

Location Cooper House, 316 Regents Park Road And Dove House And Gadd House Arcadia Avenue London N3 2JX

Reference: 19/1901/FUL Received: 29th March 2019
Accepted: 3rd April 2019

Ward: Finchley Church End Expiry 3rd July 2019

Applicant: Mr E Agmon

Proposal: Demolition of existing buildings and the erection of a part two, part five and part six-storey building with lower ground floor and 2 basement levels to provide 9,029sqm of office floor space, 158sqm of a flexible Class A1/A3 floorspace, 103sqm of shared office and Class A1/A3 floorspace and 4,318sqm of car park space to provide parking for a total of 65 cars. Provision of a terrace at second floor level, associated cycle and refuse storage, substation at lower ground level and plant enclosure on roof. Amendments to access on Arcadia Avenue. [AMENDED DESCRIPTION AND AMENDED PLANS]

Recommendation: Approve subject to s106

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

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. The applicant and any other person having a requisite interest in the site are invited to enter into a section 106 Agreement to secure the following:
 1. The Council's legal and professional costs of preparing the Agreement and any other enabling agreements.
 2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.

3. A financial contribution towards carbon off-setting of £155,881 in order to achieve net zero carbon dioxide emissions
4. A financial contribution of £15,000 towards street tree planting
5. Late stage review mechanism regarding commuted sums in lieu of a Local Employment Agreement
6. Small and Medium Enterprise-Accessible Workspace Plan: To ensure that the development is flexible and appropriate for Barnet businesses and the workspace designed is SME accessible
7. Submission of a Travel Plan
8. A financial contribution of £15,000 towards Travel Plan monitoring
9. A financial contribution of £20,000 towards pedestrian safety measures in the vicinity of the site
10. A financial contribution of £1,000 towards installation of two cycle stands at an alternative location in Finchley Church End town centre

11. Highway Works Plan:

The prevention of the occupation of the proposed development until the alterations specified in a Highway Works Plan, which has previously been submitted to the Local Planning Authority and approved in writing, have been carried out in their entirety. The Highway Works Plan shall provide full details of the alterations proposed on Regents Park Road and Arcadia Avenue and any relevant adjacent land to facilitate the development. This shall include (but not be limited to) details of:

- Any highway works to be carried out under Section 278 of the Highways Act 1980 as shown on Dwg No: 1005 P0100 B which consist of:

- a) reinstating the of any redundant crossover on Arcadia Avenue to footway
- b) installation of a new access on Arcadia Avenue
- c) new paving (material palette to be agreed) along the site frontage on Arcadia Avenue and Regents Park Road
- d) installation of a new loading bay on Arcadia Avenue, in the event that off-street loading cannot be accommodated within the development.
- e) alterations to parking, loading and waiting restrictions and road markings
- f) public realm improvements (to be agreed) along the Regents Park Road frontage and any adjacent land.
- g) Any alterations to street furniture.

The Highway Works shall include:

- h) The stopping up of any land under Section 247 of the Town and Country Planning Act 1990.
- i) The dedication of any land under Section 38 of the Highways Act 1980.

12. Meeting the Council's costs of monitoring the planning obligation- £6,137.62

RECOMMENDATION II:

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

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

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

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

Revised Proposed Site Location Plan - 1005_P0001_A [Uploaded 22 July 2019]

Demolition plans:

Proposed Lower Car Park Demolition Plan - 1005_D0098 [Uploaded 29 March 2019]

Proposed Upper Car Park Demolition Plan - 1005_D0099 [Uploaded 29 March 2019]

Proposed Ground Floor Demolition Plan - 1005_D0100 [Uploaded 29 March 2019]

Proposed First Floor Demolition Plan - 1005_D0101 [Uploaded 29 March 2019]

Proposed Second Floor Demolition Plan - 1005_D0102 [Uploaded 29 March 2019]

Proposed Third Floor Demolition Plan - 1005_D0103 [Uploaded 29 March 2019]

Proposed Roof Demolition Plan - 1005_D0104 [Uploaded 29 March 2019]

Proposed North East Demolition Elevation - 1005_D0161 [Uploaded 29 March 2019]

Proposed North West Demolition Elevation - 1005_X0162 [Uploaded 29 March 2019]

Proposed South East Demolition Elevation - 1005_P0163 [Uploaded 29 March 2019]

Proposed South West Demolition Elevation - 1005 D0164 [Uploaded 29 March 2019]

Existing plans:

Existing Lower Car Park Plan - 1005_X0098_A [Uploaded 22 July 2019]

Existing Upper Car Park Plan - 1005_X0099_A [Uploaded 22 July 2019]

Existing Ground Floor Plan - 1005_X0100_A [Uploaded 22 July 2019]

Existing First Floor Plan - 1005_X0101_A [Uploaded 22 July 2019]

Existing Second Floor Plan - 1005_X0102_A [Uploaded 22 July 2019]

Existing Third Floor Plan - 1005_X0103_A [Uploaded 22 July 2019]

Existing Roof Plan - 1005_X0104_A [Uploaded 22 July 2019]

Existing North East Elevation - 1005_X0161_A [Uploaded 22 July 2019]

Existing North West Elevation - 1005_X0162_A [Uploaded 22 July 2019]

Existing South East Elevation - 1005 X0163 A [Uploaded 22 July 2019]

Existing South West Elevation - 1005_X0164_A [Uploaded 22 July 2019]

Existing Section AA - 1005_X0151_A [Uploaded 22 July 2019]

Proposed:

Revised Proposed Basement Level -2 - 1005_P0097_C [Uploaded 21 Feb 2020]

Revised Proposed Basement Level -1 - 1005_P0098_C [Uploaded 21 Feb 2020]
Revised Proposed Lower Ground Level - 1005_P0099_F [Uploaded 21 Feb 2020]

Revised Proposed Ground Floor Plan - 1005_P0100_B [Uploaded 04 Nov 2019]
Revised Proposed First Floor Plan - 1005_P0101_B [Uploaded 04 Nov 2019]
Revised Proposed Second Floor Plan - 1005_P0102_B [Uploaded 04 Nov 2019]
Revised Proposed Third Floor Plan - 1005_P0103_B [Uploaded 04 Nov 2019]
Revised Proposed Fourth Floor Plan - 1005_P0104_B [Uploaded 04 Nov 2019]
Revised Proposed Fifth Floor Plan - 1005_P0105_B [Uploaded 04 Nov 2019]
Revised Proposed Roof Plan - 1005_P0106_A [Uploaded 04 Nov 2019]
Revised Proposed North East Elevation - 1005_P0161_A [Uploaded 22 July 2019]
Revised Proposed North West Elevation - 1005_P0162_A [Uploaded 22 July 2019]
Revised Proposed South East Elevation - 1005_P0163_A [Uploaded 22 July 2019]
Revised Proposed South West Elevation - 1005_P0164_A [Uploaded 22 July 2019]
Revised Proposed Section A-A - 1005_P0151_C [Uploaded 08 July 2020]
Revised Proposed Section B-B - 1005_P0152_B [Uploaded 04 Nov 2019]
Revised Proposed Section C-C - 1005_P0153_C [Uploaded 08 July 2020]
Revised Proposed Section D-D - 1005_P0154_C [Uploaded 08 July 2020]
Summary Area Schedule (ref: 1005_07.06, dated 25.07.2019) [Uploaded 04 Nov 2019]

Lower Ground Floor Proposed Mechanical Services Layout (reference 3824/M/SK0 P1)

Preliminary Ecological Appraisal and Preliminary Bat Survey Report by acorn ecology dated February 2019

Bat Survey Report by aLYne ecology dated 05 August 2019

Financial Viability Assessment by Gerald Eve dated September 2019

Diagram titled 'Overland flows' dated 13 June 2019 [reference 2116_SK002_P1]

Blue roof summary and outflow summary by abg dated 01/02/2019

Greenfield Run off rate by Micro Drainage dated 09/01/2019

Daikan Technical Data sheet for Air Conditioning REYQ-T (VRV IV heat recovery)

Hamworthy sheet on Wessex ModuMax mk3 including dimensions sheet

VES Technical Specification Sheet

Fire Strategy Report BWC dated 26 February 2019 (report reference BWC/FS/1397/V1)

Refuse collection route drawing [Uploaded 11 June 2019]

Daylight and Sunlight Report by Point 2 Surveyors dated March 2019

Letter by Point 2 Surveyors with Appendices dated 25 July 2019 and updated letter dated 25 February 2020

Transport Statement by ttp consulting dated March 2019

N01-PS-Technical Note by ttp consulting dated 21 January 2020

Framework Delivery and Servicing Plan (incorporating Waste Management Strategy) by ttp consulting dated March 2019

Workplace Travel Plan by ttp consulting dated March 2019

Air Quality Assessment by Capita Re. dated 04 March 2019

Noise and Odour Assessment by Capita Re. dated 04 March 2019

Historic Environment Assessment by MOLA dated 06 March 2019

Heritage Statement by Henry Planning (no date)

M&E Utilities Statement by EEP dated February 2019 (EEP Project Ref: 3824)

Energy Assessment by eight associated dated 21 February 2019

Drainage Strategy Report by Heyne Tillett Steel dated 25 February 2019 and appendix (excluding any drawings which have since been superseded and revised as per above)

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

3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

4 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

5 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;

- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.
- xi. Provision of a competent banksman.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

6 No development or site works shall take place on site until a Stage 1 and Stage 2 Road Safety Audit shall be undertaken in relation to the proposed car park and vehicular access on Arcadia Avenue. The results of the audit shall be submitted to and approved in writing by the Local Planning Authority. Any necessary works identified within the audit shall thereafter be fully implemented prior to the first occupation of any part of the development hereby permitted.

Reason: In the interest of highway/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.

7 The development hereby approved shall not be occupied until the existing vehicular access on Arcadia Avenue has been closed and the highway reinstated to footway and a new access has been constructed in accordance with the plans submitted to and approved by the Local Planning Authority. The existing redundant crossover(s) is to be reinstated to footway level including any other agreed highway works in the vicinity of the site in accordance with the plans/details approved by the Highway Authority. The cost of the works and any associated traffic order and designs fees shall be fully borne by the applicant. The applicant will be required to enter into a s278 agreement with the council for these works.

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

8 The building shall not be occupied until 65 parking space(s) including 8 disabled bays have been laid out and implemented within the site in accordance with the approved plans. The approved parking spaces shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

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

9 Prior to the first occupation or commencement of the use of the development hereby permitted, details of, and a Maintenance Agreement for, the operation of the traffic light system for the ramped access and the remotely operated electronic gates shall be submitted to and approved by the Local Planning Authority and shall not be carried out nor shall it be subsequently operated other than in accordance with the approved details.

Reason: In the interests 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.

10 a) Prior to the first occupation or commencement of the use of the development hereby permitted, details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

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

11 Prior to the first occupation or commencement of the use of the development hereby permitted, a full Delivery and Servicing Plan and Parking Management Plan (DSP& PMP) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved delivery and servicing plan and parking management plan.

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

12 A minimum of three calendar months prior to the first occupation or commencement of the use of the development hereby permitted, a full Work Place Travel Plan that meets the criteria of the current Transport for London Travel Plan guidance, currently 'Travel Planning for new development in London incorporating deliveries and servicing' and Itrace or TRICS compliant surveys shall be submitted to and approved in writing by the Local Planning Authority.

The document shall set out the transport policy to incorporate measures to reduce trips by the private car especially single occupancy and single passenger journeys and encourage non car modes such as walking, cycling and public transport and to reduce, consolidate or eliminate delivery trips. The Travel Plan Statement should include the appointment of a Travel Plan Champion, SMART targets and a clear action plan for

implementing the measures. The Travel Plan should be reviewed, updated and resubmitted in writing for approval in years 1, 3 and 5 in accordance with the targets set out in the Plan. Monitoring of the travel plan is to be funded by the applicant in accordance with the Barnet's Travel Plan SPD.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies Core Strategy (adopted) 2012 CS9 and Development Management Policies (adopted) 2012 DM17.

13 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 10% of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

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

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan 2016.

14 Notwithstanding the vehicular access ramp details submitted with the planning application, the gradient of the proposed ramp access to the underground parking area should not exceed 1:10 and the ramp shall be constructed in accordance with the guidelines in Institute of Structural Engineers Design recommendations for multi-storey and underground car parks.

Reason: To ensure 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.

15 a) Before development hereby commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass boiler / CHP Plant shall be submitted to and approved by the Local Planning Authority. The emissions for CHP and / or biomass boilers shall not exceed the standards listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document 2014.

The report shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. It 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.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. Details of the plant and evidence to demonstrate compliance with the GLA's emissions standards will be required.

c) 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 neighbouring premises are protected from poor air quality arising from the development in accordance with the Sustainable Design and Construction SPD (adopted April 2013). To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

16 a) Before the installation of any kitchen extraction unit(s) related to the ground floor use hereby permitted, a detailed assessment for the kitchen extraction unit, which assesses the likely impacts of odour and smoke on the neighbouring properties shall be carried out by an approved consultant. This fully detailed assessment shall indicate the measures to be used to control and minimise odour and smoke to address its findings and should include some or all of the following: grease filters, carbon filters, odour neutralization and electrostatic precipitators (ESP). The equipment shall be installed using anti-vibration mounts. It should clearly show the scheme in a scale diagram and shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the amenities of the neighbouring occupiers are not prejudiced odour and smoke in the immediate surroundings in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted 2012).

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

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

18 The recommendations set out in Section 3.5 of Air Quality Assessment (January 2019) shall be implemented during the demolition and construction phase of the development hereby approved.

Reason: To ensure that the amenities of neighbouring 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, and Policy 5.3 of the London Plan 2015.

19 The mitigation measures set out in Section 3.7 of Air Quality Assessment (January 2019) shall be implemented in its entirety before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the development hereby permitted contributes to good 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, and Policy 5.3 of the London Plan 2015.

20 Prior to installation, details of the boilers shall be submitted to and approved in writing by the Local Planning Authority. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

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

21 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interest of good air quality in accordance with London Plan policies 5.3 and 7.14.

22 Development shall not begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by London Borough of Barnet local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The surface water drainage scheme shall be constructed and maintained in full accordance with the DRAINAGE_STRATEGY_REPORT-4398429 and associated calculation as submitted July 2019 and shall also include:

- o Appropriate design rainfall i.e. the latest Flood Estimation Handbook (FEH, 2013).
- o SuDS Development Management & Construction Phasing Plan
- o SuDS detailed design drawings

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April, 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance (such as the SuDS Manual, C753).

23 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping (including that on the roof terrace), shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

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

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

25 Prior to the first occupation or commencement of the B1a use hereby permitted, the ground floor A1/A3 unit shall be fitted out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development provides a suitable and viable retail use in accordance with Policy DM11 of the Adopted Barnet Development Management Policies DPD (2012) and Policy CS6 of Barnet's Core Strategy DPD (2012).

26 a) The development hereby permitted is required to meet the BREEAM 'Very Good' rating/level.

b) Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

27 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations (as amended). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

28 Prior to the first occupation or use of the development hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority detailing how the development would adhere to the principles of Secure by Design. The development shall be carried out and retained in accordance with the agreed details in perpetuity.

Reason: To ensure that the development meets Secure By Design principles as required by the Metropolitan Police, in accordance with Policy CS12 of Barnet's Core Strategy DPD (2012) and Policy DM01 and DM02 of Barnet's Development Management Policies Document DPD (2012).

29 The development hereby permitted, except for the ground floor retail unit, shall not be used for any other purposes apart from those falling within Class B1a (Office) as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended), and any proposed change to that use shall only be with the express prior consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

30 The ground floor premises hereby permitted (annotated as 'Retail unit' on Drawing No. P0100 B) shall be used as either a Shop (Class A1) or Food and Drink (Class A3) and for no other purpose (including any other purpose in Part A of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

31 Prior to the first occupation of the ground floor A1/A3 use hereby permitted, hours of use shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details as approved under this condition.

Reason: To safeguard the amenities of the area in accordance with Policies DM01 and DM04 of the Barnet's Local Plan.

32 Prior to the first occupation of the B1a (Office) use hereby permitted, hours of use shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details as approved under this condition.

Reason: To safeguard the amenities of the area in accordance with Policies DM01 and DM04 of the Barnet's Local Plan.

33 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

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

34 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) no installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can control the development in the area so that it accords with Policies DM01 and DM18 of the Development Management Policies DPD (adopted September 2012).

35 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

36 The development hereby approved shall implement motion-sensor (internal) lighting which will operate outside of the hours of use and this shall remain in perpetuity for the life time of the development.

Reason for condition: To ensure that nuisance to neighbouring properties will not be caused from lighting during night time hours in accordance with Barnet's Sustainable Design and Construction SPD (2016).

RECOMMENDATION III:

1 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 30.11.2020, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

1. The proposed development does not include a formal undertaking to meet the costs of the contributions to public street tree planting in the vicinity of the site. The proposal would therefore not address the impacts of the development, contrary to Policy DM01 of the Adopted Development Management Policies DPD.

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

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

4. The proposed development does not include a formal undertaking to provide an SME-accessible workspace plan or late stage review mechanism regarding commuted sums in lieu of a Local Employment Agreement. The proposal would therefore fail to comply with Policy CS8 of Barnet's Core Strategy DPD (2012); Policy DM14 of Barnet's Development Management Policies Document DPD (2012), London Plan Policy 4.2, Barnet Local Plan SPD: Delivering Skills, Employment, Enterprise and Training from Development through S106 (2013) and Barnet Local Plan SPD: Planning Obligations (2013).

Informative(s):

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

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

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

4 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.

5 The submitted Construction Method Statement shall include as a minimum details of:

- o Site hoarding
- o Wheel washing
- o Dust suppression methods and kit to be used
- o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
- o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

- 6 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 35dB(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 4142:2014 - 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.

- 7 Any signage and/or advertising associated with the development may require separate, express advertisement consent.
- 8 Surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains.

During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

- 9 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway. To

minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 10 Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 11 For any proposal for new crossovers or modification to the existing crossovers, a separate crossover/access application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged. The applicant is advised that the permitted maximum width for a residential crossover is 4.2 metres.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 12 The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 4-6 weeks before the start of works on the public highways.
- 13 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not

expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

- 14 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 15 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 16 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.
- 17 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 18 A Condition Survey of the existing public highway with 50 metres of the application site (in all directions) shall be undertaken prior to commencement of the development hereby permitted, and the result submitted to the Local Highway Authority.

Within one month of the construction work ceasing a second road condition work shall be undertaken and the results submitted to the Local Highway Authority. Thereafter, any damage to the public highway identified by the two condition surveys shall be rectified by the applicant in agreement with the Highway Authority within one year of the development being constructed.

Officer's Assessment

1. Site Description

The application site (the red line boundary) comprises three neighbouring buildings on the south-east side of Regents Park Road, in the Finchley Church End ward.

The application site is 0.14 hectares in size.

This includes 'Cooper House', which fronts Regents Park Road (A598) and is located on the junction of Arcadia Avenue; 'Dove House', which is located on Arcadia Avenue to the south east of 'Cooper House'; and 'Gadd House', also located on Arcadia Avenue to the south east of 'Dove House'.

All three buildings are of a similar design and appearance. All three buildings are three storeys in height. Due to the drop in levels as one progresses south-easterly along Arcadia Avenue (from Regents Park Road), the existing basement parking serving 'Dover House' and 'Gadd House' is exposed at street level.

The use class of the buildings are B1a (Office).

The application site is not located within a designated conservation area.

The application site is adjacent to the Finchley Church End conservation area (to the north of the application site), but falls outside the boundary.

The buildings within the application site are not statutory or locally listed buildings.

The application site is adjacent to a statutory listed building (to the north), named King Edward Hall, 331-343 Regents Park Road. This is sited on the junction of Regents Park Road and Hendon Lane.

The application site is also adjacent to locally listed buildings (to the north and immediately adjacent to King Edward Hall) addressed Alexandra House (including shopping parade) Nos. 321-333 Regents Park Road, N3 1DP.

The application site is located within the Finchley Church End Town Centre boundary, in accordance with Appendix 5 of Barnet's Development Management Policies Document DPD (2012). It is not in a designated primary or secondary frontage.

The application site is part of the Regents Park Road employment cluster, identified as a 'Business Location' in Appendix 7 of Barnet's Development Management Policies Document DPD (2012).

There are no Tree Preservation Orders on site.

The application site is within Flood Zone 1 (low probability of flooding) in accordance with the Government's flood map for planning. It is not located within a Critical Drainage Area.

The application site is not located within a Site of Importance for Nature Conservation.

The application site is located within an Area of Special Archaeological Interest.

Regarding site surroundings, 'Cooper House' is adjacent to King Edward Hall, 331-343 Regents Park Road (a statutory listed building) and Alexandra House (including shopping parade) Nos. 321-333 Regents Park Road (locally listed buildings) on the opposite side of Regents Park Road. King Edward Hall is three storeys with rooms in the roof space and Alexandra House is two storeys with rooms in the roof space.

To the north-east of 'Cooper House' and partly 'Dove House', is 'Gateway House', 318-330 Regents Park Road, which comprises a library and retail use at ground floor, and office space (although located away from the application site) and residential flats on first floor and above. This building ranges from 5 to 8 storeys in height. The closest part to the application site is 8 storeys in height.

To the north, east, south and west are buildings located on Arcadia Avenue and Regents Park Road, which comprise the identified Regents Park Road employment cluster. These buildings are of varying heights, design and appearance, and are predominantly commercial in use.

The PTAL rating of the application site is 4 (where 0 is poor accessibility and 6 is best accessibility).

There are existing vehicular entrances along two points of Arcadia Avenue, serving 'Dove House' and 'Gadd House' car parking areas.

There is an open air car parking area to the south west of the buildings (to the rear of the neighbouring 314 Regents Park Road), but this area does not fall within the red line boundary of the application site nor does it comprise part of this planning application.

2. Site History

Application reference number: 16/3417/PNO

Address: Dove House, Gadd House and Cooper House, Arcadia Avenue, London, N3 2JU

Decision: Prior approval required and approved

Decision date: 13 July 2016

Description: Change of use from Class B1 (Office) at upper levels to Class C3 (Residential) (88 Units). The existing parking at the lower floor levels of Dove House and Gadd House will be retained and reconfigured to provide a total of 77 car parking spaces (54 spaces in the lower car park and, 23 in the upper car park), 10 of which will be disabled spaces. In total, 94 cycle parking spaces will be provided at lower ground level (48 spaces in the lower car park and 46 spaces in the upper car park), within a secure and sheltered area. Refuse and recycling storage would be located at lower ground floor.

Application reference number: 16/4371/FUL

Address: Dove House, Arcadia Avenue, London, N3 2JU

Decision: Approved subject to conditions

Decision date: 19 September 2016

Description: Installation of 3 no. air conditioning units to the rear of the building

3. Proposal

The planning application proposes the demolition of the existing buildings on site and the erection of a part two, part five and part six-storey building with lower ground floor and 2 basement levels to provide:

- a total 9,029sqm of office (Use Class B1a) floor space,
- 158sqm of a flexible Class A1/A3 floorspace at ground floor fronting Regents Park Road,
- 103sqm of shared office and Class A1/A3 floorspace,
- and 4,318sqm of car parking space to provide parking for a total of 65 cars (this has been previously reduced from 107 spaces, and then 70 spaces)

The development would also include the provision of a roof terrace at second floor level, associated cycle and refuse storage within the development, a substation at lower ground level and plant enclosure on the roof.

There will be also amendments to vehicular access on Arcadia Avenue, including closing off one existing vehicular access point.

The part of the proposed building which would front Regents Park Road would be 5 storeys in height (above ground).

This part of the building which would front Regents Park Road would measure 20 metres in width along the frontage of Regents Park Road and 12 metres in length along Arcadia Avenue. This part of the building would measure 20 metres in height up to the top of the upstand. This building would use the same front building line of the existing 'Cooper House', and therefore be sited 3.1 metres in front of the front building line of No. 314 Regents Park Road, to the south of the application site.

As the proposed building progress along Arcadia Avenue, it would reduce to 2 storeys in height (above ground). This part of the building would measure 8.6 metres to 9.6 metres in height (considering ground level differences) and run a length of 23.3 metres along Arcadia Avenue. The roof terrace would be located on the roof of this part of the building at second floor.

The two storey part of the building would have a width of 18.25 metres, set back from the Arcadia Avenue frontage by 1.75 metres and include a 'cut away'/lightwell adjacent to the boundary of No. 314 Regents Park Road, which measures 11.4 metres in length and 3.77 metres in width.

The proposed building would then increase to 6 storeys in height (above ground) along Arcadia Avenue. Considering ground level differences the basement parking area would be partially visible at street level.

This part of the building would have a total length of 66.5 metres, and a length of 65 metres along Arcadia Avenue (due to the angle of the site). This part of the building would have a width of 20 metres. It would measure a height of between 24 metres to 28 metres (considering site levels). This would increase to a height of 30 metres when including the plant screen at roof level. There would be small balconies at a depth of 1.8 metres on every floor along part of the south-west elevation of this part of the building (facing the neighbouring open car park). The top floor would be recessed by 1.8 metres along the Arcadia Avenue façade. In total, the building will be 101 metres in total length along Arcadia Avenue.

The proposed development would be contemporary in design. The building features continuous horizontal and vertical 'grid' banding along its elevations with glazing in the openings. The sixth floor along Arcadia Avenue is designed as continuous glazing.

As explained in the Design and Access Statement accompanying this application, the Regents Park Road façade has been designed with 5 metre high glazed shopfront at street level, horizontal concrete banding in a white colour, vertical textured concrete pilasters in a grey colour, metal reveal wrapping around the glazed facade at ground and first level, and 3.5 metre high glazed façades from first to fourth floor.

The Arcadia Avenue façade has been designed with 5 metre high glazed façades at ground floor level, 3.5 metre high glazed façades from first to fourth levels, deep metal vertical fins to mark the office main entrance, horizontal concrete banding in a light (white) colour, vertical textured concrete pilasters in a grey colour, glazed facade on the recessed top floor, and light coloured vertical metal fins at lower ground floor (along the street level of Arcadia Avenue where the lower ground is located).

The south east and south west elevation would feature light grey precast concrete panels, as opposed to glazing.

4. Public Consultation

A site notice was erected 11 April 2019.
A press notice was published 11 April 2019.

Consultation letters were sent to 776 neighbouring properties.
44 responses have been received.

It is noted that five residents provided comments twice, with the same postal address.

It is noted that one resident provided comments under three different post addresses.

Residents were re-consulted on amended description and amended plans (the removal of a basement level and reduction in parking spaces) via letter dated 10 January 2020. All comments received from the re-consultation letter are included in the comments below.

The objections and comments received can be summarised as follows:

- There is no need for additional office floor space
- A1/A3 use is already declining in demand evidenced in boarded-up shops opposite
- Increase in number of cars will increase traffic, congestion and air pollution
- Increase in height will impact on the daylight and sunlight levels of flats at Gateway House, opposite the application site, including impact on their health and wellbeing. One objector says him and his wife suffers osteoporosis and impact on daylight and sunlight will impact on this.
- The documents produced by the designer have been manipulated. During winter sunlight is in our flat until 5.00 p.m. and in summer we can see the sun setting at 7.00 p.m. The sections provided have not inserted/included floor levels at Gateway House.
- Impact of views of surrounding green areas, Finchley Church End and up to Wembley Stadium from Gateway House

- Impact on privacy of occupiers at Gateway House. Will have to use curtains which will affect daylight/sunlight
- Impact on views from the houses in Lichfield Grove
- The proposed development would 'diminish the elegance of the King Edward Hall' (statutory listed building)
- Construction works will result in disruption, dust, dirt, noise pollution, air pollution and traffic congestion
- Was any consideration given to adding additional floors to the existing buildings? (as opposed to demolition and rebuild)
- Does the proposed development meet parking standards? Is there road capacity to deal with rush hour traffic?
- Proposed height will tower over surrounding properties
- Construction of basement level a concern; impact on ground work for neighbouring properties
- Impact on the Finchley Church End conservation area
- Objection to scale and massing of the proposed development and linear built form on Arcadia Avenue. Articulation should be included to break down the scale and massing. Shape and form out of keeping with surrounding buildings
- No active frontage on Arcadia Avenue
- Proximity of proposed building to the neighbouring building of 314 Regents Park Road including impact on working environment (office) and potential noise of roof terrace causing disturbance
- Impact on development potential of car park
- Noise, traffic and other construction impacts of the basement level not considered
- Car parking provision in excess of standards
- It shouldn't turn into residential use like other offices have. Objection if it were turned into residential housing
- Concern from noise emanating from proposed plant/air conditioning units
- When Gateway House was redeveloped it resulted in lorries blocking Arcadia Avenue. The concern is this will happen again, including to the car parks of 314 Regents Park Road and Gateway House
- Devalue properties at Gateway House
- Objector disagrees with submitted Air Quality Assessment

- Proposed parking is inconsistent with the proposed development at Finchley Central Tube Station
- Height of mechanical/ventilation equipment and plants on roof not taken into account
- On behalf of the Finchley Society: The Society welcomed the consultation the developers had with us before this application was submitted. We are pleased that the proposal is for offices, and so retains Finchley as a place to work as well as live and shop, and helps to maintain the economic health of the Church End town centre, which a residential development would have threatened; we are also pleased that the proposal will have retail on the ground floor at the front, thus increasing the vitality of the area. We welcome the efforts the developer has made to respect the Church End conservation area, with the listed King Edward Hall.

That said, we are uncertain about the comprehensive redevelopment envisaged. This seems to waste the material and the energy embodied in the existing buildings, and presumably means that the businesses currently based in them will have to suffer the stress and inconvenience of relocation. In any case, we should like to see a green roof and we ask the Council to discuss with the applicants how solar gain on the west facing façade will be dealt with; the smooth elevation leaves no room for bolt on solar shading. We also ask the Council to insist that the architects who have been involved hitherto will see the project through to completion, and that, since they are important, details of the construction and in particular the external façade, windows, concrete, are conditioned so as to require agreement - following public consultation - prior to commencement on site.

Internal consultees:

Highways Authority: Subject to amendments no objection subject to conditions and contributions

Environmental Health department: No objection subject to conditions

Recycling Waste and Street Cleaning Services: No objection, following the provision of further information from the applicant

Lead Local Flood Authority: No objection subject to conditions

Trees Officer and Street Trees: No objection subject to conditions and contributions

Ecology Team: No objection

Planning Policy Team: No objection subject to conditions

Town Team: The proposed development should provide flexible workspace for micro, small and medium-sized enterprises (to be provided through obligations). Concern with the façade of Arcadia Avenue being blank. Concern with the creation of A1 retail space at ground floor. Details required on the development's contribution to the public realm.

Urban Design: On provision of the Design Illustration document, the urban design officer is satisfied with the proposals.

Skills and Employment officer: Recommended a contribution towards delivering skills, employment, enterprise and training. This is addressed in greater detail in the main report. Also recommended workplace management plan.

Heritage Team: Objection. The heritage officer recommended a reduction in height of the block facing Regents Park Road by a storey which would help to minimise its prominence and visual impact on the setting of King Edward Hall. Presently, the level of harm is considered to be less than substantial (to the heritage asset). This is addressed in greater detail in the main report.

External consultees:

Transport for London: Objection to level of car parking. Discussed in the relevant Highways section in the assessment below.

Thames Water: No objection regarding foul water or to surface water based on the information provided.

London Fire Brigade: No objection following the provision of a Fire Strategy from the applicant.

Metropolitan Police (Design out Crime): No objection subject to conditions.

Historic England (Greater London Archaeological Advisory Service): No objection, no conditions or further assessment required.

UK Power Network: No comments received

Affinity Water: No comments received

Ward Councillors: No comments received

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable

development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

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

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CSNPPF, CS1, CS5, CS6, CS8, CS9, CS12, CS14
- Relevant Development Management Policies: DM01, DM04, DM06, DM14, DM16, DM17

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Local Plan Supplementary Planning Document: Planning Obligations (2013)

Local Plan Supplementary Planning Document: Delivering Skills, Employment, Enterprise and Training from Development through S106 (2014)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- Impact on character and appearance;
- Impact on heritage asset(s) and archaeology;
- Impact on amenity of neighbouring occupiers;
- Impact on highways;
- Impact on biodiversity/ecology;
- Impact on trees;
- Flooding and drainage;
- Security/safety;
- Sustainability;
- Refuse and recycling;

- Environmental Health matters;
- Other material considerations

5.3 Assessment of proposals

Principle of development:

The proposed development would redevelop the existing employment site (use class B1) to provide new office space, with flexible A1/A3 use at ground floor.

In accordance with the applicants Summary of Areas Schedule (Revision A) the existing buildings provide a total of 3,909 sqm of office space (Gross Internal Area).

The proposed development would provide a total of 9,029 sqm of office space (GIA). This would represent an uplift from the existing of 5,121 sqm of office space, therefore providing over double the amount of existing office floorspace.

Policy CS8 of Barnet's Core Strategy DPD (2012) states that the Council and its partners will ensure a strong and prosperous Barnet that provides opportunity for economic advancement.

Policy DM14 of Barnet's Development Management Policies Document DPD (2012) states in point (i) under 'Existing employment space' that "Proposals which result in a redevelopment or change of use of a Locally Significant Industrial Site, Industrial Business Park or Business Location as shown on the Proposals Map to a non B Class use will not be permitted."

The application site is within an identified 'business location' and would remain within B Class use (office).

Policy DM14 in point (iii) under 'Existing employment space' that 'Office space (Class B1) should be retained in town centres and edge of centre locations'.

The application site is within a town centre boundary and retains office space (Class B1).

Policy DM14 states in point (iv) under 'Existing employment space' that 'Proposals to redevelop or reuse an existing employment space which reduces the levels of employment use and impacts negatively on the local economy will be resisted.'

Within an uplift in proposed Class B1 (office) floorspace, it is considered that the redevelopment of the existing employment space would not reduce the levels of employment use nor impact negatively on the local economy.

Policy DM14 states in point (i) under 'Proposed employment space' that 'All proposals for new office space should follow a sequential approach which considers town centre sites before edge of centre sites.'

The proposal would be located within a town centre and therefore follows the sequential approach.

Policy DM14 states in point (iii) under 'Proposed employment space' that 'Proposals for new employment space will be expected to provide on site servicing for the intended use and include space for waiting for goods vehicles.'

These matters have been considered by Highways officers and deemed acceptable.

It is prudent to note that Barnet's Employment Land Review (2017) stated that forecasts suggest that employment in Barnet will grow by 22%, from 34,400 to 42,000 by 2036. This suggests a net additional demand for office floorspace in Barnet of 67,000-106,000 sq m over the period 2016-36. Although the document states this is dependent on the speed of development delivered at Brent Cross, the proposed development subject to this application would contribute to this identified need.

The proposed development would also include 158sqm of a flexible Class A1/A3 floorspace fronting Regents Park Road. Considering the site's location within the designated Town Centre, this is deemed acceptable.

Barnet's Core Strategy DPD (2012) defines 'tall buildings' in Barnet as being eight storeys and above (equivalent to 26 metres above ground level or more). The proposed building is less than eight storeys (above ground) but part of the building is approximately 28.37 metres in height above ground (at the rearmost part). Nonetheless, the site is within the Finchley Church End Town Centre, and therefore it is in a tall buildings location (in accordance with Policy CS5 of Barnet's Core Strategy).

The existing buildings in the application site are not locally or statutory listed buildings and therefore no objection is raised to their loss.

Impact on character and appearance of the surrounding area and street scene:

Relevant policy:

London Plan Policy 7.4 (Local Character) states that buildings, streets and open spaces should provide a high quality design response that amongst other things, has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area and is informed by the surrounding historic environment.

London Plan Policy 7.6 (Architecture) states that that buildings and structures should, amongst other things, be of the highest architectural quality; be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm; comprise details and materials that complement, not necessarily replicate, the local architectural character; not cause unacceptable harm to the amenity of surrounding land and buildings, provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces, be adaptable to different activities and land uses, particularly at ground level; meet the principles of inclusive design, and optimise the potential of sites.

Policy CS5 of Barnet's Core Strategy DPD (2012) states that the Council will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design.

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be based on an understanding of local characteristics.

Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Frontage building facing Regents Park Road:

The proposed development would result in a frontage building facing Regents Park Road which would be 5 storeys in height (above ground).

The existing frontage building (named 'Cooper House') is approximately 13 metres in height to the front. The proposed frontage building would be 20 metres in height (up to the upstand).

To the north-east of the site is Gateway House, 318 Regents Park Road, which ranges from 5 to 8 storeys in height. The part of Gateway House closest to the application site is 8 storeys in height. The proposed building would therefore be lower in height than this building.

To the south-west is 314 Regents Park Road. This building is four storeys in height, with the ground floor set lower than street level and with rooms in its roof space.

The proposed frontage building would be 6 metres greater in height than this building to the front, which, as demonstrated on the proposed north west elevation, is the equivalent of approximately 2 storeys.

Proposed view 05 provided by the architect demonstrates that this increase in height would be seen, when travelling easterly along Regents Park Road in the context of, and with the backdrop of, Gateway House, which is a tall building.

The proposed frontage building would use the same front building line of the existing 'Cooper House', and therefore be sited 3.1 metres in front of the front building line of No. 314 Regents Park Road. However, the use of glazing which would wraparound the frontage for a length of 1.7 metres along the side elevation would limit the visual impact.

The proposed sixth storey and external plant enclosure located on the part of the building on Arcadia Avenue would be significantly set back from the frontage of Regents Park Road, and would therefore be of limited visibility from Regents Park Road.

The impact on the heritage building is discussed in greater detail in the section below.

Building along Arcadia Avenue:

The part of the building which would front Regents Park Road would run 12 metres in length along Arcadia Avenue, before stepping down to two storeys in height.

This element provides a visual break between the 5 storey frontage building of Regents Park Road, and the 6 storey building sited on Arcadia Avenue. A roof terrace is proposed above this part of the building, with a balustrade across. Details of landscaping will be secured by way of planning condition.

Arcadia Avenue is characterised by a mixture of buildings of various heights and design. The road is commercial in nature and character. Arcadia Avenue contains no statutory or locally listed building.

The commercial buildings in this road are generally three storeys in height. Elscot House on Arcadia Avenue, which is adjacent to the site to the south east is three storeys in height with rooms in the roofspace.

The proposed building would be 14 metres (to the top of the roof upstand) greater in height than this neighbouring building. Although this would represent an increase in height, it would predominantly be viewed from oblique views when travelling along the road, rather than seen from immediately direct views. The height is also the result of the topography of the land and exposure of the basement parking at street level.

To the west of the site is an open air car park (serving No. 314 Regents Park Road) and beyond this to the west office buildings comprising Regents Park Road employment cluster. It is not considered there is any discernible character to the west and therefore no harm arises.

Due to the topography of Arcadia Avenue the basement parking would be partially exposed at street level along Arcadia Avenue. However this is no different to the existing arrangement where the existing parking is exposed at street level. There is little to no active frontage along Arcadia Avenue due to the commercial nature and character of the road. Furthermore, the proposed development would create an active frontage at ground floor along Regents Park Road with the flexible Class A1/A3 floorspace, where one doesn't exist currently.

The urban design officer is satisfied with the proposed development following discussions and submission by the applicant of further information.

Impact on heritage asset(s):

Section 66(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Paragraph 189 of the National Planning Policy Framework (2019) states that: "In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance."

Paragraph 190 of the National Planning Policy Framework (2019) states that: "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

London Plan Policy 7.8 point D states that "Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail."

Policy DM06 of Barnet's Development Management Policies Document (2012) states in point (a) that all heritage assets will be protected in line with their significance. All development will have regard to the local historic context. It states in point (b) that development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet. Point (c) sets out a list of requirements where proposals involving or affecting Barnet's heritage assets.

The application site is opposite a statutory listed building (to the north), named King Edward Hall, 331-343 Regents Park Road. This building is sited on the junction of Regents Park Road and Hendon Lane.

The application site is adjacent to the Finchley Church End conservation area (to the north of the application site), but falls outside the boundary.

The application site is also adjacent to locally listed buildings (to the north and immediately adjacent to King Edward Hall) addressed Alexandra House (including shopping parade) Nos. 321-333 Regents Park Road, N3 1DP.

The proposed frontage building on Regents Park Road is approximately one storey higher than the adjacent statutory listed building King Edwards Hall (as demonstrated on Drawing No. P0161 A).

The applicant submitted a Heritage Statement which considers the heritage asset and states:

"The design, massing, materiality and height of the proposed development has been carefully considered to ensure the buildings are not visible from key locations or impact negatively on the setting of the listed building or the Finchley Church End Conservation Area (refer to Design and Access Statement and verified views and methodology documents).

The simple but high-quality design form and high-quality materials would not draw attention away from the listed building but would compliment the importance of the listed building and its context within the town centre."

The Heritage Officer recommended a reduction in height of the block facing Regents Park Road by one storey, which he believes would help to minimise its prominence and visual impact on the setting of King Edwards Hall.

The architect in response to this states that 7 key local townscape views were identified as being critical for assessing the proposed development's relationship with its wider setting and the setting of the listed building. The submitted verified views in the views scoping study document submitted with this application demonstrates this.

Following discussions with planning officers it was deemed that views on Victoria Avenue to the north of the site (views 3 and 4 in the scoping study) were critical in informing the buildings height, bulk and mass and that any development should not break the roof line of King Edward Hall (which views 3 and 4 demonstrate that it does not).

The architect has stated that in terms of the buildings presence on the street and its relationship with King Edward Hall on Regents Park Road, the proposal seeks to avoid the scheme competing with Kind Edward Hall on the high street through the slender proportions of the front building and its calm palette of materials.

The architect also states that the height of the proposals on Regents Park Road also responds to the scale of the building's along the south western frontage (excluding the much larger Gateway House). This the architect says is in view 01 in the views scoping study document.

Despite this information provided by the applicant, in the view of the heritage officer, who still has some concerns, the level of harm to the heritage asset is considered to be less than substantial.

Paragraph 196 of the National Planning Policy Framework (2019) states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

This exercise will be undertaken in a separate section in the report (below).

The heritage officer did not raise objection to the proposed development's impact on the adjacent locally listed buildings nor adjacent conservation area (which the application site falls outside of). Therefore no harm arises in this regard. For this reason, it is considered that the proposed development would preserve the character and appearance of the adjacent conservation area.

Impact on archaeology:

The National Planning Policy Framework (2019) Section 16 and the London Plan (Policy 7.8) make the conservation of archaeological interest a material planning consideration.

Policy DM06 of Barnet's Development Management Policies Document (2012) states in point (e) that archaeological remains will be protected in particular in the 19 identified Local Areas of Special Archaeological Significance and elsewhere in Barnet. Any development that may affect archaeological remains will need to demonstrate the likely impact upon the remains and the proposed mitigation to reduce that impact.

The application site is located within an Area of Special Archaeological Interest.

The application site does not include a memorial.

The Greater London Archaeological Advisory Service (as part of Historic England) have assessed the application and commented:

"Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

Although the site lies within an archaeological priority area, I concur with the submitted Historic Environment Assessment (MOLA, 2019) that the existing building will have significantly impacted archaeological survival within the site. As a result, it is unlikely that the proposed development would have an archaeological impact.

No further assessment or conditions are therefore necessary."

Impact on amenity of neighbouring occupiers:

Relevant policy:

London Plan Policy 7.6 (Architecture) states that building and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate (point d).

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states in point (e) that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Barnet's Sustainable Design and Construction SPD (2016) set out further guidance on residential amenity.

Neighbouring properties:

The closest neighbouring building is 'Gateway House', to the north-west of the site, on the opposite side of the road. This building accommodates residential flats on first floor and above.

Along Arcadia Avenue, the only residential properties appear to be at 'Dancastle Court', 14 Arcadia Avenue, which is opposite the site. It appears from a planning history that prior approval was granted for the conversion of Use Class B1 (office) to Class C3 residential) for 6 residential units (reference: F/05471/14, decision dated 23 December 2014). However, upon review of the site location plan accompanying this application the red line was an area set back from the road, behind existing office space. Because the residential units are located behind the existing office use (and thus are set away from the application site), it is considered that the amenities of these occupiers would not be detrimentally impacted by the proposed development and require no further assessment.

There is a residential dwelling to the rear of 'Elscot House', to the south of the application site, addressed as 'The Lodge' Elscot House.

Beyond this is the rear of the properties fronting The Avenue, to the south of the application site.

Offices are located to the west/south of the site.

From a Valuation Office Agency online search there do not appear to be any residential dwellings in King Edwards Hall, opposite the site on Regents Park Road.

The applicant's submitted Daylight and Sunlight Report identifies residential properties in Alexandra House, opposite the application site on Regents Park Road.

The application site is some distance away from the properties along Lichfield Grove to the east (approximately 50 metres from the rear boundaries of these properties) and is buffered by the buildings along the east side of Arcadia Avenue. It is not considered that the amenities of these occupiers would be detrimentally harmed by the proposed development, due to this distance and require no further assessment.

Design of the building in relation to impact on amenity:

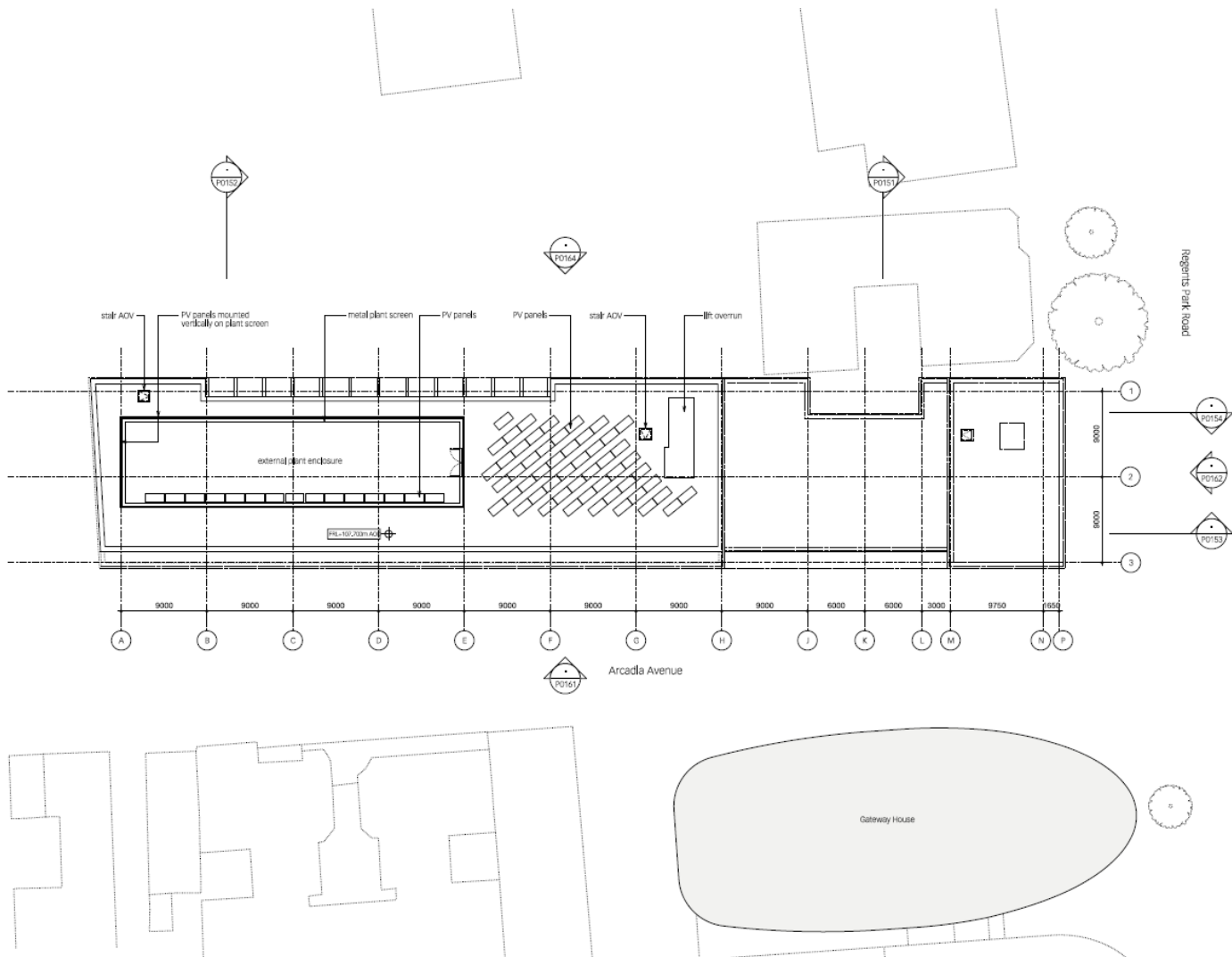
When assessing the proposed development's impact on the amenity of neighbouring occupiers, it is useful to consider the design of the building.

As explained earlier in the report, the frontage building would be 5 storeys in height (above ground); which would be 20 metres in height up to the top of the upstand. This part of the building would front Regents Park Road and would be 12 metres in length along Arcadia Avenue.

The building would then step down to 2 storeys in height (above ground); measuring between 8.6 and 9.6 metres in height (considering ground level differences) and run a length of 23.3 metres along Arcadia Avenue. The building would then increase to 6 storeys in height (above ground); measuring between 24 metres to 28 metres (considering site levels).

Therefore, much of the building adjacent to 'Gateway House' would be 2 storeys in height. The higher part of the building (6 storeys) would be further down Arcadia Avenue.

This is most easily demonstrated by the proposed roof plan (Drawing No. P0106 A).



Impact on outlook of neighbouring occupiers:

The building at 'Gateway House' is in a curved design. Application reference F/03933/13, decision dated 28 November 2014, granted consent for residential flats at first floor and above.

Upon review of the approved floorplans of this consent, the southern elevation of Gateway House features flats with single aspect, as well as flats to the front and rear with dual aspect towards the north-west and south-east respectively. The flats with single aspects are based centrally within the southern elevation. These flats benefit from balconies.

The application site is 16 metres away from the building at 'Gateway House', buffered by the road of Arcadia Avenue.

The proposed development would be visible from the flats located on the southern elevation, however considering the distance provided it is not considered that the proposed development would detrimentally harm the outlook of these occupiers.

Objectors at Gateway House have referred to the impact on views across the Borough and further afield, however a right to views is not a material planning consideration and would not constitute a reason for refusal.

The Lodge to the rear of Elscot House is single storey and the building's outlook is onto the rear parking area of Elscot House. As such, the outlook of these neighbouring occupiers would not be detrimentally harmed.

The rear walls of No. 1 and 2 The Avenue is over 50 metres away from the application site. The rear walls of No. 3 and 3A The Avenue is more than 35 metres away from the application site. The remainder of the properties along The Avenue do not back onto the application site. Due to these distances it is not considered the proposed development would harm the outlook of these occupiers.

Alexandra House on Regents Park Road does not directly face the application site. For this reason it is not considered the outlook of occupiers within this building would be detrimentally harmed.

Impact on privacy:

Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) refers to minimum distances for privacy (21 metres) but this is in the context of new residential development facing neighbouring habitable rooms.

This planning application is for non-residential development. Although the proposed development would not meet the distances set out in Table 2.4 in relation to 'Gateway House', the proposed development is for office development and has a similar relationship to the existing arrangement (an office use neighbouring a residential use). Furthermore, differing neighbouring uses is a common feature in Town Centres within the Borough and in wider London.

It is noted that there is a roof terrace at second floor, however the application site is 16 metres away from the building at 'Gateway House', buffered by the road of Arcadia Avenue, and considering its use would be limited to office hours it is not considered this would detrimentally harm the amenity of neighbouring occupiers.

The proposed development is a distance from The Lodge Elscot House, The Avenue and Lichfield Grove and therefore would not harm the privacy of these neighbouring occupiers.

Alexandra House on Regents Park Road does not directly face the application site.

For these reasons it is not considered that the proposed development would detrimentally impact on the privacy of neighbouring occupiers.

Impact on daylight and sunlight levels:

As explained above, much of the building adjacent to 'Gateway House' would be 2 storeys in height. The higher part of the building (6 storeys) would be further down Arcadia Avenue. The frontage building (5 storeys in height) would run 12 metres in length along Arcadia Avenue.

The applicant has submitted a Daylight and Sunlight Report dated March 2019 by Point 2 Surveyors. A follow-up letter by Point 2 Surveyors dated 25 February 2020 provided with additional information. These documents have been informed by the BRE document entitled Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice 2011 (the BRE guidelines).

Daylight levels on Gateway House:

Vertical Sky Component (VSC) is a quantified measurement of the amount of skylight falling on a vertical wall or window. The VSC of a window can then be related to the Average Daylight Factor (ADF) in a room, which is a standard test under the British Standard (BS 8206: Part 2) recommendations on interior daylighting for new residential accommodation. The No Sky Line (NSL) method is a measure of the distribution of daylight at the 'working plane' within a room.

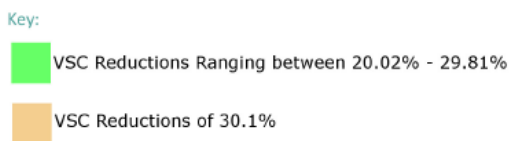
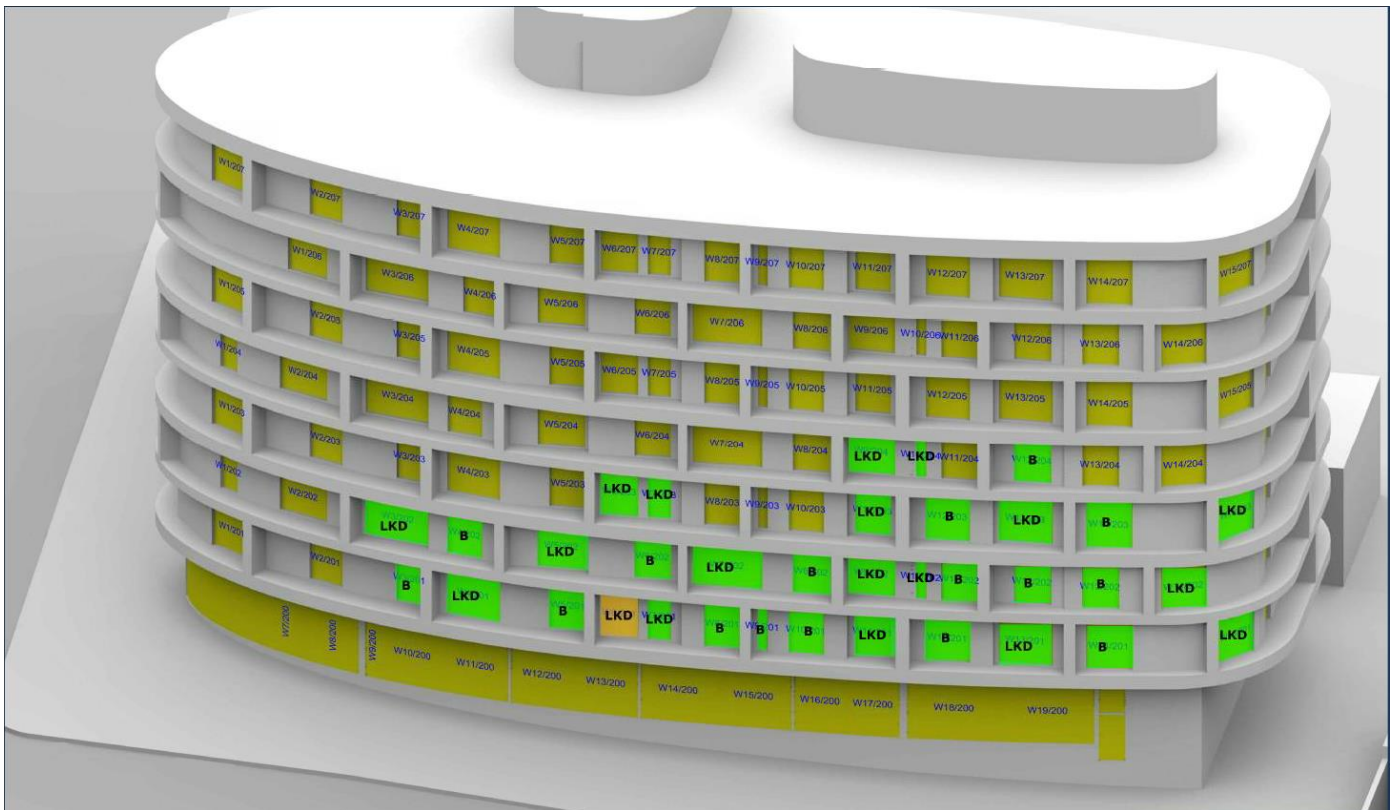
Within the Daylight and Sunlight Report, there are a total 111 windows serving 88 rooms (at Gateway House) which have been included within the assessment (which are south facing). 58 out of 88 rooms and associated windows (66%) are fully BRE compliant in terms of No-Sky Line and Vertical Sky Competent alterations.

Drawing 1991_WM_01 in Appendix 1 (of the covering letter dated 25 February 2020) shows the location of the windows which do not adhere to the BRE recommended VSC target.

Of the 30 remaining rooms, (15 bedrooms and 15 LKD's), 29 will experience VSC reductions of between 20% and 30% (against a recommended target of 20%). However, the report notes that given its more urban location, some flexibility in BRE application is appropriate, particularly given the presence of balconies on Gateway House which are a factor in this buildings experience of daylight.

The windows highlighted in green are those windows which experience a reduction in VSC between 20% and 30%.

The one window highlighted in orange, will experience a reduction in VSC fractionally over 30% (30.1%). The uses of the affected rooms are indicated as either B (bedroom) or LKD (living / kitchen / diner). The room uses have been determined using 2017 HM Land Registry lease plans (which appear to differ from the plans on the planning consent).



The applicant's lighting consultant states that the particular window (in orange) which is over 30% (30.1%) is set back from the building façade. The view of sky from this window is impacted by the balcony that serves the apartment above, and the privacy wall between the living/kitchen/dining room and the neighbouring apartment. The room is on the lowest (residential) floor and is dependent upon a view of sky across the development site. This is the reason for the greater reduction figure. Furthermore, this particular window had an existing VSC below 20% (from 18.83 to 13.16). It does not fall below 10.

The Mayor of London's Housing Supplementary Planning Guidance (updated 2017) recognises that 'flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties' especially in town centres [Para. 1.3.45].

On the basis that the majority of windows on Gateway House's southern elevation will continue to receive good daylight levels; the presence of balconies and privacy walls on Gateway House impact's the buildings experience of daylight, and the site's Town Centre location, it is considered that the daylight impacts to these neighbouring properties is considered acceptable in this particular instance.

Sunlight levels to Gateway House:

Annual probable sunlight hours (APSH) is a measure of sunlight that a given window may expect over a year period. BRE guidance states that only windows with an orientation within 90 degrees of south need be assessed. BRE guidance recommends that the APSH received

at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter.

The submitted Daylight and Sunlight Report states that of the 87 rooms assessed within the building which have windows oriented within 90 degrees of due south, 85 (98%) are BRE compliant for APSH.

The two remaining rooms which are in use as bedrooms, will experience reductions in annual sunlight of 25.8% and 25.9% (against a target of 20%). One bedroom will retain 20% annual APSH (5% less) and 3% winter APSH (2% less), while the other bedroom will retain 23% annual APSH (2% less than target) and 7% winter APSH (2% above target).

Furthermore, these two bedrooms serve separate apartments and the main living rooms of these two apartments will comply with BRE standards for sunlight, overall providing occupiers with acceptable levels of sunlight. As such, this is deemed acceptable.

Daylight and sunlight levels to the ground floor library at Gateway House:

In regard to daylight to the library, the submitted Daylight and Sunlight Report states that although there is no minimum requirements for libraries as a use class within BRE guidance, the retained Average Daylight Factor level of the library will be 3.45%, where the minimum requirement for a living room is 1.5%, and a kitchen, 2%.

In regard to sunlight to the library, although there is no set minimum sunlight requirement for libraries as a use class set out within the BRE guide, the recommended target for residential living rooms is 25% annually, and 5% during the winter months, which are met (the library will have absolute levels of annual and winter sunlight of 69% APSH and 22% APSH respectively).

Daylight and sunlight levels to Alexandra House:

The submitted Daylight and Sunlight Report concludes that the windows serving the residential units within Alexandra House to the north-west of the site on the opposite side of Regents Park Road will remain BRE compliant in terms of VSC and NSL alterations (regarding daylight) and BRE compliant for ASPH alterations (regarding sunlight).

Daylight and sunlight levels to The Lodge, Elscot House, Arcadia Avenue:

The follow-up letter by Point 2 Surveyors dated 25 February 2020 assessed the impact on The Lodge, Elscot House, Arcadia Avenue. The assessment assumed that the side extension approved under planning application 18/4746/HSE (decision dated 26 September 2018) has been completed on site.

The Lodge has two rooms with windows which face in the direction of the site, (one living room / kitchen /diner [LKD], and one bedroom). The LKD will be fully BRE adherent for daylight.

The bedroom will satisfy the recommend VSC target, and will experience a minor reduction in daylight distribution (between 20% and 30%).

The window serving the bedroom is located adjacent to an internal wall. As a result, access to the sky visibility is reduced as the room is dependent upon a view of sky predominantly

from one direction (north). The room will meet the recommended ADF target for a bedroom within a newly built property (1% ADF). This is therefore deemed acceptable.

There are no windows facing the site that are orientated within 90 degrees of due south, therefore sunlight was not considered, in accordance with BRE guidance.

Daylight and sunlight levels to 3 The Avenue and 3A The Avenue:

The follow-up letter by Point 2 Surveyors dated 25 February 2020 assessed the impact on 3 The Avenue and 3A The Avenue, located south of the application site. It found that these properties would be fully BRE compliant in terms of daylight. There are no windows facing the site that are orientated within 90 degrees of due south, therefore sunlight was not considered, in accordance with BRE guidance.

Daylight and sunlight levels to 314 Regents Park Road:

The applicants submitted Daylight and Sunlight Report has not assessed the proposed development's impact on the building to the south, No. 314 Regents Park Road. However, this building is in use as an office, not residential.

Furthermore, upon a review of the plans, the frontage (5 storey) building facing Regents Park Road would not project beyond the wall of the lightwell serving No. 314 Regents Park Road which faces the application site.

The two storey part of the proposed building would be located adjacent to this lightwell.

However, the light well serving No. 314 Regents Park Road is north facing and considering the building's use as an office, it is not considered any reduction to light levels would be significantly harmful.

Impact on noise and disturbance:

Considering the site's existing use as offices, its location within a Town Centre, and the siting on Regents Park Road and the commercial Arcadia Avenue, it is not considered the proposed uses would detrimentally harm the amenity of neighbouring occupiers in terms of noise and disturbance.

The proposed development includes plant on the roof. An environmental health officer has assessed the application and deemed it acceptable subject to planning conditions which, amongst other things, relate to noise control.

Objectors have noted the potential impacts of noise and disturbance of demolition and construction works arising from the proposed development. Details of demolition and construction method and logistics can be secured by way of planning condition.

Impact on highways:

Policy CS9 of Barnet's Core Strategy DPD (2012) sets out the Council's strategic policy in regards to travel and transportation.

Policy DM17 of Barnet's Development Management Policies Document DPD (2012) sets out the Council's policies in regards to travel impacts and parking standards.

London Plan Policy 6.13 (Parking) states in part C that the maximum standards set out in Table 6.2 in the Parking Addendum should be the basis for considering planning applications (also see Policy 2.8). It also sets out requirements for electrical charging points, disabled parking, cycle parking and delivery and servicing (part D).

Assessment:

A Highways Officer has assessed the application and provided the following assessment below. Planning Officers comments have been added in [brackets] where necessary.

"1.0 Existing Situation and Accessibility

1.1 The site occupies a land area of 0.14 hectares and is located in Finchley Church End, London Borough of Barnet. It site is bordered by Regents Park Road to the north, Arcadia Avenue to the east, neighbouring commercial property to the south, and to the west by a car park associated with the adjacent commercial property on Regents Park Road. The existing development comprises three office buildings, namely Cooper House, Dove House and Gadd House. Opposite Cooper House and Dove House on Arcadia Avenue is the new Finchley Church End Library. Gadd House is located at the south-eastern corner of the site facing onto Arcadia Avenue.

1.2 The site is in a town centre location and the surrounding streets are characterised by commercial and residential properties. It comprises three office blocks in the form of Cooper House and Dove House. The two roads immediately surrounding the site are Arcadia Avenue and Regents Park Road. Arcadia Avenue which borders the site to the east, is a cul-de-sac which joins Regents Park Road by way of a priority junction. There are two vehicle access points to the site, and both are located on Arcadia Avenue. Arcadia Avenue is in a Controlled Parking Zone (CPZ) which operates on weekdays only (Mon-Fri between 2-3pm).

1.3 Regents Park Road (A598) is a two-way street with a single traffic lane in each direction near the site in the vicinity of the site. It joins Hendon Lane and Ballards Lane to form three arm road junction to the north of the site. It is part of the A359 and lies between Ballards Lane (A1000) and Finchley Road (A41). North Circular Road (A406) bi-sects this north-south route at Henley's Corner, a major road intersection (A406/Regents Park Road/Finchley Road). There is a mixture of waiting/loading restrictions, designated parking areas, bus stops and crossings along the entire length of the road.

1.4 The site has a Public Transport Accessibility Level (PTAL) score of 4 on a scale of 0(poor) - 6(excellent). This suggests that the site has good access to public transport. The closest pair of bus stops are located on Regents Park Road, within a two minute walk of the site. There are 6 bus routes available within a 400metre walking distance of the site and Finchley Central Tube Station on the northern line is 275 metres to the north-east of the site.

1.5 The existing site provides 3,909 sqm of B1 office spaces across three buildings; Gadd House, Dove House and Cooper House. Vehicle access to the two parking areas provide in the basement of Gadd House and at undercroft level in Dove House is taken Arcadia Avenue.

2.0 Parking

2.1 The existing development currently provides 93 parking spaces in total and 107 spaces were originally proposed as part of the new development. Based on London Plan parking

standards for the proposed B1 office use of 9840sqm and 151sqm of A3 retail use, a maximum parking provision of one space per for 100sqm-600sqm of B1 use which equates to between 16.4 and 98.4 spaces. No allowance has been made for the A3 use element as the site is in a town centre location.

[It is noted by the Planning Officer that the proposed floorspaces have now been revised to a total 9,029sqm of office (Use Class B1a) floor space and 158sqm of a flexible Class A1/A3 floorspace]

Hence, the proposed provision represents at best an overprovision of 9 spaces and at worst 91 spaces. The site has a PTAL rating of 4 (good) on a scale of 1-6, where 1=Poor and 6=Excellent. Pro rata, for a site with a PTAL of 4, this equates to approximately 66 car parking spaces.

Following discussions with the applicant and considering the public transport accessibility level of the site given, it has been agreed that the provision of 70 car parking spaces would be reasonable and acceptable. The applicant has therefore reduced parking provision at the site by 37 spaces from 107 to 70 spaces. [This has since reduced to 65 spaces]

2.2 London Plan specifies that 5% of the total parking capacity must be designated for disabled motorists and a further 5% of enlarged spaces shall be provided. This equates to a minimum of 3.5 disabled spaces and 3.5 enlarged bays. Highways would therefore request a minimum of 4 disabled spaces and 3 enlarged bays. This has been provided.

2.3 London Plan requires a minimum 20% of parking spaces are fitted with active electric vehicle charging points and 10% passive provision for the future. The provision of 14 active and 7 passive electric vehicle charging points is acceptable.

2.3 A total of 87 cycle spaces (71 long and 16 short) are proposed at the lower ground floor of the development. In addition, the applicant has offered 4 additional short stay cycle spaces for the restaurant in front of the development on Regents Park Road. The former is acceptable but the latter (ie. 4 short term cycle spaces in the form of 2 Sheffield stands in front of Cooper House on Regents Park Road) is not supported. Following discussions with the Council's Cycling Officer, Highways would recommend a contribution £1,000 towards provision of 4 cycle parking spaces elsewhere within the Finchley Church End town centre in lieu.

2.4 Highways recommend that cycle parking is located close to building entrances and that if cyclists are expected to use any of the ramps into the basement car park then the headroom height should be a minimum of 2.6 metres and ramp gradient of 1:12. The available headroom should be clearly signed at the entrance to the car park.

2.5 Also, the type of cycle stands used must allow both wheels and the frame of the bicycle to be locked. A cycle parking condition is therefore recommended.

3.0 Access and s278/s184 works

3.1 The main pedestrian access into building will be taken from Regents Park Road. There are two existing vehicular accesses to the site and it is proposed to re-instate the northern access to footway. However, the southern vehicular access is to be retained and modified to provide access to the basement car park on Arcadia Avenue. Highways support the closure of one of the two existing access points and its reinstatement to footway. Drawing No. 2018- 3486-DWG-202 shows the proposed changes to the CPZ parking layout on

Arcadia Avenue. The developer will be required to enter into a s278/s184 agreement for these changes and will also be liable for the cost of implementing these changes.

3.2 The proposed vehicular access is next to another access point and thus a minimum gap of 1.8 metres must be kept between the two access points. Ideally, Highways would recommend a 2.4 metre gap, in line with the Council's New Residential Crossover Policy, April 2019. [A 2.4 metres gap has been provided upon amendments]

3.3 Swept path drawings of vehicles entering and leaving the car park and manoeuvring in and out of the parking bays at critical conflict points are requested. In addition, to the swept path drawings, Highways would recommend a safety audit of the internal car park layout. This can be secured by way of a planning condition.

4.0 Servicing

4.1 On-street servicing is proposed by the applicant. The proposal is to service the site from Arcadia Avenue and this is to be facilitated by the introduction of yellow lines on Arcadia Avenue. The existing servicing demand from the site is expected to more than double as a result of the increase in floor area over 40 trips per day. Highways would recommend that the applicant explore the possibility of off-street loading inside the car park for transit and box vans. Given that the proposal is a new build, the possibility of providing some off-street servicing should be explored as this would reduce the impact of the development on the public highway. This could be achieved by removing some of the off-street spaces on the ground floor car park to accommodate a loading area for box and transit vans. The applicant is asked to reconsider the proposed servicing arrangements for the site. A revised ground floor car park layout plan is therefore requested. Consequently, a revised servicing management plan is requested by way of a planning condition.

[In light of this, a Technical Note by ttp consulting dated 21 January 2020 was provided which stated: "LBB Transport officers have asked whether some servicing activity can be accommodated on site rather than on street as originally envisaged. The basement car park plan shown at Appendix A has been revised to provide an on site loading area which can accommodate vehicles up to a 3.5 tonne panel van. Swept path analysis showing a vehicle of this type manoeuvring to and from the site is provided at Appendix B." This is acceptable.]

5.0 Road Safety

5.1 A search of the Accident Database (Crashmap) indicates that there were 5 slight reported personal injury accidents within a 100 metre radius of the site, in the three year period ending December 2018. This resulted in 2 pedestrian casualties, one occurred at the junction of Regents Park Road and Arcadia Avenue and the other on Hendon Lane near its junction with Victoria Avenue.

5.2 The accident record for the site suggest that there may be a road safety problem in the vicinity of the site. The proposed office development represents an increase in floor area compared to the existing. This would lead to an increase in the number of pedestrian trips and vehicle movements to and from the site. Conflicts between pedestrian and vehicles in the vicinity of the site and are therefore likely to intensify. A contribution of £20,000 is therefore sought towards pedestrian safety measures in the vicinity of the site.

6.0 Trip Generation and Network Impact

6.1 The proposed development will generate an additional 27 two-way vehicle trips during the morning peak period (7-10am) and 25 two-way vehicle trips in the evening peak hour (4-7pm) respectively based on a proposed development with the provision of 107 spaces. With the reduction in parking of 30 spaces, vehicle trip generation from the site is likely to be less than that forecasted above. The corresponding person trip figures are 243 and 230 respectively.

6.2 Given the location of the site and the volume of traffic on the roads immediately adjoining the site, it is not considered that the additional traffic generated by the development would significantly impact on traffic conditions on the surrounding local highway network.

7.0 Demolition and Construction Management and Logistics Plan (DCMLP)

7.1 Given the sensitive location of the site, proper management of the construction process is essential. A demolition and construction management and logistics plan is not available on-line and so the applicant is requested to submit a DCMLP for approval.

7.2 Ideally, this a full DCMLP should be submitted and assessed prior to determination but Highways would accept the alternative of attaching a planning condition if that is preferred. [A condition has been attached accordingly]

8.0 Travel Plan

8.1 A draft work place travel plan has been submitted by the applicant. Officers are currently reviewing the plan and a separate response will follow in due course.

8.2 In addition, a s106 contribution of £15,000 is requested towards travel plan monitoring and it is recommended that key headlines and financial implications of the travel plan are set out in the s106 agreement.

[Since these comments, the applicant and Officers have agreed to include a Travel Plan within the legal agreement and as a pre-occupation planning condition]"

In summary, upon revisions to the parking spaces the local highways authority would raise no objection to the proposed development subject to planning obligations and conditions.

Since these comments, the parking spaces have been reduced further, down to 65 spaces, following discussion with Transport for London. TfL have recommended reduced parking further, but the reduced parking to 65 is below the maximum permitted within the draft London Plan. Furthermore, the Local Highways Authority find the level of parking provision acceptable (as per the assessment above). The Local Highways Authority do not object to the reduced parking to 65 spaces.

The remaining matters raised by TfL have been addressed by the Local Authorities' Highways officer above, and can be secured by way of planning condition and/or obligation.

Ecology/biodiversity:

London Plan Policy 7.19 states that development proposal should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity. Point c states that proposals should not adversely affect the integrity of European sites and be resisted where they have significant adverse impact on European or nationally designated sites or on the population or conservation status of a protected species

or a priority species or habitat identified. Policy DM16 of Barnet's Development Management Policies Document DPD (2012) provides similar protection for biodiversity and identified/designated sites.

The application site is not in a Site of Special Scientific Interest nor is it in a Site of Importance for Nature Conservation. It is not a European site.

Upon the provision of a Bat Survey Report (August 2019) by aLyne Ecology, the survey concluded that 'a dusk emergence survey was carried out on 1st August 2019, no bats were recorded emerging from the buildings and no bat passes were recorded' Therefore, it can be concluded that bats are absent from Cooper House, Dove House and Gadd House and demolition can go ahead without contravening legislation and planning policy relating to roosting bats'.

An ecologist has assessed this survey report and concluded that that the information provided in the bat survey submitted with the application is sufficient to support the above application. As such, no further surveys are required.

Trees:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that trees should be safeguarded (point k). When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. Point j sets out requirements in regard of hard and soft landscaping.

The Tree Officer, and Green Spaces officer have jointly assessed the application.

They have concluded that the proposal does not directly impact on existing trees.

A street tree outside 314 Regents Park Road is close to the development but not considered to be adversely affected.

The provision of a roof garden is supported on the second floor. Full details of this would need to be a condition of any approval.

The Tree Officer(s) have not raised objection subject to planning conditions, and an obligation to secure contributions towards street tree planting.

Flooding and drainage:

Policy DM04 of Barnet's Development Management Policies Document DPD (2012) sets out policies in regards to flooding and run off. London Plan Policy 5.13 sets out policy in regards to drainage.

Upon the provision of further information, the Sustainable Drainage Team have no objections to the proposed development subject to pre-commencement conditions. As such, the proposal is found acceptable in this regard.

Security/Safety:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should create safe and secure environments and reduce opportunities for crime and minimise the fear of crime. Policy DM02 of Barnet's Development

Management Policies Document DPD (2012) states that where appropriate, development will be expected to demonstrate compliance with the national and Londonwide standards, which includes Secure by Design.

A Design out Crime Officer from the Metropolitan Police Service has assessed the application and entered discussions with the architect. They raise no objection subject to a condition attached to any consent to ensure the development achieves Secure by Design accreditation.

Sustainability:

The applicant has submitted an Energy Assessment by eight associates (dated February 2019). Intend to publish London Plan Policy SI 2 requires that major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.

It states that a minimum on-site reduction of at least 35 percent beyond Building Regulations is required for major development (which the proposed development achieves, as advised in the executive summary of the submitted Energy Assessment).

London Plan Policy SI 2 states that where it is demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either through a cash in lieu contribution to the borough's carbon offset fund or off-site.

The applicant has agreed to a cash in lieu contribution and this figure has been calculated in the submitted Energy Assessment. This has been attached as an obligation.

Policy DM02 of Barnet's Development Management Policies Document DPD (2012) states that where appropriate, development will be expected to demonstrate compliance with the national and Londonwide standards, which includes BREEAM. Table 2.20 of Barnet's Sustainable Design and Construction SPD (2016) states that development proposals should achieve a minimum "Very Good" rating. A condition has been attached accordingly.

Refuse and recycling:

The application has been considered acceptable by the Council's Recycling Waste and Street Cleaning Services.

Environmental Health:

The application has been assessed by an Environmental Health officer and they have raised no objection subject to conditions.

Planning Balance:

As set out in the Heritage assessment above, the Heritage Officer recommended a reduction in height of the block facing Regents Park Road by one storey, which he believes would help to minimise its visual impact on the setting of King Edwards Hall. The level of harm to the heritage asset is considered to be less than substantial, in the opinion of the Heritage Officer.

The National Planning Policy Framework (2019) requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

Planning Practice Guidance states that public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.

Officers acknowledge that the proposals deliver economic objectives by contributing to meeting the anticipated net additional demand for office floorspace in Barnet, which would, in turn, support the growth of employment in Barnet (as identified in the LB Barnet Employment Land Review 2017).

New investment in office space and increase in office stock within a Town Centre, which this proposal provides, would support a 'strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity', as set out in Paragraph 8 of the NPPF (2019).

Therefore it is considered that the public benefits of the proposal outweigh the less than substantial harm to the significance of a designated heritage asset in this particular instance.

Conditions:

In accordance with Section 100ZA of the Town and Country Planning Act 1990, the agent has agreed to the pre-commencement conditions.

Obligations/Contributions:

The Skills and Employment officer recommended a monetary contribution towards delivering skills, employment, enterprise and training in the Borough. The applicant has provided a financial viability assessment, which concluded the development is unable to support the monetary contribution towards employment and training due to viability. The applicant's submitted financial viability assessment has been independently checked by a third party, who have confirmed that in their opinion the scheme generates a deficit. As such, Planning Officers deem a relief from this monetary contribution acceptable in this specific instance.

The independent review recommends that the Council include a late stage review mechanism within the Section 106 Agreement in the event that there is a potential for variance in the construction costs and potential for 'real growth' in commercial values. The agent has confirmed agreement to a late stage review mechanism.

The Skills and Employment officer also recommended a workplace management plan to ensure it meets the needs of small and medium enterprises. This has been included in the legal agreement.

The Tree Officer has recommended contributions towards public street tree planting. This has been included in the legal agreement.

The Highways Officer has recommended a number of contributions also.

A contribution is required for carbon off-setting.

In sum, the contributions are as follows:

- The Council's legal and professional costs of preparing the Agreement and any other enabling agreements
- Cash in lieu payment to the Borough's carbon offset fund of £155,881
- Public Street Planting Contribution: A contribution of £15,000 for street tree planting
- Late stage review mechanism regarding commuted sums in lieu of a Local Employment Agreement
- Small and Medium Enterprise-Accessible Workspace Plan: To ensure that the development is flexible and appropriate for Barnet businesses and the workspace designed is SME accessible
- Submission of a Travel Plan
- A contribution of £15,000 towards Travel Plan monitoring
- A contribution of £20,000 towards pedestrian safety measures in the vicinity of the site
- A contribution of £1,000 towards installation of two cycle stands at an alternative location in Finchley Church End town centre
- Highway Works Plan:

The prevention of the occupation of the proposed development until the alterations specified in a Highway Works Plan, which has previously been submitted to the Local Planning Authority and approved in writing, have been carried out in their entirety. The Highway Works Plan shall provide full details of the alterations proposed on Regents Park Road and Arcadia Avenue and any relevant adjacent land to facilitate the development. This shall include (but not be limited to) details of:

- Any highway works to be carried out under Section 278 of the Highways Act 1980 as shown on Dwg No: 1005 P0100 B which consist of:
 - a) reinstating the of any redundant crossover on Arcadia Avenue to footway
 - b) installation of a new access on Arcadia Avenue
 - c) new paving (material palette to be agreed) along the site frontage on Arcadia Avenue and Regents Park Road
 - d) installation of a new loading bay on Arcadia Avenue, in the event that off-street loading cannot be accommodated within the development.
 - e) alterations to parking, loading and waiting restrictions and road markings
 - f) public realm improvements (to be agreed) along the Regents Park Road frontage and any adjacent land.
 - g) Any alterations to street furniture.

The Highway Works shall include:

- h) The stopping up of any land under Section 247 of the Town and Country Planning Act 1990.
- i) The dedication of any land under Section 38 of the Highways Act 1980.
- Meeting the Council's costs of monitoring the planning obligation - 2% of total value of contributions + £500 per non-financial obligation

5.4 Response to Public Consultation

- *There is no need for additional office floor space*

This has been addressed in the assessment above, in the 'Principle of Development' section which states;

"It is prudent to note that Barnet's Employment Land Review (2017) stated that forecasts suggest that employment in Barnet will grow by 22%, from 34,400 to 42,000 by 2036. This suggests a net additional demand for office floorspace in Barnet of 67,000-106,000 sq m over the period 2016-36. Although the document states this is dependent on the speed of development delivered at Brent Cross, the proposed development subject to this application would contribute to this identified need."

- *A1/A3 use is already declining in demand evidenced in boarded-up shops opposite*

This has been addressed in the assessment above, in the 'Principle of Development' section which states;

"The proposed development would also include 158sqm of a flexible Class A1/A3 floorspace fronting Regents Park Road. Considering the site's location within the designated Town Centre, this is deemed acceptable."

Evidence of vacant units do not preclude proposed A1/A3 uses opening. This would not constitute a reason for refusal in this instance.

The site is located within the designated Town Centre and is therefore appropriate in this location.

- *Increase in number of cars will increase traffic, congestion and air pollution*

This has been addressed extensively in the assessment above, in the 'Impact on highways' section.

In summary the Highways Authority have not raised objection to the proposal, subject to conditions and obligations.

- *Increase in height will impact on the daylight and sunlight levels of flats at Gateway House, opposite the application site, including impact on their health and wellbeing. One objector says him and his wife suffers osteoporosis and impact on daylight and sunlight will impact on this.*

This has been addressed in the assessment above, in the 'Impact on amenity of neighbouring occupiers' section.

In summary, much of the proposed development adjacent to 'Gateway House' would be 2 storeys in height. The higher part of the building (6 storeys) would be further down Arcadia Avenue.

In regard to daylight levels, the submitted Daylight and Sunlight Report 58 out of 88 rooms and associated windows are fully BRE compliant in terms of No-Sky Line and Vertical Sky Competent alterations. Of the 30 remaining rooms, (15 bedrooms and 15 LKD's), 29 will experience VSC reductions of between 20% and 30% (against a recommended target of 20%). One window serving one room will experience a reduction in VSC fractionally over 30% (30.1%).

On the basis that majority of windows on Gateway House's southern elevation will continue to receive good daylight levels; the presence of balconies and privacy walls on Gateway House impact's the buildings current experience of daylight, and the site's Town Centre location, it is considered that the daylight impacts to these neighbouring properties is considered acceptable in this particular instance.

In regard to sunlight levels, the submitted Daylight and Sunlight Report states that of the 87 rooms assessed within the building which have windows oriented within 90 degrees of due south, 85 (98%) are BRE compliant for APSH.

The two remaining rooms which are in use as bedrooms, will experience reductions in annual sunlight of 25.8% and 25.9% (against a target of 20%).

One bedroom will retain 20% annual APSH (5% less) and 3% winter APSH (2% less), while the other bedroom will retain 23% annual APSH (2% less than target) and 7% winter APSH (2% above target).

Furthermore, these two bedrooms serve separate apartments and the main living rooms of these two apartments will comply with BRE standards of sunlight, overall providing occupiers with acceptable levels of sunlight. As such, this is deemed acceptable.

- *The documents produced by the designer have been manipulated. During winter sunlight is in our flat until 5.00 p.m. and in summer we can see the sun setting at 7.00 p.m. The sections provided have not inserted/included floor levels at Gateway House.*

The application has been assessed on the documents submitted by the applicant.

There is no requirement to show the inclusion of floor levels at Gateway House. The documentation provided has been considered sufficient to assess this.

- *Impact of views of surrounding green areas, Finchley Church End and up to Wembley Stadium from Gateway House*

Loss or impact on views are not material planning consideration. This would not constitute a reason for refusal in this instance.

For the benefit of clarity, considering the distance provided (16 metres) it is not considered that the proposed development would detrimentally harm the outlook of occupiers at 'Gateway House'.

- *Impact on privacy of occupiers at Gateway House. Will have to use curtains which will affect daylight/sunlight*

The impact on the privacy of occupiers at Gateway House have been assessed in the main report.

In summary, Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) refers to minimum distances for privacy (21 metres) but this is in the context of new residential development facing neighbouring habitable rooms.

This planning application is for non-residential development. Although the proposed development would not meet the distances set out in Table 2.4 in relation to 'Gateway House', the proposed development is for office development and has a similar relationship

to the existing arrangement (an office use neighbouring a residential use). Furthermore, differing neighbouring uses is a common feature in Town Centres within the Borough and in wider London.

It is noted that there is a roof terrace at second floor, however the application site is 16 metres away from the building at 'Gateway House', due to the distance of the road of Arcadia Avenue, and considering its use would be limited to office hours it is not considered this would detrimentally harm the amenity of neighbouring occupiers.

- *Impact on views from the houses in Lichfield Grove*

The application site is some distance away from the properties along Lichfield Grove to the east (approximately 50 metres from the rear boundaries of these properties) and is buffered by the buildings along the east side of Arcadia Avenue. For this reason is not considered that the residential or visual amenities of these occupiers would be detrimentally harmed by the proposed development.

- *The proposed development would 'diminish the elegance of the King Edward Hall' (statutory listed building)*

The impact on the setting of the statutory listed building has been assessed in depth in the assessment above.

- *Construction works will result in disruption, dust, dirt, noise pollution, air pollution and traffic congestion*

A condition has been attached requiring the submission of a Demolition and Construction Method Statement and Logistics Plan to the Local Authority before the commencement of development.

- *Was any consideration given to adding additional floors to the existing buildings? (as opposed to demolition and rebuild)*

This is not a matter to recommend refusal of planning permission on.

- *Does the proposed development meet parking standards? Is there road capacity to deal with rush hour traffic?*

This has been addressed extensively in the assessment above, in the 'Impact on highways' section.

In summary the Highways Authority have not raised objection to the proposal, subject to conditions and obligations.

- *Proposed height will tower over surrounding properties*

This has been addressed in the assessment above, in the 'Impact on character and appearance of the surrounding area and street scene' section.

In summary, the height of the proposed development is considered acceptable.

- *Construction of basement level a concern; impact on ground work for neighbouring properties*

The application (including the basement excavation) has been considered acceptable regarding environmental health, drainage and flooding, and highways.

- *Impact on the Finchley Church End conservation area*

The Heritage Officer has not raised objection to the proposed development's impact on the adjacent designated conservation area (which the application site falls outside of).

- *Objection to scale and massing of the proposed development and linear built form on Arcadia Avenue. Articulation should be included to break down the scale and massing. Shape and form out of keeping with surrounding buildings*

This has been addressed in the assessment above, in the 'Impact on character and appearance of the surrounding area and street scene' section.

- *No active frontage on Arcadia Avenue*

This has been addressed in the assessment above, in the 'Impact on character and appearance of the surrounding area and street scene' section.

- *Proximity of proposed building to the neighbouring building of 314 Regents Park Road including impact on working environment (office) and potential noise of roof terrace causing disturbance*

Upon a review of the plans, the frontage (5 storey) building facing Regents Park Road would not project beyond the wall of the lightwell serving No. 314 Regents Park Road which faces the application site. The two storey part of the proposed building would be located adjacent to this lightwell. However, the light well serving No. 314 Regents Park Road is north facing and considering the building's use as an office, it is not considered any reduction to light levels would be significantly harmful.

The roof terrace would be used during office hours. Furthermore, as existing there is an outdoor/seating area at the application site, adjacent to the lightwell. Considering the proposed use as an office, and use of the neighbouring property at No. 314 Regents Park Road as an office, it is not considered it would constitute a reason for refusal.

- *Impact on development potential of car park (next door)*

This would not be considered a reason for refusal in this instance.

- *Noise, traffic and other construction impacts of the basement level not considered*

This has been addressed extensively in the assessment above, in the 'Impact on highways' section.

In summary the Highways Authority have not raised objection to the proposal, subject to conditions and obligations.

- *Car parking provision in excess of standards*

This has been addressed extensively in the assessment above, in the 'Impact on highways' section.

In summary the Highways Authority have not raised objection to the proposal, subject to conditions and obligations.

- *It shouldn't turn into residential use like other offices have. Objection if it were turned into residential housing*

A condition has been attached accordingly.

- *Concern from noise emanating from proposed plant/air conditioning units*

The application has been assessed by an Environmental Health officer and deemed acceptable subject to conditions.

- *When Gateway House was redeveloped it resulted in lorries blocking Arcadia Avenue. The concern is this will happen again, including to the car parks of 314 Regents Park Road and Gateway House*

A condition has been attached requiring the submission of a Demolition and Construction Method Statement and Logistics Plan to the Local Authority before the commencement of development.

- *Devalue properties at Gateway House*

Impact on properties value is not a material planning consideration.

- *Objector disagrees with submitted Air Quality Assessment*

The application has been assessed by an Environmental Health officer, and deemed acceptable.

- *Proposed parking is inconsistent with the proposed development at Finchley Central Tube Station*

Every application is based on its own merits.

The highway matters have been addressed extensively in the assessment above, in the 'Impact on highways' section.

In summary the Highways Authority have not raised objection to the proposal, subject to conditions and obligations.

- *Height of mechanical/ventilation equipment and plants on roof not taken into account*

The height of the plants on the roof have been considered by the planning officer in the report above.

- *On behalf of the Finchley Society: The Society welcomed the consultation the developers had with us before this application was submitted. We are pleased that the proposal is for offices, and so retains Finchley as a place to work as well as live and shop, and helps to maintain the economic health of the Church End town centre, which a residential development would have threatened; we are also pleased that the proposal will have retail on the ground floor at the front, thus increasing the vitality of the area. We*

welcome the efforts the developer has made to respect the Church End conservation area, with the listed King Edward Hall.

That said, we are uncertain about the comprehensive redevelopment envisaged. This seems to waste the material and the energy embodied in the existing buildings, and presumably means that the businesses currently based in them will have to suffer the stress and inconvenience of relocation. In any case, we should like to see a green roof and we ask the Council to discuss with the applicants how solar gain on the west facing façade will be dealt with; the smooth elevation leaves no room for bolt on solar shading. We also ask the Council to insist that the architects who have been involved hitherto will see the project through to completion, and that, since they are important, details of the construction and in particular the external façade, windows, concrete, are conditioned so as to require agreement - following public consultation - prior to commencement on site.

The Finchley Society expresses support of the proposals.

Regarding the Societies' objections/comments they are as follows:

- *Waste the material and the energy embodied in the existing buildings*

Response: This would not constitute a reason for refusal in this instance.

- *Businesses currently based in the buildings would be required to relocate*

Response: This would not constitute a reason for refusal in this instance.

- *We would like to see a green roof*

Response: A landscaping condition for the roof terrace has been attached.

- *We ask the Council to discuss with the applicants how solar gain on the west facing façade will be dealt with; the smooth elevation leaves no room for bolt on solar shading.*

Response: The architect for the proposed development responded to this stating:

"Glazing has been maximised keeping the space function in mind, to improve daylight and views out of the property. On the southern facade, a combination of opaque glass (with a g-value of 0.1) and clear glass (with a g-value of 0.45) has been used along with overhangs to minimise solar gains. Also, a very good U-value of 0.1W/m²K has been specified for the roof.

The clear glass g-value is lower than the default g-value for triple glazing of 0.64 and close to the notional g-value of 0.40. In addition, internal shading devices will be specified to reduce the solar gains and improve local comfort where possible. Also, it must be considered that the west facade is small proportion as compared to the overall building fabric area."

The Urban Design Officer also recognises that some office functions would require non-glazed elements.

- *We also ask the Council to insist that the architects who have been involved hitherto will see the project through to completion*

Response: This is not within the remit of planning control

- *Details of the construction and in particular the external façade, windows, concrete, are conditioned so as to require agreement - following public consultation - prior to commencement on site*

Response: A condition has been attached requiring the submission of a Demolition and Construction Method Statement and Logistics Plan and details of materials to the Local Authority before the commencement of development. Approval of details reserved by a condition are not normally subject to public consultation however.

In regards to internal and external consultee comments:

- In reference to the Town Teams comments flexible workspace will be secured through obligations; the building's frontage on Arcadia Avenue has been addressed in the assessment above; the creation of an A1 retail space at ground floor is deemed acceptable in planning policy terms, as addressed in the assessment above and contributions to the public realm have been secured through obligations.
- The Heritage Officer's comments have been assessed in the report above.
- TfL's comments have been addressed in the report above

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development is deemed acceptable and is therefore recommended for approval, subject to conditions and obligations.

