05 in respect of speed table ramp gradients to accommodate the movement and turning of a London Buses double-decker bus.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety is not prejudiced 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; and to ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015); and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

20. Residents of the proposed development will be excluded from obtaining resident and visitor parking permits from existing Colindale Controlled Parking Zones.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced 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.

21. The development shall provide a total of 10% of units across the site designed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users unless otherwise agreed in writing by the Local Planning Authority.

Accessible parking bays shall be allocated to wheelchair accessible homes at 1:1 provision and where spaces are in undercroft areas ceiling heights shall meet the recommended height of 2.6 metres above wheelchair accessible spaces, unless otherwise agreed.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015); and 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.

22. Prior to the construction of any building, the following details for that building shall be submitted to and approved in writing by the Local Planning Authority (unless otherwise approved and agreed):

- i. Full details (including samples, where appropriate) of the materials and finishes to be used on all external surfaces
- ii. Door, entrances, windows (including glazing specifications) and balconies (including drawings and section showing thresholds to adjacent internal spaces and drawings and sections of privacy screens)

- iii. Details of the design and access controls for the car park gate(s)
- iv. Building lighting
- v. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- vi. Details of biodiverse roofs
- vii. Details of any building security measures including cctv

Thereafter the feature hereby approved shall be installed prior to occupation of the relevant phase and thereafter maintained in secure and good working order for the lifetime of the development.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

23. Notwithstanding the details submitted with the application, prior to the construction of any building within the relevant Development Phase, the following details for that Development Phase shall be submitted to and approved in writing by the Local Planning Authority:

- i. Enclosures, screened facilities and/or internal areas of the proposed buildings to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable;
- ii. satisfactory points of collection; and
- iii. details of the refuse and recycling collection arrangements

The development shall be implemented and the refuse and recycling facilities provided fully in accordance with the approved details before the development is occupied and the development shall be managed in accordance with the approved details.

Reason: To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with polices CS5, CS9, CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

24. Prior to the construction of any building details of all extraction and ventilation equipment to be installed for that building shall be submitted to and approved in writing by the Local Planning Authority. This shall be accompanied by a report carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and proposes mitigation measures for the development if necessary to reduce these noise impacts to acceptable level (as defined in the relevant British Standard). 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 that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

25. The level of noise emitted from any plant including ventilation equipment 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.

26. Prior to commencement on site a scoping assessment report identifying the need for overheating analysis in respect to that building (and the assumptions to be used in the analysis) shall be submitted to and agreed in writing by the local planning authority. Where the scoping report (based on SAP design stage outputs) identifies a risk of overheating above 'slight', an overheating analysis shall be conducted and any resultant necessary additional passive measures identified. The analysis shall be undertaken using dynamic simulation software to show compliance with CIBSE overheating criteria (using CIBSE TM52 with weather files from TM49). A report providing the results of the analysis and any required mitigation proposals shall be submitted to the local planning authority for approval prior to construction of the building.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.2 and 5.6.

27. Part A:

Energy provision for the development shall be in accordance with the Energy Statement and Addendum (ref. PC24) unless otherwise agreed in writing.

Part B:

Prior to first occupation of Development Stage 1, details of the energy supply network shall be submitted to and approved by the Local Planning Authority. Details shall be in accordance with the Energy Statement and Addendum (ref. PC24) unless otherwise agreed and shall include:

- i. Details of connections available for each building
- ii. Proposals for the staged installation of plant within the energy centre and any temporary energy provision required

- iii. Details of safeguarded connections to an area wide heat network if found to be feasible following further engagement with the local planning authority and GLA.
- iv. Details of any potential future connections available to nearby buildings
- v. A statement of compliance with the site wide Energy Statement and Addendum (PC24)

Part C:

As part of Reserved Matters applications, details of the energy supply for each building in Development Stages 2 and 3 shall be submitted and approved by the Local Planning Authority. Details shall be in accordance with the Energy Statement and Addendum (ref. PC24) unless otherwise agreed and shall include:

- i. Details of the energy supply for each building connections, including a statement of compliance with the Energy Statement and Addendum (PC24)
- ii. Details of any temporary energy provision required
- iii. Details of the safeguarded provision for connections to an area wide heat network if feasible (as per Part A)
- iv. A statement of compliance with the site wide Energy Statement and Addendum (PC24)

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.2 and 5.6

28. CHP and or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the construction of Block H, evidence to demonstrate compliance with these emission limits will be required.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan 2015 in relation to air quality.

29. Prior to construction of any building, a rainwater and greywater feasibility study, investigating the potential for incorporating rainwater or greywater recycling into building across the site, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policies 5.13, 5.14 and 5.15.

30. Subject to limited exceptions (to be agreed in writing with the Local Planning Authority), roofs shall be used as amenity space or be biodiverse roofs.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015); and in the interests of protecting and enhancing biodiversity in accordance with policies CS7 and DM16.

31. The development shall achieve a water efficiency target of 105l/d in accordance with the Sustainability Statement (PC23) unless otherwise agreed in writing by the Local Planning Authority

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 2015.

32. All commercial units shall achieve a minimum of Very Good under the BREEAM UK New Construction 2014 scheme, unless otherwise agreed in writing by the Local Planning Authority. Within three months of first occupation of the building, a copy of the summary score sheet and BREEAM Post Construction Certificate shall be submitted to the LPA to demonstrate that this has been achieved.

Reason: To ensure that the development is sustainable and in accordance with policies DM01 and DM02 of the Barnet Local Plan, the Colindale Area Action Plan (2010) and policies 5.2 and 5.3 of the London Plan 2015.

33. Prior to occupation of the relevant phase of the development hereby approved, an External Lighting Assessment of lighting proposed within that Development Phase shall be submitted to and approved in writing by the Local Planning Authority. The External Lighting Assessment submitted shall detail the existing average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to residential properties within proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings as well as mitigate any impacts to species including bats. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to occupation of the relevant phase.

Reason: To ensure the development provides adequate amenities of the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan and to mitigate the impact to species including bats in accordance with policies CS7 and DM16.

34. No building shall be occupied until a Delivery and Servicing Management Plan in respect of that building has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, this shall be in accordance with the strategy set out in the Transport Assessment and Addendum (ref. PC16). The development shall be carried out in accordance with the approved Delivery and Service Management Strategy unless otherwise agreed in writing with the Local Planning Authority.

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

35. No building shall be occupied until an Estate Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with the Outline Estate Management Strategy (ref. PC31) unless otherwise agreed.

The development shall be managed in accordance with the approved Estate Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the coordinated management and maintenance in good working order of the site not limited to an including its buildings, roads including the Peel Link, infrastructure including SUDs, parks, gardens, landscaping, street trees, public squares, energy centre and site network in the interests of sustainable development in accordance with the NPPF, London Plan 2015 and Barnet Core Strategy.

36. No residential unit shall be occupied until the access roads and highways works (on and off-site) associated with the block in which that unit is located (as defined by the approved phasing details) are made available for use.

Reason: To ensure there is adequate access available to all residential units.

37. No building shall be occupied until an Operational Waste Management Plan, setting out the measures for the management of operational waste across the site, has been submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with the Waste Management Plan (ref. PC22) unless otherwise agreed.

The development shall be managed in accordance with the approved Operational Site Waste Management Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is sustainable and complies with the requirements of London Plan 2015 policy 5.3, and 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.

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

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

39. Prior to first occupation within the relevant Development Phase, unless otherwise agreed in writing as part of the phasing details approved in condition 4, the play space and sport and recreation features shall be provided in accordance with the approved details for the Development Phase to which the play space relates and thereafter maintained for the lifetime of the development.

Reason: To ensure there is adequate plays space available for all users in accordance with London Plan 2015 policy 3.6 and Barnet Development Management policy DM02.

40. The proposed flexible non-residential floorspace at ground floor hereby approved shall not be used for a nightclub, music venue, concert venue, bingo hall, or a place of worship or any equivalent uses within Classes D2 and D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), and the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

Reason: To ensure that occupation of the premises does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

41. In respect of any future Class A3/4 occupation, no persons other than staff shall be permitted to be on the premises between the hours of 23.30 and 08.00 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that occupation of the premises does not prejudice the amenities of future residential occupiers in accordance with policies DM01 and DM13 of the Barnet Local Plan.

42. Prior to occupation, a scheme for the provision of communal/centralised satellite and television reception equipment shall be installed on all blocks unless otherwise agreed in writing by, the Local Planning Authority. The equipment shall thereafter be retained and made available for use by all occupiers of the development.

Reason: To ensure that the development makes appropriate provision for such equipment, so as to not impact adversely on the character of the area, in accordance with policies CS5 and DM01 Barnet Local Plan.

43. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) the following operations shall not be undertaken without the receipt of prior specific express planning permission in writing from the Local Planning Authority on the buildings hereby approved:

The installation of any structures or apparatus for purposes relating to telecommunications on any part the development hereby approved, including any structures or development otherwise permitted under Part 24 and Part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the character of the area and to ensure the Local Planning Authority can control the

development in the area so that it accords with policies CS5 and DM01 Barnet Local Plan.

44. With the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works, no development shall commence until

- a) A scheme for air pollution mitigation measures in accordance with the Environmental Statement shall be submitted to and approved by the Local Planning Authority prior to the construction of the building to which the mitigation relates.
- b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.3 of the London Plan 2015.

45. Prior to the construction of any building, details of mitigation measures in accordance with the Environmental Statement 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 shall be submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the (specify plant / equipment) as measured within 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 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 (adopted April 2013) and 7.15 of the London Plan 2015.

46. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of any acoustic walls, fencing and other acoustic

barriers to be erected on the site (if identified as necessary mitigation pursuant to conditions 45 has been submitted to the Local Planning Authority and approved in writing.

The details approved by 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 enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

47. Development shall be undertaken in accordance with the approved Drainage Strategy (PC27) unless otherwise agreed in writing by the local planning authority in consultation with the sewerage undertaker.

No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

48. No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To prevent any damage to nearby underground sewerage utility infrastructure.

49. Prior to occupation, details and location on elevations of bat and bird boxes bricks for that Development Phase shall be submitted for approval in writing by the council.

Bat bricks and boxes in the fabric of new buildings and trees will be specified to meet the roosting preferences of species of bat recorded during the baseline surveys and those known to be present in the local area. These will be installed as an inherent component of new buildings to provide new and replacement roosting opportunities as soon as the first phase of development becomes operational.

Prior to completion the bat and bird boxes hereby approved will be installed and all reasonable measures taken to minimise disturbance to these boxes for the lifetime of the development.

Reason: In the interests of protecting and enhancing biodiversity in accordance with Barnet Core Strategy policy CS7 and Development Management policy DM16.

50. Deleted

51. No site works or other works within a Development Phase shall be commenced before temporary tree protection measures to safeguard trees adjacent to the Development Phase have been erected in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The tree protection measures approved shall remain in place until after the development works hereby consented are completed and no material or soil shall be stored within any of the protected areas during the works associated with this development.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2015.

52. No site works or other works within a Development Phase shall be commenced before a method statement detailing the precautions to be taken to minimise damage to trees adjacent the Development Phase, in accordance with British Standard BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with policy DM01 of the Barnet Local Plan and policy 7.21 of the London Plan 2015.

53. Prior to the commencement of the development hereby approved within a Development Phase details of the location, extent and depth of all excavations for drainage and other services in relation to trees to be retained, or trees on adjacent sites, shall be submitted to and approved in writing by the Local Planning Authority for that Development Phase. The development shall be carried out in accordance with such approval.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2015.

54. Prior to construction of Blocks H and R/S, the proposed mitigation measures to achieved suitable wind conditions at testing points 43 and 110 respectively shall be submitted to and approved in writing by the council.

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

Reason: In the interest of a the amenity of future occupiers and users in accordance with London Plan 2015 policies 7.7, and Barnet Development Management policy DM01, DM05.

55. No development shall take place within a Development Phase in Stages 2 and 3 (with the exception of Ground Works, Site Preparation Works and Advanced Infrastructure Works) until Reserved Matters Applications, with full details of the amount, layout, scale, appearance and landscaping of development within that Development Phase, are submitted and approved by the Local Planning Authority.

Development shall be carried out in accordance with the approved details unless otherwise agreed in writing.

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

56. Notwithstanding any additional requirements identified by the LPA, any other authority and the National List and Local List, Reserved Matters Applications shall be accompanied by the documents listed below unless the LPA considers and confirms in writing that the submission of any of such documents is not necessary.

Land uses

- i. A statement setting out the proposed land uses and mix of uses including Class C3 dwelling sizes and tenures
- ii. An explanatory statement demonstrating how the quantum of land uses proposed for the Development Phase are consistent with the parameters set out in the Primary Control Documents

Layout

- iii. Siting, design and external appearance of new building[s] and structures including elevations, sections
- iv. Detailed internal layouts including floorplans, sections and supporting details demonstrating compliance with relevant standards and guidance including standards for wheelchair accessible and adaptable units
- v. Private and communal amenity space
- vi. Means of access to new buildings
- vii. Details of the incorporation of accessible showers and toilets for the ground floor non-residential units
- viii. A phasing and reconciliation statement demonstrating how development of the phase is in accordance with the ES, Phasing and Delivery Strategy and how it relates to existing and future Development Phases
- ix. A reconciliation plan showing how the proposed detailed layout of roads, pedestrian and cycle routes and detailed layout of open spaces

and public realm within that Development Phase are consistent with the Primary Control Documents

- x. Details of any temporary layout associated with boundary treatments and land and building conditions between Development Phases
- xi. A BRE assessment of daylight and sunlight for residential properties and an overshadowing assessment of private and communal amenity spaces, with the exception of private balconies
- xii. Details of compliance with Lifetime Homes Standards and details of the provision of 10% wheelchair housing

Scale

- xiii. Finished heights above original and finished ground levels of new buildings and structures
- xiv. Internal finished floor levels of new buildings and structures
- xv. A written statement and plans which explain how the details respond to and conform with the Primary Control Documents in terms of scale

Materials

- xvi. A materials strategy for that Development Phase
- xvii. Full details (including samples, where appropriate) of the materials to be used on all external surfaces
- xviii. Door, entrances and windows (including glazing specifications)
- xix. Basement ramps (details of the layout, gradient and design of any access ramp to the basement car parking areas and vertical clearances along the ramps and within the parking areas)
- xx. Building lighting
- xxi. Podium details (including hard and soft landscaping, planting species, furniture and play provision)
- xxii. A statement shall be submitted to and approved by the LPA, which demonstrates compliance with the Primary Control Documents in relation to the selection of new construction materials

Landscaping

- xxiii. Roads, vehicle and cycle parking, cycle and pedestrian routes
- xxiv. Open spaces, sports facilities and play space details, including hard and soft landscaping, surface treatments, street furniture, signage, lighting and play provision
- xxv. Boundary treatments and means of enclosure
- xxvi. Existing and finished ground levels of outdoor areas

A written statement and plans which explain how the details respond to and conform with the Primary Control Documents in terms of layout and access.

Other

- xxvii. A scheme of environmental mitigation measures to be incorporated into the scheme at construction stage and operational stage in accordance with the ES Mitigation Register hereby approved

Reason: For the avoidance of doubt and to ensure the development accords with the outline permission.

57. Cycle parking shall be provided in accordance with the minimum standards in the London Plan (2015) unless otherwise agreed in writing with the Local Planning Authority. Prior to the construction of any building in Stages 2, plans identifying cycle parking locations shall be submitted and approved in writing by the Local Planning Authority for that building to demonstrate the provision of secure, convenient and accessible locations.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

58. With the exception of the foodstore, the retail units hereby approved shall not exceed a floorspace of more than 300sqm (unless otherwise agreed in writing). Limited instances of units of up to 500sqm will be permitted subject to agreement in writing by the Local Planning Authority.

Reason: In support of smaller business and an enhanced neighbourhood centre in accordance with London Plan 2015 policies 2.7, 4.8 and 4.9.

59. Storage for 30 scooters at the primary school shall be provided unless otherwise agreed in writing with the Local Planning Authority.

Reason: To encourage the use of sustainable forms of transport to the site 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.

60. No works shall commence in Development Stage 2 unless and until all the title to the land within the application site has been transferred to the Applicant, or until all parties with any legal interest in the land have been joined as parties to the Section 106 Agreement on the basis of which this planning permission is granted.

Reason: At the time of this permission being issued the Applicant is not able to bind all relevant interests in the site to the terms of the planning obligations in the Section 106 Agreement.

INFORMATIVE(S):

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

2 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has

negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

3 Definitions adopted for the purposes of the planning conditions as follows:-

'Approved Plans'

The plans in the schedule Appended to the Decision Notice and any plans subsequently approved under Reserved Matters Approvals.

'Primary Control Documents'

The detailed components of the Proposed Development are set out in the Development Schedule (PC5) and detailed drawings (PC8). The outline components are set out in three Primary Control Documents (PC5 Development Schedule, PC6 Parameter Plans, and PC7 Design Principles Document), which are submitted for approval.

'Development Phase'

A development component or components (which may include Ground Works and Site Preparation Works, Advanced Infrastructure Works, Surface Infrastructure Works, and construction of buildings) as identified in the Phasing Plan (to be approved). The Phasing Plan shall be in accordance with the Indicative Phasing set out in the Construction Management Plan and Delivery Strategy (PC30) unless otherwise agreed with the LPA.

'Ground Works and Site Preparation Works'

Include the following works:

Demolition of existing structures including removal of asbestos, the stripping out of buildings, disconnecting services and grubbing up foundations.

Removal of existing and surplus rubble from the site.

Removal of services on the site including service trenches.

Carrying out CAT scans on the site to confirm all existing services are clear.

The erection or re-establishment of a hoarding line for the construction site.

Providing piling matting.

Providing clear health and safety information on the site.

Piling works.

Substructure and underground drainage works.

'Advanced Infrastructure Works'

Infrastructure required to serve the site as a whole, including:

Installation of services and utilities.

Installation of energy infrastructure.

Construction of basement car parking and ground floor slab.

Ground levelling works.

'Surface Infrastructure Works'

Aboveground infrastructure required to serve the site as a whole, including:

Highways works.

Surface landscaping works to implement public routes/realm.

Surface landscaping works to implement public spaces.

'Construction'

Superstructure works above the ground floor slab.

'Development Zone'

Zones identified in the Parameter Plans in Development Stages 2 and 3 (outline components) within which new buildings may arrive.

'Development Stage'

Refers to the broad sequence of development and defines the components that are submitted for approval in full detail or in outline as part of the Hybrid Planning Application. Development Stage 1 refers to the components of the Proposed Development that are submitted for approval in full detail (Development Stage 1) as part of the Hybrid Planning Application. Development Stages 2 and 3 refers to the components of the Proposed Development that are submitted for approval in outline as part of the Hybrid Planning Application.

4 Please be aware that additional conditions may be imposed as part of reserved matters approval in the event that issues are encountered which are covered by conditions in this decision notice.

5 Should the landowner, Transport for London or Barnet Council identify a demand and funding for a bus service or bus services to enter the site to serve its occupants there shall be adequate notice of no less than four (months) to enable the parties to notify residents of the new service and bus stop locations.

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

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

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

7 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality

Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09);
4) London Councils Air Quality and Planning Guidance (2007).

8 Please supply the following information: 1. The proposed hours of use of the equipment. 2. The sound pressure levels of the ventilation/ extraction system to be installed in decibels dB(A) at a specified distance from the equipment. 3. Details of where the equipment will be placed i.e. within or outside of the building, marked on to a scale map. 4. Details of silencers to be fitted, and other sound insulation measures to reduce any noise impacts on neighbours including their noise reduction in dB(A). 5. Distance away from noise sensitive premises and the nature of these premises e.g.: offices, housing flats or storage.

The following should be noted: Given the visual and amenity impacts associated with flues and ductwork, it is strongly recommended that ducting is contained in voids through the building and terminating outside above roof height. Flues should be sited to minimise effects of vibration transmission and noise to internal spaces and any adjacent façade. Flues must incorporate anti-vibration mounts, flexible couplings and silencers. The height of the flue (must be minimum 1.5m above the highest eaves of the building and adjacent buildings) and a reasonable distance approximately 20 metres from any open able residential windows unless there is suitable level of filtration and odour abatement equipment. The final discharge must be vertically upwards. There should be no Chinese hat or cowl on the top of the flue.

9 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve. The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 30dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:1997 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 Guidance on sound insulation and noise reduction for buildings:

code of practice;

4) Department of Transport: Calculation of road traffic noise (1988);

5) Department of Transport: Calculation of railway noise (1995);

6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

10 Prior to commencement of Stage 3 with particular reference to the construction of blocks Y and Z, Network Rail recommends that the applicant contact its Asset Protection Team at AssetProtectionLNE@networkrail.co.uk to discuss the proposed development and its interaction with the operational railway.

11 The following advice is provided by network rail regarding works which may affect their land and operation track:

Construction

Any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Any cranes or other mechanical plant equipment involved during construction should be positioned so that their loads or jibs do not over-sail Network Rail's land.

Scaffolding

(Suggested condition) - Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

(Suggested condition) - Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Earthworks and Excavations

(Suggested condition) - Prior to commencement of works, full details of excavations and earthworks to be carried out within 10 metres of the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with approved details.

Demolition

Any demolition or refurbishment works must not be carried out on the development

site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures

Drainage

Storm/surface water and effluent must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Suitable foul drainage must be provided separate from Network Rail's existing drainage.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

Noise and Vibration

The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

Roads and Parking

The Department of Transport recommends the provision of a safety barrier adjacent to the railway, alongside all roads, turning circles and parking areas where the railway is situated at or below the level of the development. The safety barrier should be designated to cater for specific loadings dependent on the road traffic anticipated and in a position to stop vehicles driving into or rolling onto the railway or damage the lineside fencing. Network Rail's existing fencing/wall must not be removed or damaged.

Landscaping

Any hedge planted adjacent to Network Road boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. A comprehensive list of permitted and no permitted species is available upon request.

12 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where

the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

13 The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

14 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

15 With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

16 Your attention is drawn to the need to provide facilities for the disabled, as set out in Building Regulation Part M Access & Facilities for Disabled Persons. A copy of Part M is available via the Planning Portal at <http://www.planningportal.gov.uk/buildingregulations/>.

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £9.45M payment under Mayoral CIL. The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £28.5M payment under Barnet CIL.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the

Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

Please visit

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

18 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially

registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

19 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

20 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Building 4 North London Business Park, Oakleigh Road South, London N11 1NP, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.

21 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

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

22 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.

23 Prior to the commencement of each phase within the Outline element of the permission as shown on plan entitled 'Existing Site Plan - Application Boundary' drawing no. 2346_A_101 dated 25.01.2013, details of any highways within the relevant phase which require to be stopped up to facilitate the development shall be submitted to and agreed in writing with the Local Planning Authority.
Reason: To ensure that adequate public access is provided throughout the development.

24. RECONCILIATION OF CONDITIONS/NON-MATERIAL AMENDMENTS

Conditions

16/0122/CON

Submission of details of Conditions 51 (Tree protection measures); 52 (Arboricultural method statement) and 53 (Trees and service plan – Drainage Infrastructure Only) pursuant to planning permission H/04753/14 dated 23/12/15 in relation to Phase 1a only.

Approved on 19th February 2016

16/0121/CON

Submission of Condition 5 (Construction Environmental Management Plan) pursuant to planning permission H/04753/14 dated 23/12/15 (Site-Wide).

Approved on 1st March 2016

16/1949/CON

Submission of details of Conditions 22 (Details of Materials), 26 (Overheating Analysis) and 29 (Greywater/Rainwater Recycling) pursuant to planning permission H/04753/14 (23/12/2015) (Phase 1A). Condition 22, parts (i-iii) and Condition 26 approved on 12th May 2016

16/1758/CON

Submission of details of Condition 4 (Phasing), pursuant to planning permission H/04753/14 dated 23/12/15 (Site-Wide).

Approved on 12th May 2016

16/1826/CON

Submission of details for Condition 10 (Advanced Infrastructure Works) pursuant to planning permission H/04753/14 dated 23/12/15 (Phase 1A).
Approved on 21st July 2016

16/1948/CON

Submission of details for Condition 11 (Landscaping) pursuant to planning permission H/04753/14 dated 23.12.15 (Phase 1A).
Approved on 21st July 2016

16/4177/CON

Submission of details of Condition 23 (Refuse and Recycling), in relation to Blocks L, N, R, S, T and U only, pursuant to planning permission H/04753/14 dated 23/12/15.
Approved on 10th August 2016

16/5749/CON

Submission of Condition 15 (Site Wide Car Parking Management Strategy) pursuant to planning permission H/04753/14 dated 23/12/15 (Site-Wide).
Approved on 13th October 2016

16/5507/CON

Submission of details of Condition 11 (landscape) for partial discharge of Phases 1b, 1c, and 1d, and Condition 13 (landscape management plan) for Stage 1 pursuant to hybrid planning permission H/04753/14, dated 23/12/2015.
Approved on 4th November 2016

16/7257/CON

Submission of condition 22 (Materials) pursuant to planning permission H/04753/14 dated 23/12/15 for Blocks L and N only.
Approved on 23rd January 2017

17/0392/CON

Submission of details of condition 26 (Overheating Analysis) pursuant to planning permission 16/5050/S73 dated 05/12/16
Approved on 6th March 2017

16/7792/CON

Submission of details of conditions 24 (Extraction and Ventilation) 45 (Mitigation Measures) 46 (Acoustics) in relation to blocks: R, S, T, U, L, N, P, & Q pursuant to planning permission 16/5050/S73 dated 05/12/16
Approved on 7th March 2017

16/8045/CON

Submission of details of conditions 11 (Landscaping) 51 (Tree Protection) 52 (Method Statement) 53 (Drainage), pursuant to planning permission 16/5050/S73 dated 05/12/16
Approved on 7th March 2017

16/8046/CON

Submission of details of condition 10 (Infrastructure Works) in relation to phases 1b, 1c and 1d pursuant to planning permission 16/5050/S73 dated 05/12/16

Approved on 7th March 2017

16/7938/CON

Submission of details of condition 29 (Rainwater Feasibility Study) pursuant to planning permission 16/5050/S73 dated 05/12/16

Approved on 9th March 2017

17/0609/CON

Submission of details of condition 22 (Materials) pursuant to planning permission 16/5050/S73 dated 05/12/16

Approved on 04 April 2017

17/0837/CON

Submission of details of condition 18 Phase 1A (Car Parking Management Plan) pursuant to planning permission 16/5050/S73 dated 05/12/16

Approved on 25 May 2017

17/3452/CON

Submission of details of condition 10 (Advanced Infrastructure Works) pursuant to planning permission 16/7836/S73 dated 05/05/17

Approved on 2 October 2017

17/3753/CON

Submission of details of condition 22 (materials) and 26 (overheating) for Blocks P and Q only pursuant to planning permission 16/7836/S73 dated 05/12/2016

Approved on 25 July 2017

17/4715/CON

Submission of details of condition 35 (Estate Management Plan) pursuant to planning permission 16/7836/S73 dated 05/05/17

Ref. No: | Status: Approved

Approved on 03 August 2017

17/5048/CON

Submission of details of condition 22 (Materials) and 26 (Overheating) for Block H pursuant to planning permission 16/7836/S73 dated 05/05/17

Approved on 08 August 2017

18/3079/CON

Submission of details of condition 24 (Extraction and Ventilation) 45 (Noise Mitigation) 56 (Acoustic Walls, fencing and barriers) blocks H,J.K and M pursuant to planning permission 16/7836/S73 dated 05/05/17

Approved on 28 June 2018

18/3080/CON

Submission of details of condition 33 (External Lighting) pursuant to planning permission 16/7836/S73 dated 05/05/17 in relation to phases 1B, 1C, 1D, 2B and 2C only.

Approved on 10 July 2018

18/3493/CON

Submission of details of condition 23 (Refuse and Recycling Strategy) pursuant to planning permission 16/7836/S73 dated 05/05/17 in relation to Phase 1B (Blocks P & Q), Phase 1C (Blocks H & M) and Phase 1D (Blocks J & K) only.

Approved on 17 July 2018

18/3532/CON

Submission of details of condition 4 (Phasing Plan) 13 (Landscaping Management Plan) pursuant to planning permission 16/7836/S73 dated 05/05/17

Approved on 19 July 2018

18/3569/CON

Submission of details of condition 26 (Overheating) pursuant to planning permission 16/7836/S73 dated 05/05/17 in relation to blocks F, J, K, M and H only.

Approved on 19 July 2018

18/3590/CON

Submission of details of conditions 24 (Extraction and Ventilation) 45 (Environmental Statement) 46 (Acoustics) pursuant to planning permission 16/7836/S73 dated 05/05/17 in relation to blocks F, H, J, K & M only.

Approved on 19 July 2018

18/3993/CON

Submission of details of conditions 18 (Car Park Management Plan) and 34 (Delivery and Servicing Management Plan) pursuant to planning permission 16/7836/S73 dated 05/05/17 in relation to Block F only.

Approved on 7 August 2018

18/3998/CON

Submission of details of condition 15 (Site wide car parking management plan) pursuant to planning permission 16/7836/S73 dated 05/05/17

Approved on 7 August 2018

18/4526/CON

Submission of details of condition 28 (CHP and or Biomass Emissions) pursuant to planning permission 16/7836/S73 dated 05/05/17

Approved on 7 September 2018

18/4695/CON

Submission of details of condition 18 (Car Park Management Plan) pursuant to planning permission 16/7836/S73 dated 05/05/17 in relation to blocks P and Q only.

Approved on 7 September 2018

18/6082/CON

Submission of details of conditions 10 (Advanced Infrastructure Works) in relation to blocks F, G and M only, 11 (Landscaping) in relation to sports provision site wide and 27c (Energy Supply) pursuant to planning application 16/7836/S73 dated 05/05/2017 in relation to blocks E, F and G only.

Approved on 27 November 2018

18/6083/CON

Submission of details of condition 18 (Car Parking Management Plan), pursuant to planning permission 16/7836/S73 dated 05/05/2017 in relation to Stage 1 only.
Approved on 27 November 2018

18/6084/CON

Submission of details of condition 6 (Remediation), pursuant to planning permission 16/7836/S73 dated 05/05/2017
Approved on 16 December 2018

19/1066/CON

Submission of details of condition 22 (materials), pursuant to planning permission 16/7836/S73 dated 05/05/2017 in relation to Block F
Approved on 4 April 2019

19/2405/CON

Submission of details of conditions 22 (Materials) pursuant to planning permission 16/7836/S73 dated 05/05/17
Approved on 6 June 2019

19/2912/CON

Submission of details of Condition 10 (Scheme of Advanced Infrastructure Works) for Block B (Phase 2GA and 2GB) only; Condition 11 (Landscaping) for Block G (Phase 2C) only; Condition 23 (Refuse / Recycling Details) for Block B (Phase 2GA and 2GB) and Block G (Phase 2C) only; Condition 24 (Extraction and Ventilation Details) for Block G (Phase 2C) only; Condition 26 (Overheating Analysis) for Block G (Phase 2C) only; and Condition 45 (Details of Noise Mitigation Measures) for Block G (Phase 2C) only, pursuant to planning permission 16/7836/S73 dated 05/05/2017.
Approved on 19 September 2019

19/4351/CON

Submission of details of condition 3 (Air pollution mitigation measures) pursuant to planning permission 19/2284/RMA dated 25/06/19
Approved on 16 December 2019

19/4760/CON

Submission of details of condition 24 (Extraction and Ventilation) 45 (Sound Insulation) in relation to Block B (Phase 2GA and 2GB) only, pursuant to planning permission of 16/7836/S73 dated 05/05/17
Approved on 14 February 2020

19/4761/CON

Submission of details of condition 22 (Materials) pursuant to planning permission 16/7836/S73 dated 05/05/17
Approved on 16 December 2019

19/5736/CON

The application seeks the discharge of condition 22 (Materials) in relation to Block J and K (Phase 1D) and Block M (Phase 1C) only and 46 (Acoustics Walls and Barriers)

for Block B (Phases 2GA and 2GB) only, pursuant to planning permission 16/7836/S73 dated 05/05/2017.

Approved on 14 February 2020

20/0713/CON

Submission of details of condition 22 (Materials) Part i and v in relation to Block A (Phase 2D) only, pursuant to planning permission 16/7836/S73 dated 05/05/2017

Approved on 29 May 2020

20/1182/CON

Submission of details of condition 24 (Extraction and Ventilation) pursuant to planning permission 16/7836/S73 dated 05/05/17

Approved on 29 May 2020

Reserved Matters Applications

16/5716/RMA

Submission of Reserved Matters Application within Phase 2A (i) of the Colindale Gardens development; relating to Layout, Scale, Appearance and Landscaping for Lismore Boulevard (West). Submission is pursuant to conditions 55 and 56 of planning permission H/04753/14 dated 23 December 2015 for the residential-led mixed use development of Colindale Gardens (the former Peel Centre). The hybrid planning application was accompanied by an Environmental Statement.

Approved on 22nd December 2016

17/2564/RMA

Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phases 2A, 2B and 2C of the Colindale Gardens (Former Peel Centre) development pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 483 units in the form of 42 studios, 136 x 1 bedroom, 203 x 2 bedroom, 98 x 3 bedroom and 4 x 4 bedroom, together with

details to discharge the requirements of conditions 55 and 56

Approved on 2 August 2017

18/0126/RMA

Submission of Reserved Matters Application within Stage 3 of the Colindale Gardens development; relating to Layout, Scale, Appearance and Landscaping for Roads. Submission is pursuant to conditions 55 and 56 of planning permission H/04753/14 dated 23 December 2015 (as amended) for the residentialled mixed use development of Colindale Gardens (the former Peel Centre). The hybrid planning application was accompanied by an Environmental Statement.

Approved on 4 April 2018

18/4369/RMA

Application for the approval of Reserved Matters relating to Phases 2D, 2E, 2F and 2G of Development Stage 2 of the Colindale Gardens development (former Peel Centre); seeking approval for details relating to Layout, Scale, Appearance and Landscaping. Submission is pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 1208 units in the form of 87 x studio, 353 x 1

bedroom, 659 x 2 bedroom, 109 x 3 bedroom units together with the provision of 7,094 sqm of non-residential floorspace containing a mix of A1, A2, A3, A4, C3, D1 (including new Health Centre and Nursery) and D2 uses
Approved on 12 November 2018

19/0444/RMA

Resubmission for the approval of Reserved Matters relating to Phases 2D, 2E, 2F and 2G of Development Stage 2 of the Colindale Gardens development (former Peel Centre); seeking approval for details relating to Layout, Scale, Appearance and Landscaping. Submission is pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 1,220 units in the form of 82 x studio, 343 x 1 bedroom, 658 x 2 bedroom, 137 x 3 bedroom units together with the provision of 6,255 sqm of non-residential floorspace containing a mix of A1, A2, A3, A4, C3, D1 (including new Health Centre and Nursery) and D2 uses.
Approved on 12 April 2019

19/2284/RMA

Third application for the approval of Reserved Matters relating to Phases 2D, 2E, 2F and 2GA and 2GB of Development Stage 2 of the Colindale Gardens development (former Peel Centre); seeking approval for details relating to Layout, Scale, Appearance and Landscaping. Submission is pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 1,245 units in the form of 68 x studio, 359 x 1 bedroom, 698 x 2 bedroom, 120 x 3 bedroom units together with the provision of 7,559.9 sqm of non-residential floorspace containing a mix of A1, A2, A3, A4, C3, D1 (including new Health Centre and Nursery) and D2 uses.
Approved on 25 June 2019

19/0636/RMA

Second reserved matters application seeking approval for Phase 2A of the Colindale Gardens (Former Peel Centre) development pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17.
Approved on 23 May 2019

Non-Material Amendment Applications

16/1683/NMA

Non-material amendment pursuant to planning permission H/04753/14 dated 23.12.2015 for "Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement." Amendments include "Proposed changes to the scale,

footprint, layout, amenity space, external envelope, common areas, parking and the amount and mix of units"
Approved on 6th April 2016

16/1668/NMA

Non-material amendment pursuant to planning permission H/04753/14 dated 23.12.2015 for "Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement." Amendments include "Proposed changes to the scale, footprint, layout, amenity space, external envelope, common areas, parking and the amount and mix of units"
Approved on 7th April 2016

16/2646/NMA

Non-material amendment pursuant to planning permission H/04753/14 dated 23.12.2015 for "Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement." Amendments include "Proposed changes to the scale, footprint, layout, amenity space, external envelope, common areas, parking and the amount and mix of units"
Approved on 10th June 2016

16/5466/NMA

Non-material minor amendments to planning permission reference dated for 'Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental

Statement.' Amendments include alteration to the wording of part of condition 45 (Mitigation Measures) from 'This sound insulation shall ensure that the levels of noise generated from the (specify plant / equipment) as measured within habitable rooms of the development shall be no higher than 30dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.' to 'This sound insulation shall ensure that the levels of noise generated from the (specify plant / equipment) as measured within 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.'

Approved on 19th October 2016

17/6652/NMA

Non-material amendments pursuant to planning permission reference H/04753/14 dated 23/12/2015 for Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of nonresidential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/ enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement. Amendments include to removal of Condition 50 (Waiver of Liability and Indemnity Agreement)

Approved on 28 November 2017

17/7022/NMA

Non-material amendments pursuant to planning permission reference H/04753/14 dated 23/12/2015 for Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of nonresidential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/ enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement. Amendments include variation of condition 32

Approved 28 November 2017

17/7843/NMA

Non-material amendments to planning permission reference 16/7836/S73 dated 5/5/17. Amendments include minor internal and external alterations

Approved on 2 January 2018

18/1753/NMA

Non-material amendments to planning permission reference H/04753/14 as amended by 16/7836/S73. Amendment to include change to wording of condition to

read, All commercial units shall achieve a minimum of Very Good under the BREEAM UK New Construction 2014 scheme, unless otherwise agreed in writing by the Local Planning Authority. Within three months of first occupation of the building, a copy of the summary score sheet and BREEAM Post Construction Certificate shall be submitted to the LPA to demonstrate that this has been achieved
Approved on 11 April 2018

18/1908/NMA

Non-material amendments to planning permission reference H/04753/14 for 'Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement.' Amendments include revised Development Schedule
Approved on 13 April 2018

18/3572/NMA

Non material amendment to planning permission 16/7836/S73 dated 05/05/17 for `Minor Material Amendment to condition 1 (Approved Plans) of Planning Permission for H/04753/14 dated 23/12/2015 as amended by S73 Application 16/5050/S73 dated 05.12.2016. Variations include (but not limited to). Amendments to Application Description increasing number of units in Stage 1 (from 951 to 1,061) and decreasing number of units in future phases Stages 2 and 3 (from 1949 to 1839). Blocks H, J and M are increased in height. Increase in number of units in Block H from 126 to 162, Block J from 66 to 87, Block K from 64 to 75, and Block M from 62 units to 104 units. Alterations to the building footprint for Blocks J and K. Alterations to the unit mix and parking distribution in Blocks H, J, K and M and introduction of a basement level below Blocks J and K.` Amendments include changes to gross internal area, reduction in basement, relocation of the ground floor communal room, increase in duplex areas, relocation of refuse and cycle storage, alterations to car parking distribution. External change of height of core F1 tower and change to parapet height, banding to core reduced, over panels to windows changed to from grills to glazing
Approved on 8 August 2018

18/3981/NMA

Non Material Amendment to condition 1 (Approved Plans) of Planning Permission for H/04753/14 dated 23/12/2015 as amended by S73 Application 16/5050/S73 dated 05.12.2016 and S73 Application 16/7836/S73 dated 05/05/17. Variations include: Amendments to Application Description to reconcile the approved building heights between the application description and the approved Development Zones & Maximum Heights Parameter Plan.
Approved on 8 August 2018

17/7830/NMA

Non-material amendments to planning permission reference 16/7836/S73 dated 5/5/17. Amendments include minor internal and external alterations
Approved on 2 January 2018

18/6301/NMA

Non material amendment to planning permission 17/2564/RMA dated 02/08/17 for `Reserved matters application seeking approval of appearance, landscaping, layout and scale for Phases 2A, 2B and 2C of the Colindale Gardens (Former Peel Centre) development pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 483 units in the form of 42 studios, 136 x 1 bedroom, 203 x 2 bedroom, 98 x 3 bedroom and 4 x 4 bedroom, together with details to discharge the requirements of conditions 55 and 56.` Amendments include but not limited internal changes and change of unit mix, increase in building height by 725mm, reorganisation of townhouse facades, alterations to window and door size and alignments, removal of terraces on 5th floor to be changed to green roofs
Approved on 7 November 2018

19/0174/NMA

Non Material Amendment to condition 1 (Approved Plans) of Planning Permission for H/04753/14 dated 23/12/2015 as amended by S73 Application 16/5050/S73 dated 05.12.2016 and S73 Application 16/7836/S73 dated 05/05/17. Amendments include: replacement of townhouses with apartment block including increases in building heights, alterations to doors and windows including relocation of doors, alterations to cycle store and parking facilities
Approved on 30 January 2019

19/1065/NMA

Non Material Amendment to condition 2 (Approved Plans) of Planning Permission for 17/2564/RMA dated 02/08/2017. Amendments include: replacement of 327sqm of bio-diverse roof with 340sqm of amenity space, provision of a 1500mm glass balustrade screening to the inside of the existing 7th floor roof parapets, extension of lift over-run in Core F2, internally, a new toilet and storage provision is also proposed in Core F2, revisions to the Core F1 7th floor layout to allow secondary access and means of escape to the new amenity space through a new external door, internally, a new gardeners store is also proposed in Core F1, revisions to unit F1-07-04 to allow the provision of secondary access and means of escape to the new amenity space. Change of 1 bedroom 2 person flat to 1 person studio.
Approved on 12 April 2019

19/3139/NMA

Non-material amendments to planning permission reference 16/5050/S73 dated for 'Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2- 21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public

open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement.' Amendment to include removal of condition 50 (Waiver of Liability and Indemnity Agreement)
Approved on 25 June 2019

19/3138/NMA

Non-material amendments to planning permission reference 16/7836/S73 dated for 'Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2- 21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement.' Amendment to include removal of condition 50 (Waiver of Liability and Indemnity Agreement)
Approved on 25 June 2019

19/3818/NMA

Non-material amendments to planning permission reference 16/7836/S73 dated 05/12/16 for 'Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 951 units in full detail and up to 1949 units in outline in buildings ranging from 2-21 storeys, up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2), the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking., Variations include (but not limited to). Amendments to Application Description increasing number of units in Stage 1 (from 951 to 1,061) and decreasing number of units in future phases Stages 2 and 3 (from 1949 to 1839). Blocks H, J and M are increased in height. Increase in number of units in Block H from 126 to 162, Block J from 66 to 87, Block K from 64 to 75, and Block M from 62 units to 104 units. Alterations to the building footprint for Blocks J and K. Alterations to the unit mix and parking distribution in Blocks H, J, K and M and introduction of a basement level below Blocks J and K.' Amendment to change the wording of the description of proposal to add the wording 'including up to 229 units within Use Class C4 in Block A only'
Approved on 30 July 2019

19/3819/NMA

Non-material amendments to planning permission reference 19/2284/RMA dated 25/06/19 for 'Third application for the approval of Reserved Matters relating to Phases 2D, 2E, 2F and 2GA and 2GB of Development Stage 2 of the Colindale

Gardens development (former Peel Centre); seeking approval for details relating to Layout, Scale, Appearance and Landscaping. Submission is pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 1,245 units in the form of 68 x studio, 359 x 1 bedroom, 698 x 2 bedroom, 120 x 3 bedroom units together with the provision of 7,559.9 sqm of non-residential floorspace containing a mix of A1, A2, A3, A4, C3, D1 (including new Health Centre and Nursery) and D2 uses'. Amendments to include; internal layout reconfiguration including exits, corridors and lift/stair cores; conversion of plant room to a 2B4P residential unit; slight increase in building envelope; amendments to cores at A2 and A5; and an increase in the approved balcony sizes.,
Approved on 30 July 2019

19/6712/NMA

Non-material amendments to planning permission reference 19/2284/RMA dated 25/06/19 for 'Third application for the approval of Reserved Matters relating to Phases 2D, 2E, 2F and 2GA and 2GB of Development Stage 2 of the Colindale Gardens development (former Peel Centre); seeking approval for details relating to Layout, Scale, Appearance and Landscaping. Submission is pursuant to outline planning permission reference H/04753/14 dated 23/12/2015 as amended by S73 Application 16/7836/S73 dated 05/05/17, involving the erection of 1,245 units in the form of 68 x studio, 359 x 1 bedroom, 698 x 2 bedroom, 120 x 3 bedroom units together with the provision of 7,559.9 sqm of non-residential floorspace containing a mix of A1, A2, A3, A4, C3, D1 (including new Health Centre and Nursery) and D2 uses'. Amendments to include; internal layout reconfiguration including exits, corridors and lift/stair cores; alteration to unit mix; reduction in size of basement and ramp; amendments to location of car and cycle parking; and amendment to balconies to Core C3.
Approved 15 May 2020

1. MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals shall be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises The London Plan (published March 2016) and the development plan documents in the Barnet Local Plan.

These statutory development plans are the main policy basis for the consideration of this planning application. A number of other planning documents, including national planning guidance and supplementary planning guidance and documents are also material to the determination of this application.

The officers have considered the development proposals very carefully against the relevant policy criteria and, for the reasons set out in this report, have concluded that the development will fulfil them to a satisfactory level, subject to the conditions (including reserved matters) and planning obligations recommended. The proposed development is considered to comply with the requirements of the development plan.

National Planning Policy Framework (February 2019)

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

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

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

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

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

Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

2.6 (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); 7.7 (Location of Tall and Large Buildings); 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)

Draft Replacement London Plan 2017

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

The Inspector Panel Report following the Examination in Public was published in October 2019. The Inspector Panel was broadly supportive of the majority of the DLP, subject to several changes being made. The Mayor subsequently declared in December 2019 it's 'intention to publish', accepting some but not all of the Inspector's recommendations. As not all of the Inspector's recommendations have been accepted. It is for the Secretary of State to decide whether the DLP can proceed to adoption.

The Secretary of State wrote to the Mayor on the 13th March advising that the London Plan can not be adopted in its current form without further changes being made as outlined in the Secretary of State's letter.

Due to the advanced nature of the DLP increasing weight should be attached to those policies which the Inspector's report considered sound and those policies which the Secretary of State did not raise objections to. Nevertheless the London Plan 2016

remains the statutory development plan until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2016 London Plan, while noting that account needs to be taken of emerging policies.

Mayoral Supplementary Guidance

Sustainable Design and Construction (April 2014)

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

Accessible London: Achieving an Inclusive Environment (October 2014)

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

Planning for Equality and Diversity in London (October 2007)

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

All London Green Grid (March 2012)

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

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

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

Play and Informal Recreation (September 2012)

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

Housing (March 2016)

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

Affordable Housing and Viability (August 2017)

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

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

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

Mayor's Transport Strategy (2018)

This Strategy outlines some of the key transport challenges in London such as poor quality public transport and high volumes of cars on some roads. 3.5.2 The Strategy places an emphasis on reducing car dependency and encouraging an increased use

of walking, cycling and public transport use. To help encourage this modal shift, the Strategy has adopted the Healthy Streets Approach, which aims to improve and enhance the overall street environment. 3.5.3 In outer London, it is highlighted that streets are often dominated with cars and that significant transport improvements will be required to reduce this dependency. It encourages a more integrated approach to planning transport and housing. Within Outer London, new or enhanced bus services will be introduced to reduce car dependency and support growth, particularly around Elizabeth line stations and in areas where housing growth is expected, including Colindale. 3.5.4 In addition, the strategy also focuses on delivering new homes and jobs on transport land and by 2020/21 aims to start on working on property development sites that will deliver 10,000 new homes.

Relevant Local Plan (2012) Policies

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)

DM05 (Tall Buildings)

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)
DM15 (Green belt and open spaces)
DM16 (Biodiversity)
DM17 (Travel impact and parking standards)

Supplementary Planning Guidance and Documents:

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 (April 2013)
Planning Obligations (April 2013)
Affordable Housing (February 2007 with updates in August 2010)
Strategic Supplementary Planning Documents and Guidance: Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
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)
Housing (November 2012)

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

Supplementary Planning Documents and Guidance

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

Local Supplementary Planning Documents:

Affordable Housing (February 2008)
Sustainable Design and Construction (October 2016)

Planning Obligations (April 2013)
Delivering Skills, Employment, Enterprise and Training from Development through S106 (October 2014)
Sustainable Design and Construction (October 2016)
Residential Design Guidance (October 2016)
Green Infrastructure (October 2017)

Colindale Area Action Plan (CAAP)

The Colindale Area Action Plan (CAAP) was adopted in March 2010. This provides a planning policy and design framework to guide and inform the development and regeneration of Colindale up to 2021 in response to the London Plan's designation as an Opportunity Area.

The CAAP contains guidance on sustainable development and identifies a number of key infrastructure improvements needed to support the delivery of growth in Colindale. It identifies four character areas, the 'Corridors of Change', which identify specific development sites and set specific policy objectives to be achieved from redevelopment.

The application site falls within the Aerodrome Road Corridor of Change and the Colindale Avenue Corridor of Change. It also sets out general policies and standards for new developments in the area.

Changes to the Policy Framework

Since hybrid planning permission H/04753/14 was granted, while there has been some changes to the wording of the NPPF, there are no implications from this revised document which would materially affect the current application. The latest version of the London Plan was adopted post approval of this application, however again there are no implications from this revised document which would materially affect the current application, other than in relation to a greater emphasis on restricting car parking provision which accords with this proposal.

The draft London Plan was adopted post the original decision however as explained above this document has limited material weight at the current stage. No changes have been made to the Barnet Local Plan subsequent to the original decision, although the new draft consultation local plan has been published due to the early stage of this document limited weight should be attached to this document.

1.2 Key Relevant Planning History

H/04753/14 Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. Planning permission was granted on 23.12.2015.

16/5050/S73 Minor Material Amendment to condition 1 (Approved Plans) of Planning Permission for H/04753/14 Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys, up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2), the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking dated 23.12.2015. Variations include: Amendments to Application Description increasing number of units in Stage 1 (from 888 to 951) and decreasing number of units in future phases Stages 2 and 3 (from 2012 to 1949); Blocks P and Q are increased in height by 1 storey from part 3, 6 and 8 to part 4, 7 and 9 storeys; Introduction of a new residents hub in Block P including a reception, residents gym, function/class room and office space; Increase in number of units in Blocks P and Q from 96 units each to 119 and 122 units; Alterations to unit mix; Alterations to layout and road network; Increase in Cycle Spaces
Approved 05.12.2016

16/7836/S73 Minor Material Amendment to condition 1 (Approved Plans) of Planning Permission for H/04753/14 dated 23/12/2015 as amended by S73 Application 16/5050/S73 dated 05.12.2016. Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 951 units in full detail and up to 1949 units in outline in buildings ranging from 2-21 storeys, up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2), the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. Variations include (but not limited to). Amendments to Application Description increasing number of units in Stage 1 (from 951 to 1,061) and decreasing number of units in future phases Stages 2 and 3 (from 1949 to 1839). Blocks H, J and M are increased in height. Increase in number of units in Block H from 126 to 162, Block J from 66 to 87, Block K from 64 to 75, and Block M from 62 units to 104 units. Alterations to the building footprint for Blocks J and K. Alterations to the unit mix and parking distribution in Blocks H, J, K and M and introduction of a basement level below Blocks J and K. Planning Permission granted on 05.05.2017.

19/6512/OUT Hybrid planning application (part in outline, part detailed) for the phased comprehensive redevelopment of Phase 3 of the former Peel Centre site including demolition of existing structures and the construction of a residential-led mixed use development comprising up to 1,200 new residential units (Use Class C3) in buildings of up to 26 storeys in height; up to 351 sqm flexible retail floorspace (Use Classes A1-A4); site preparation and enabling works; highways/access works; landscaping; car and cycle parking; and other associated works. Application currently under consideration.

1.3 Public Consultations by the Council and Views Expressed

Letters were sent out to 2814 addresses on the 13th December 2019. The application was also advertised by site notice on the 13th December 2019 and by press notice on the 19th December 2019.

As a result of this consultation, no letters of representation have been received.

GLA Comments

The S73, has been assessed as having No Strategic Issues.

Highways

No Objections raised.

2. Description of the Site and Proposed Development

Background

Hybrid planning permission for the phased comprehensive redevelopment of the site was granted on the 23rd December 2015 (Ref: H/04753/14), as amended by an application under Section 73 of the Town and Country Planning Act 1990 by planning applications 16/5050/S73 and 16/7836/S73.

It allows the comprehensive redevelopment of part of the former Peel Centre site (now known as 'Colindale Gardens') for 2,900 homes and associated development. It was granted subject to conditions and a Section 106 agreement.

The development was designed as part of a masterplan and will be constructed in three development stages, each comprising a number of 'phases'.

The application was granted in hybrid form. Full planning permission was granted for part of the development comprising Development Stage 1, with outline planning permission (with all matters reserved except access) granted for Development Stages 2 and 3. All development plots with Phase 2 have reserved matters approval.

Description of the Site

The application site is identical to that which formed that basis of hybrid planning permission H/04753/14 and under the previous S73 applications 16/5050/S73 and 16/7836/S73. It comprises an area of 20.35 hectares and is located in Colindale within the Borough. It is located approximately 14.5 kilometres (9 miles) north-west from Central London and 17 kilometres (10.5 miles) south-east of Watford.

It was formerly occupied by the Metropolitan Police Service (MPS) and used for operational and training purposes. It was acquired by Redrow Homes in 2013 which is now in the process of redeveloping the site for residential-led mixed use redevelopment pursuant to the hybrid planning permission.

Description of Development Background

On 23rd December 2015, the London Borough of Barnet granted planning permission (ref: H/04753/14) at the Peel Centre for:

“Hybrid planning application for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. The application is accompanied by an Environmental Statement.”

This permission was subsequently amended under ref: 16/5050/S73 and again under ref: 16/7836/S73.

The Section 73 Application

The current application is made under Section 73 of the Town and Country Planning Act 1990 which seeks planning permission to vary the wording of conditions 16 (Level of Parking), 18 (Car Parking Management Plan), 57 (Cycle / Motorcycle Parking Details) and 59 (School Parking Spaces) to hybrid planning permission ref. 16/7836/S73 dated 05/05/2017, which amended H/04753/14 dated 23/12/2015

The proposed changes are as follows:

Condition 16

Original wording Condition 16

The level of parking for all land uses shall be as set out in the Transport Assessment and for residential parking shall be forecast using car ownership demand according to the mix of dwellings using the methodology set out in the Transport Assessment and Addendum. Using this methodology the current indicative mix would result in an estimated average of 0.71 spaces per dwelling across the site and the following Development Stage averages (or as otherwise agreed with the Local Planning Authority), and some 2056 spaces:

- i. Development Stage 1 - 0.72 (644 spaces)
- ii. Development Stage 2 - 0.68 (794 spaces)
- iii. Development Stage 3 - 0.72 (618 spaces)

Temporary car parking shall be provided during the build-out of Development Stages to ensure that the forecast ratio for the Development Stage is provided close to the development areas. Plans of the temporary car parking layouts will be submitted for written approval by the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core

Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

The amount of car parking associated with the hybrid consent (as amended) is controlled through Condition 16 which sets out parking requirement for 0.71 car parking spaces per homes (total of 2056 spaces) across the site. Parking surveys were undertaken in 2018 to determine the level of demand for car parking spaces on the site. These surveys included Blocks L, N, R & S. The parking survey results show the level of demand of 0.27 spaces per dwelling. This is significantly below the parking ratio of 0.71 spaces per dwelling set out in Condition 16.

Proposed Wording Condition 16

The level of parking shall be no less than 0.50 car parking spaces per dwelling and no more than 0.55 car parking spaces per dwelling across the site excluding school staff parking which shall be limited to no more than 20 car parking spaces unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and also, to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Condition 18

Original wording Condition 18

Prior to first occupation of the relevant Development Phase a detailed Car Parking Management Plan for that Development Phase, demonstrating compliance with the Site Wide Car Parking Management Strategy (Conditions 16 and 17), shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:

- i. Location and layout of car parking spaces
- ii. Allocation of car parking spaces
- iii. On-site parking controls and charges
- iv. The enforcement of unauthorised parking
- v. For Stages 2 and 3 only, monitoring of parking in the development including use of electric vehicle charging points and disabled spaces
- vi. 'Blue badge' space quantities in accordance with London Plan (2015) guidance
- vii. Community transport points and taxi drop-offs
- viii. Location of a minimum of 2 car club spaces per Stage with a minimum of 8 spaces by occupation of the first dwelling in Stage 3
- ix. Electric Charging Points: Location, specification and timing. For residential parking spaces, timing and delivery of the 20% of parking spaces which shall be active and 20% which shall be passive electric charging points. For non-residential spaces, provision at 20% of spaces shall be undertaken with potential provision at a further 10% of spaces.

v. Car parking reconciliation (evidence that the number of vehicular parking spaces proposed for each Development Zone is proportionate having regard to the Site Wide Car Parking Strategy and indicative levels in Conditions 16 and 17)
The car parking spaces shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The Car Parking Management Plan and the abovementioned provisions shall be implemented in accordance with the approved details before the buildings hereby permitted are occupied and maintained thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and also, To ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Proposed Wording Condition 18

Prior to first occupation of the relevant Development Phase a detailed Car Parking Management Plan for that Development Phase, demonstrating compliance with the Site Wide Car Parking Management Strategy (Conditions 16 and 17), shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:

- i. Location and layout of car parking spaces
- ii. Allocation of car parking spaces
- iii. On-site parking controls and charges
- iv. The enforcement of unauthorised parking
- v. For Stages 2 only, monitoring of parking in the development including use of electric vehicle charging points and disabled spaces
- vi. 'Blue badge' space quantities in accordance with London Plan (2015) guidance
- vii. Community transport points and taxi drop-offs
- viii. Location of a minimum of 2 car club spaces per Stage with a minimum of 8 spaces across Stages 1 and 2
- ix. Electric Charging Points: Location, specification and timing. For residential parking spaces, timing and delivery of the 20% of parking spaces which shall be active and 20% which shall be passive electric charging points. For non-residential spaces, provision at 20% of spaces shall be undertaken with potential provision at a further 10% of spaces.

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

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and also, To ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Barnet Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Original Wording Condition 57

Cycle parking shall be provided in accordance with the minimum standards in the London Plan (2015) unless otherwise agreed in writing with the Local Planning Authority. Motorcycle parking shall be provided in accordance with the Transport Assessment and Addendum (PC16).

Prior to the construction of any building in Stages 2 and 3, plans identifying cycle and motorcycle parking locations shall be submitted and approved in writing by the Local Planning Authority for that building to demonstrate the provision of secure, convenient and accessible locations.

Cycle and motorcycle parking so designated by detailed approval shall be used for the purpose only and retained thereafter in accordance with the approved details.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Proposed wording Condition 57

Cycle parking shall be provided in accordance with the minimum standards in the London Plan (2015) unless otherwise agreed in writing with the Local Planning Authority.

Prior to the construction of any building in Stages 2, plans identifying cycle parking locations shall be submitted and approved in writing by the Local Planning Authority for that building to demonstrate the provision of secure, convenient and accessible locations.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

Original Wording Condition 59

The provision 70 school parking spaces, designated for pick up and drop off, shall be reduced if the School Travel Plan targets are not met. In addition, storage for 30 scooters at the primary school shall be provided.

Reason: To encourage the use of sustainable forms of transport to the site 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.

Proposed wording Condition 59

Storage for 30 scooters at the primary school shall be provided unless otherwise agreed in writing with the Local Planning Authority.

Reason: To encourage the use of sustainable forms of transport to the site 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.

3. PLANNING APPRAISAL

Principle of Minor Material Amendment (the s.73 application procedure)

The National Planning Practice Guidance (NPPG) advises that a minor material amendment *“is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.”*

Pre-application discussions were undertaken with the Applicant and consideration has been given as to the effect of the amendments to the approved development, including whether it would:

- Result in a change that is minor in terms of its scale;
- Result in a change that is minor in terms of its impact on amenity and visual impact;
- Would comply with material planning considerations.

It was judged that the proposed amendments were minor material and the submission of a Section 73 application was the appropriate route for this application.

Baseline Position

As stated above, Hybrid planning permission H/04753/14), as amended by S73 applications 16/5050/S73 and 16/7836/S73 approved the principle of the Colindale Gardens development. In this context, and in accordance with the NPPG, the key considerations in the determination of the application are:

1. Whether planning policies (and other material considerations) have changed since the hybrid permission was granted; and
2. Whether the proposed amendments are acceptable (having regard to the Development Plan and other material considerations).

Changes to Planning Policy and Other Material Considerations

Since the hybrid planning permission H/04753/14 was granted, while there has been some changes to the wording of the NPPF, there are no implications from this revised document which would materially affect the current application. The latest version of the London Plan was adopted post approval of this application, however again there are no implications from this revised document which would materially affect the current application, other than in relation to a greater emphases on restricting car parking provision which accords with this proposal.

The draft London Plan was adopted post the original decision however as explained above this document has limited material weight at the current stage. No changes have been made to the Barnet Local Plan subsequent to the original decision, although

the new draft consultation local plan has been published due to the early stage of this document limited weight should be attached to this document.

Assessment of Proposed Amendments

The main issues arising out of the current application concern the following:

- Traffic and Car Parking considerations.

This matter is discussed below.

Traffic and Car Parking Provision

The applicant has submitted a transport statement in support of the application. The transport assessment assess the trip generation which has been produced by the development to date, the level of car parking which has been provided in earlier phases and the take up of these spaces. A comparison of the level of car parking as referenced in the outline planning approval and as currently proposed under the current application is set out in the following table.

Table 10: Parking Calculations Ratios

Use	Hybrid Permission	Proposed
Stage 1 & 2 Residential On-Plot	0.71 spaces/dwelling (c.2,056 spaces for 2,900 dwellings)	0.50-0.55 spaces per dwelling (c.1,450-1,595 spaces for 2,900 dwellings)
School Staff	20 spaces	12-20 spaces
School Drop Off & Pick-Up	70 spaces	0 spaces (shared use of on-street spaces included within residential total)
Food Retail	130 spaces	0 spaces
Non-Food Retail and Community	20 spaces	0 spaces (shared use of on-street spaces included within residential total)
Car Club	8 spaces(in addition to residential total)	8 spaces (included within residential total)
Total	2,304 spaces	1,462 to 1,615 spaces

It is worth noting that the development to date has provided a parking ratio of 0.61 in stage 1, 0.52 in stage 2 and 0.55 overall which equates exactly with the revised car parking ratio proposed under the current S73 application. As a reserved matters have been granted for all phases with Stage 2 and given that the application has submitted a drop in application for phase 3, the approval of this application would not alter the level of car parking proposed on site.

It is also worth noting that some of the above changes are as a result of the development of the proposals, i.e. the proposed retail store is smaller than the maximum size envisaged under the outline approval, representing a smaller town centre store facing a public square opposite the station. Such stores tend to attract predominately foot borne local customers as opposed for example to the larger Morrisons Store on the A5. In relation to the school, it is unusual for a school to

provide dedicated drop off parking solely for the use of a parents dropping off children and indeed school travel plans normally aim to maximise the number of parents dropping off by foot or cycle. It is acknowledged that some parents for various reasons are still likely to drop off by car and rather than a dedicated drop off area the applicant is proposing the shared use of on street residential car parking spaces of which there are 83 spaces. This is not an unusual arrangement for a school bordered by residential properties and is considered acceptable in this instance. It is noted that staff parking is safeguarded under these proposals.

Overall the alterations to the approved car parking ratios are considered acceptable reflecting the level of car parking which has been provided to date in the site and is commiserate with recently consented or proposed developments in the area which have provided similar or lower parking ratios.

Cumulative Effect of Amendments

When considered as a whole, the cumulative effects of the proposed changes to the approved development are minor in scale and nature, and will not result in a development that is substantively different to that already approved.

Environmental Screening

An Environmental Statement, the result of an Environmental Impact Assessment, was submitted with the hybrid application in August 2014 along with a Non-Technical Summary. Subsequent Statements of Conformity were submitted in May 2015 in relation to scheme amendments during the determination period of the original hybrid application and in August 2016 as part of the Section 73 application.

The Environmental Statement concluded that the Proposed Development would have an overriding beneficial effect on Barnet and Greater London and will, in many ways, regenerate and enhance the Application Site and contribute to the setting of the wider area. Whilst it was acknowledged that some temporary, short-term adverse effects would be experienced during the demolition and construction phase of the development, the benefits of bringing the development forward were considered to far outweigh any temporary adverse demolition and construction effects.

A Section 73 application is considered to be a new application for planning permission under the 2017 Environmental Impact Assessment Regulations.

Where an Environmental Impact Assessment was carried out on the original application, the local planning authority is required to consider if further environmental information needs to be added to the original Environmental Statement to satisfy the requirements of the Regulations.

Having reviewed the environmental information previously provided, it is not considered that the current Section 73 application would result in any significant change in circumstances to warrant a revised Environmental Statement.

Planning Obligations

The hybrid planning permission is subject to a Section 106 Agreement. This agreement will be carried over to this planning permission sought via means of a deed

of modification. We have reviewed the agreement and consider there to be no need to amend the content of the agreement on the following grounds:

- The application proposals will allow a revised scheme to be delivered, but one which is not substantively different to that already approved under the hybrid planning permission. The site-wide quantum of development is unchanged meaning the amendments will not give rise to any different impacts which would necessitate any new planning obligations.
- There has been no change to policy to warrant changes to the scope of planning obligations necessary to make the proposed development acceptable.
- The proposed amendments maintain compliance with all of the obligations applicable within the existing Section 106 Agreement.
- There has been no material change to the viability position of the scheme and therefore there are no viability-related grounds to seek revisions to the existing s.106 obligations. It is noted that the existing Section 106 Agreement includes a trigger for viability review before the commencement of Stage 2 of the development enabling any changes in Development Stage 1 to be captured at that juncture. This review has been carried out and independently assessed as not triggering a requirement for additional contributions.

Community Infrastructure Levy

This application does not result in an increase to the gross internal area of the floorspace within buildings liable to incur a Community Infrastructure Levy contribution.

5. EQUALITIES AND DIVERSITY ISSUES

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimization and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”*

For the purposes of this obligation the term “protected characteristic” includes:

- Age;
- Disability;
- Gender reassignment;
- Pregnancy and maternity;
- Race;
- Religion or belief;
- Sex;
- Sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section, and have concluded that a decision to grant planning

permission for this proposed development will comply with the Council's statutory duty under this important legislation.

The proposed amendments do not affect the following:

- A provision of a minimum of 10% of flats as wheelchair adaptable across the development.
- The inclusion of level, step-free pedestrian approaches to the main entrances to the building to ensure that all occupiers and visitors of the development can move freely in and around the public and private communal spaces.
- The provision of dedicated parking spaces for people with a disability in locations convenient to the entrances to the parking area.

The proposals are considered to be in accordance with national, regional and local policy by establishing a high quality inclusive design, providing an environment which is accessible to all and which can be maintained over the lifetime of the development.

6. CONCLUSION

The application is made under Section 73 of the Town and Country Planning Act seeking planning permission to vary the wording of conditions 16 (Level of Parking), 18 (Car Parking Management Plan), 57 (Cycle / Motorcycle Parking Details) and 59 (School Parking Spaces) to hybrid planning permission ref. 16/7836/S73 dated 05/05/2017, which amended H/04753/14 dated 23/12/2015

National Planning Practice Guidance (NPPG) advises that a minor material amendment *“is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.”* In this case, it is not considered that the changes proposed would result in any significant change to the approved scheme.

The amendments proposed do not alter the fundamental nature of the permission and do not raise any land use, design or neighbouring amenity considerations. The highway implications of the proposed alteration to the parking standards have been assessed and considered acceptable. The proposed amendments generally and taken overall accord with the relevant development plan policies.

Accordingly, subject to the conditions set out in the recommendations section at the beginning of this report, the application is recommended for **Approval**.

APPENDIX 1: PROPOSED SITE LAYOUT PLAN

