

LOCATION: National Institute of Medical Research, The Ridgeway, NW7 1AA

REFERENCE: 20/1893/FUL **Received:** 20 April 2020

Accepted: 20 April 2020

WARD(S): Mill Hill

Expiry: 20 July 2020

APPLICANT: Barratt London

PROPOSAL: Full Planning Application for the construction of 5 buildings of between 5 - 8 storeys in height, with associated basement, comprising up to 189 residential units and provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible café (A3). Associated car and cycle parking, refuse storage and amenity space

Background

The Extant Consent

The original planning application (Planning Reference 16/4545/FUL) was submitted in July 2016 for the following development.

“Redevelopment of the site to provide 460 new residential units following demolition of all existing buildings. New residential accommodation to consist of 448 self-contained flats within 19 blocks ranging from three to nine storeys with basement car parking levels and 12 two storey houses with lower ground floor levels. Associated car and cycle parking spaces to be provided. Provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible café (A3). Reconfiguration of the site access and internal road arrangements and provision of new publicly accessible outdoor amenity space. New associated refuse and recycling arrangements.”

The application was reported to the Planning Committee of the 22nd February 2017 with an officer recommendation to Approve. The Officer recommendation was not agreed by members and it was the Committee’s resolution that planning permission be refused due to concerns relating to the design of the proposal and the impact of the proposal on trees.

The application concerning a scheme of strategic importance under the terms of the Mayor of London Direction Order 2008 was subsequently referred to the Mayor of London who subsequently issued a directive to call in the application for his determination.

Several amendments were made to the scheme subsequent to call in. In short these concerned:

- An increase in the affordable housing provision to 35% of total units (it was 20% in the initial scheme)
- A reduction in the level of car parking from 613 to 535 spaces.
- A reduction in the number of tree removals from 507 to 388 and an increase in new tree planting from 748 to 839.

- Minor design changes

A Mayoral representation hearing was subsequently held on the 6th October 2017, where the Mayor resolved to grant planning permission subject to the completion of the S106. The S106 was subsequently completed on the 22nd December 2017 and the planning decision was issued.

The S73 Application

An application was submitted in 2019 (Planning Reference 19/3208/S73) under Section 73 of the Town and Country Planning Act 1990 (as amended).

The amendments proposed under this application were as follows:

- Amendments to the approved floorplans plans of Blocks A, B and C to allow for the provision of 52 additional homes (+20 units in Block A, + 22 units in Block B, and + 10 units in Block C). Refer to housing mix table at Appendix B. These additional homes are accommodated within the same building mass of the original approved scheme, with no change to above-ground building volume or floorspace;
- Additional balconies are added to Blocks B and C (and amendments proposed to the location of approved balconies) to reflect the internal floorplan changes;
- Changes to elevations of Blocks A-C as a result of floorplan amendments;
- Amendments to the basement floorplan of the Cruciform Cluster (Blocks A-C) to enlarge the basement area from approx. 4,913sqm (as approved) to approx. 6,638sqm (an increase of approx. 1,724sqm). This allows a pro-rata increase in the provision of car parking spaces within this basement from 175 to 227 spaces (52 additional spaces). It also accommodates an increase of 39 cycle parking spaces (amended site wide total of 886 spaces) and an increase in bin-store capacity;
- Pro-rata increase in the provision of affordable housing (to maintain 35% by habitable rooms); and
- Minor alterations to the floorplans of Blocks J1 and J2, to allow for an increase in M4(3) wheelchair adaptable units within these blocks.

Barnet's Planning Committee resolved at the Planning Committee meeting of 10th October 2019 to grant planning permission for this development subject to no direction being received from the Mayor of London and a deed of variation being completed.

While a Stage 2 approval was subsequently granted by the Mayor of London, there was a court of appeal judgement on the 6th November 2019 (The Finney Judgement) which ruled that the S73 procedure could not be used to vary the wording of a planning application description, which this application was reliant upon. As such the applicant was advised that the Council could not issue a decision notwithstanding the earlier Committee resolution and that a separate slot-in full planning application would be required to regularise the changes.

The Proposed Slot-In Application

The applicant submitted the current application on the 20th April 2020 which is a full application effectively for the same development proposed under the earlier S73 application, with the exception of the minor changes proposed to blocks J1 and J2 which are subject to a separate and concurrent non material planning application.

The current description of development is for:

‘Full Planning Application for the construction of 5 buildings of between 5 - 8 storeys in height, with associated basement, comprising up to 189 residential units and provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible café (A3). Associated car and cycle parking, refuse storage and amenity space’

The reason why the current application is for 189 units, is due to the need for the applicant to apply for all of the units within the Cruciform Cluster (Blocks A, B1, B2, C1 & C2) and the application is effectively for an additional 52 units over and above the extant 16/4545/FUL approval, exactly as proposed under the earlier S73 proposals, which the Planning Committee resolved to approve at the Planning Committee Meeting of the 10th October 2019.

The full description of the changes from the extant approval 16/4545/FUL are as follows:

- The provision of 52 additional homes (+20 units in Block A, + 22 units in Block B1 & B2, and + 10 units in Blocks C1 & C2) to provide 189 homes in total. These additional homes are accommodated within the same building mass of the original approved scheme, with no change to above-ground building volume or floorspace;
- Additional balconies are added to Blocks B and C (and amendments proposed to the location of approved balconies) to reflect the internal floorplan changes;
- Changes to elevations of Blocks A-C as a result of floorplan amendments;
- Amendments to the basement floorplan of the Cruciform Cluster (Blocks A-C) to enlarge the basement area from approx. 4,913sqm (as approved) to approx. 6,638sqm (an increase of approx. 1,724sqm). This allows a pro-rata increase in the provision of car parking spaces within this basement from 175 to 227 spaces (52 additional spaces);
- The enlarged basement also provides an increase of 39 cycle parking spaces (amended site wide total of 886 spaces) and an increase in bin-store capacity; and
- The proposals for the three satellite plots involve the replacement of 17 standard car parking spaces with 17 blue badge spaces.’

The proposed changes to the buildings do not fundamentally alter the approved scheme under the extant consent, as no changes are proposed to the approved footprint or building envelope of the approved buildings not being increased. The design alterations are minor in nature (from a design perspective), the number of affordable and wheelchair units are increased along with the private residential accommodation to maintain the existing ratio's of 35% and 10% respectively.

The proposed basement car park will be increased to provide car parking at a 1 to 1 ratio for the new residential units, as per the agreed ratio within the extant consent.

Overall the amendments would be considered minor in the context of the scheme as a whole and follow the same high quality design approach approved under the extant consent. The amended design is considered appropriate in scale, similar in architectural treatment and will have no impact on amenity, neighbouring properties or the surrounding road network or parking. All units meet the requirements set out in the Mayor of London's new Housing SPG and accord with all of the policies of the updated London Plan.

The proposed amendments are therefore considered acceptable and the proposal is recommended for **APPROVAL**

RECOMMENDATIONS

Recommendation 1

The applicant and any other person having a requisite interest in the site be invited by way of an agreement into a Deed of Variation, linking this full planning application to the extant consent, by varying the section 106 Agreement dated 22 December 2017 (under Planning Reference 16/4545/FUL) in accordance with the terms set out in the Application Summary section of this report and to incorporate the following revisions.

- Interpretation – Amended definition of ‘Residential Travel Plan Incentives Fund’ to increase the contribution from £138,000 to £153,000;
- Carbon Offset Payment of £72,576
- Schedule 1 – Revised Affordable Housing Plans;
- Schedule 2 – Revised draft planning permission (to comprise the fresh consent being applied for);
- Schedule 3 (Affordable Housing) – Part 1 to be updated to account for revised affordable housing commitments, in terms of the number of each unit size and tenure;
- Appendix 1 – Revised Affordable Housing Delivery Schedule; and
- Appendix 2 – Revised Affordable Housing Accommodation Schedule

Recommendation 2

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

CONDITION(S):

1. Time limit

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

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

2. Approved plans and documents

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

1623_DWG_PL_00_100 Site Location Plan;
1623_DWG_PL_00_101_E Proposed Masterplan Finished Floor Levels;
1623_DWG_PL_00_104_E Proposed Masterplan Surface Car Parking Layout;
1623_DWG_PL_00_105_E Proposed Masterplan Ground Layout Plan;
1623_DWG_PL_00_106_E Proposed Masterplan Basement/Lower Ground Plan;
1623_DWG_PL_00_170_B Proposed Site Elevation J - The Ridgeway;
1623_DWG_PL_00_173_B Proposed Site Elevation M;
1623_DWG_PL_00_175_C Proposed Site Elevation P;
1623_DWG_PL_ABC_201_E Proposed Basement Plan;
1623_DWG_PL_ABC_202_C Ridgeway Cruciform Cluster Lower Ground Floor Plan;
1623_DWG_PL_ABC_203_C Ridgeway Cruciform Cluster Ground Floor Plan;
1623_DWG_PL_ABC_204_C Ridgeway Cruciform Cluster First Floor Plan;
1623_DWG_PL_ABC_205_C Ridgeway Cruciform Cluster Second Floor Plan;
1623_DWG_PL_ABC_206_C Ridgeway Cruciform Cluster Third Floor Plan;
1623_DWG_PL_ABC_207_C Ridgeway Cruciform Cluster Fourth Floor Plan;
1623_DWG_PL_ABC_208_C Ridgeway Cruciform Cluster Fifth Floor Plan;
1623_DWG_PL_ABC_209_C Ridgeway Cruciform Cluster Sixth Floor Plan;
1623_DWG_PL_ABC_210_C Ridgeway Cruciform Cluster Seventh Floor Plan;
1623_DWG_PL_ABC_211_C Ridgeway Cruciform Cluster Roof Plan;
1623_DWG_PL_A_220_B Proposed Section AA;
1623_DWG_PL_A_221_B Proposed Section BB;
1623_DWG_PL_A_240_B Proposed North Elevation 1;
1623_DWG_PL_A_241_B Proposed South Elevation 2;
1623_DWG_PL_A_242_B Proposed East Elevation 3;
1623_DWG_PL_A_243_B Proposed West Elevation 4;
1623_DWG_PL_B1_240_C Block B1 Elevation 1 & 2;
1623_DWG_PL_B1_241_C Block B1 Elevation 3 & 4;
1623_DWG_PL_B2_240_C Block B2 Elevation 1 & 2;
1623_DWG_PL_B2_241_C Block B2 Elevation 3 & 4;
1623_DWG_PL_C1_240_B Block C1 Elevation 1 & 2;
1623_DWG_PL_C1_241_B Block C1 Elevation 3 & 4;
1623_DWG_PL_C2_240_B Block C2 Elevation 1 & 2;
1623_DWG_PL_C2_241_B Block C2 Elevation 3 & 4;
1623_DWG_PL_00_301_B Detailed Bay Study Block A;
1623_DWG_PL_00_305_B Detailed Bay Study Blocks B+C;

Also submitted for information purposes:

Planning Statement (prepared by Avison Young); Design and Access Statement (Prepared by RMA Architects); Environmental Statement Non-Technical Summary Addendum (Prepared by Trium Environmental Consulting LLP); Environmental Statement Volume 1: Main Report Addendum (Prepared by Trium Environmental Consulting LLP); Environmental Statement Volume 2: Townscape, Visual, and Heritage Impact Assessment (TVHIA) Statement of Conformity (Prepared by Trium Environmental Consulting LLP); Environmental Statement Volume 3: Technical Appendices Addendum (including Air Quality Assessment; Green House Gas Assessment; Noise and Vibration; Socio Economic Assessment; Flood Risk Assessment and Drainage Strategy; and Transport Assessment Addendum) (Prepared by Trium Environmental Consulting LLP); Statement of Community Involvement (Prepared by London Communications Agency); Access Statement

Addendum (Prepared by David Bonnets Associates); Sunlight and Daylight Assessment Addendum (Prepared by GIA); Energy Statement Addendum (Prepared by BBS Environmental); Utilities Assessment Addendum (Prepared by Ardent); Delivery and Servicing Management Plan (Prepared by Ardent); Wind and Microclimate Assessment Addendum (Prepared by RWDI); and Residential Travel Plan Addendum (Prepared by Ardent).

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application as assessed in accordance with Policies CS01, CS04, CS05, DM01 and DM02 of the Barnet Local Plan (2012) and Policy 1.1 of the London Plan (2016).

3. Material samples

Notwithstanding the details shown on the plans, hereby approved, prior to the commencement of development (other than demolition, site clearance and ground works):

- (a) details and appropriate samples of the materials to be used for the external surfaces of the buildings and hard surfaced areas shall have been submitted to and approved in writing by the Local Planning Authority; and
- (b) sample panels shall be constructed on site of building materials and hard surfacing, to be inspected and approved in writing by the Local Planning Authority.

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

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 CS05 and DM01 of the Barnet Local Plan (2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan (2016).

4. Detailed drawings and external materials (buildings)

Notwithstanding the details shown in the drawings submitted and otherwise hereby approved prior to the commencement development (other than for Demolition, Ground works and Site Preparation Works) details of the following features and elements of the scheme for that phase must be submitted to Local Planning Authority and approved by the Local Planning Authority in writing:

- i) Brick bonding and brick and stone detailing (annotated plans at a scale of not less than 1:20 unless otherwise agreed in writing with the Local Planning Authority).
- ii) External windows, balconies, doors, metal screens and balustrading (annotated plans at a scale of not less than 1:10 unless otherwise agreed in writing with the Local Planning Authority).
- iii) Depth of window reveals (annotated plans at a scale of not less than 1:20 unless otherwise agreed in writing with the Local Planning Authority).
- iv) Rainwater goods (annotated plans at a scale of not less than 1:10 unless otherwise agreed in writing with the Local Planning Authority).

- v) Privacy screens (annotated plans at a scale of not less than 1:10 unless otherwise agreed in writing with the Local Planning Authority).
- vi) All means of enclosure proposed for the sites pedestrian and vehicular access points (annotated plans at a scale of not less than 1:10 unless otherwise agreed in writing with the Local Planning Authority).

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the development is constructed in accordance with Policies CS05 and DM01 of the Barnet Local Plan (2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan (2016).

5. Site levels

Notwithstanding the details submitted in the drawings hereby approved no development is to commence (other than demolition, ground works and site clearance) unless and until details of the levels of the proposed buildings, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission for that phase shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with such details as so approved before any of the residential units and commercial units approved are occupied in that phase.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the amenities of the area and neighbouring occupiers in accordance with Policies DM01, DM04 and DM17 of the Barnet Local Plan (2012) and Policies 7.2, 7.3, 7.4, 7.5, 7.6, 7.13 and 7.21 of the London Plan (2016).

6. Surface water drainage

The development hereby approved shall be undertaken in accordance with the approved surface water drainage strategy (reference 11348-5013 P5 and 11348-5014 P5 and dated April 2016 of the extant consent (Ref 16/4545/FUL) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan (2012), 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).

7. Adoption of SuDS

Prior to first occupation, full details of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development should be submitted to, and approved by the Local Planning Authority. The Adopting Authority

must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Local Planning Authority. Prior to first occupation, an Estate Management Company will take on the safe operation and maintenance of any elements of the SuDS system which are not taken on by the Adopting Authority. Prior to first occupation, full details of the Estate Management Company including evidence to demonstrate that sufficient funds have been set aside and/or sufficient funds can be raised to cover operation and maintenance costs of those elements of the SuDS system taken on throughout the lifespan of the development shall be submitted to and approved by the Local Planning Authority. The Estate Management Company shall keep records of operation and maintenance activities for possible inspection by the Local Planning Authority.

Reason: To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems. Operation and maintenance of SuDS should take into consideration the Written Ministerial Statement of 18 December 2014 and Planning Practice Guidance Paragraphs 81 and 85.

8. Non-Road Mobile Machinery (NRMM)

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/>

Reason: To protect local amenity and air quality in accordance with Policy DM04 of the Barnet Local Plan (2012) and Policies 5.3 and 7.14 of the London Plan (2016).

9. Air Quality and Dust Management Plan.

The development shall be implemented in accordance with details approved within the Air Quality and Dust Management Plan approved under condition reference 17/8152/CON of the extant consent (Planning Ref 16/4545/FUL), unless otherwise agreed in writing by the Local Planning Authority.

Within any amendment to the approved details, reference shall be made to the Mayor of London's SPG, "The Control of Dust and Emissions during Construction and Demolition". The plan shall confirm:

- a. which air quality emission and dust control measures are to be implemented;
- b. which monitoring methods are to be implemented; and
- c. that construction machinery will meet NRMM standards

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction (2014) and Policy 7.14 of the London Plan (2016).

10. Noise and vibration

The mitigation measures recommended in the Noise Assessment by Ardent (report reference U780-10, and Noise Assessment Addendum, report reference U782-05B – both of the extant consent (Planning Ref 16/4545/FUL), shall be implemented in their entirety prior to the occupation of the development and retained as such thereafter.

Reason: To ensure the amenities of occupiers are not prejudiced by traffic noise/mixed use in the immediate surroundings, in accordance with Policy DM04 of the Barnet Local Plan (2012), Barnet's Sustainable Design and Construction SPD (2016) and Policy 7.15 of the London Plan (2016).

11. Noise – fixed plant

The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

12. Noise and vibration – internal residential environment

(a) Prior to the commencement of the development (other than for Demolition, Ground works and Site Preparation Works) details of mitigation measures to show how the development will be constructed so as to provide sufficient air borne and structure borne sound insulation against internally generated noise and vibration shall be submitted to and approved in writing by the Local Planning Authority. Any gym equipment shall be isolated from the structure of the building. This sound insulation shall ensure that the levels of noise generated from the gym, office and cafe; as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am. The report shall include all calculations and baseline data, and be set out so that the

Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policy DM04 of the Barnet Local Plan (2012), Barnet's Sustainable Design and Construction SPD (2016) and Policy 7.15 of the London Plan (2016).

13. Details of plant equipment

(a) Prior to the installation of all extraction and ventilation equipment to be installed as part of the development, details of such equipment shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using antivibration mounts. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policies CS14 and DM01 of the Barnet Local Plan (2012).

14. Landscape and Ecological Management Plan (LEMP)

The Landscape and Ecological Management Plan (LEMP), approved under condition reference 19/5190/CON of the extant consent (Planning Ref 16/4545/FUL), will be implemented in accordance with the approved details unless otherwise agreed by the Local Planning Authority.

Any future amendments to the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To ensure improvements the biodiversity of the site in order to comply with Policy DM16 of the Barnet Local Plan (2012).

15. Native plant species

All new plantings should be locally obtained (i.e. plantings can be imported from Europe on the condition that they have resided in a UK nursery for a minimum of 12 months), disease free and from a reputable bio-secure supplier.

Reason: To ensure improve the biodiversity of the site in order to comply with Policy DM16 of the Barnet Local Plan (2012).

16. Refuse and recycling

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

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

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

Reason: To ensure a satisfactory refuse and recycling facilities are provided at the development in accordance with Policies CS05, CS09, CS14, DM01, DM04 and DM17 of the Barnet Local Plan (2012).

17. Hours of construction

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policies DM01 and DM04 of the Barnet Local Plan (2012).

18. Protection of trees

The temporary tree protection measures outlined in the details of the Tree Protection Plan, approved under condition 17/8155/CON of the extant consent (Planning Ref 16/4545/FUL), shall be erected around existing trees on site. This protection shall remain in position until after the development works on each phase are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policies CS05, CS07 and DM01 of the Barnet Local Plan (2012) and Policy 7.21 of the London Plan (2016).

19. Retained trees – site levels

Prior to the commencement of the development details of the level changes in proximity to retained trees shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with details approved under this condition

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policies CS05, CS07 and DM01 of the Barnet Local Plan (2012) and Policy 7.21 of the London Plan (2016).

20. Retained trees - excavations

The location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site shall be carried out in accordance with the details approved under planning reference 17/8153/CON of the extant consent (Planning Ref 16/4545/FUL), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policies CS05, CS07 and DM01 of the Barnet Local Plan (2012) and Policy 7.21 of the London Plan (2016).

21. Landscape Management Plan

(a) Development shall be carried out in accordance with the details outlined in the Landscape Management Plan approved under reference 19/5199/CON of the extant consent (Planning Ref 16/4545/FUL), for all landscaped areas for a minimum period of 20 years unless otherwise approved in writing by the Local Planning Authority.

(b) Any amendments to the approved Landscape Management Plan shall include details of:

- long term design objectives;
- management responsibilities;
- maintenance schedules;
- new soft landscaping to be planted as part of the approved landscaping scheme including the number (no less than 839 new trees including 100 semi mature trees), size, densities, species and location of trees and shrubs; and
- implementation programme

(c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition

(d) Planting which has been used for screening (specifically along the boundary with Burtonhole Lane and St Vincent's Lane) shall be reviewed within 18 months of planting, with a view to augmenting and enhancing the landscaping if insufficient screening is provided. The level of established screening required should obscure the buildings and infrastructure from eye line level and be integrated into the existing tree boundaries, consistent with the local character.

(e) All soft landscaping works shall be carried out for each phase no later than the first planting season following the final occupation of that phase

(f) all landscaping implemented in accordance with the approved Landscape Management Plan shall be maintained for a minimum period of 20 years and any trees that are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective within this time shall be replaced with specimens of a similar size and species as originally required.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS05, CS07 and DM01 of the Barnet Local Plan (2012) and Policy 7.21 of the London Plan (2016).

22. Obscure glazing

(a) Before the development hereby permitted is first occupied details of obscuring glazing, for those properties with facing windows to habitable rooms less than 21 metres away, shall be submitted to and approved in writing by the Local Planning Authority

(b) The scheme of obscure glazing shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Barnet Local Plan (2012) and Barnet's Residential Design Guidance SPD (2016).

23. Play equipment

(a) Before the development hereby permitted is first occupied, a scheme detailing all play equipment to be installed in the communal amenity spaces shall be submitted to and approved in writing by the Local Planning Authority. Details shall include landscaping, climbable objects, fixed equipment, facilities for children (0-11 years old) and facilities suitable for disabled children and carers.

(b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter, unless otherwise agreed in writing.

Reason: To ensure that the development represents high quality design and to accord with Policy CS7 and DM02 of the Barnet Local Plan (2012), Barnet's Residential Design Guidance SPD (2016), Barnet's Planning Obligations SPD (2013) and Policy 3.6 of the London Plan (2016).

24. Use Class

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D, E, F, G and H of Part 1 of Schedule 2 of that Order shall be carried out within the application site hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with Policy DM01 of the Barnet Local Plan (2012).

25. Green roofs

(a) No development (other than demolition, ground works and site preparation works) shall take place until details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

(b) The green roof shall be implemented in accordance with the details approved under this condition prior to the commencement of the use or first occupation the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Barnet Local Plan (2012) and Policy 7.15 of the London Plan (2016).

26. Car Parking Management Plan

Prior to first occupation of the development a detailed Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed, the details shall include:

i. Location and layout of car parking spaces

- ii. Allocation of car parking spaces
- iii. On-site parking controls and charges (if any)
- iv. The enforcement of unauthorised parking
- v. 'Blue badge' space quantities in accordance with London Plan (2016) guidance
- vi. Location of a minimum of 2 car club spaces
- vii. Electric Charging Points: Location and specification. For residential parking spaces, delivery of the 20% of parking spaces which shall be active and 20% which shall be passive electric charging points. For non-residential spaces, provision at 20% of spaces shall be undertaken with potential provision at a further 10% of spaces.

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

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.8 and 7.2 of the London Plan (2016) and also to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Policies CS9 and DM17 of the Barnet Local Plan (2012).

27. Car parking

The level of parking for all land uses shall be as set out in the Design and Access Statement (prepared by RMA) dated March 2020.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.8 and 7.2 of the London Plan (2016) and also to ensure that the development does not over-provide car parking spaces and to encourage sustainable travel in accordance with Policies CS9 and DM17 of the Barnet Local Plan (2012).

28. Residential parking

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

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.8 and 7.2 of the London Plan (2016).

29. Cycle parking

Before the development hereby permitted is occupied; details of cycle parking and cycle storage facilities in accordance with the London Plan should be submitted to and approved by the Local Planning Authority. Cycle parking and cycle storage facilities shall be implemented in full accordance with the approved details prior to

the first occupation of development hereby approved and such spaces shall be permanently retained thereafter.

Minimum aisle widths, as set out in London Cycling Design Standards, must be met and 5% of space should be provided for the storage of non-standard cycles.

Reason: In the interests of promoting cycling as a mode of transport in accordance with Policies CS9 and DM17 of the Barnet Local Plan (2012) and the London Cycling Design Standards (2016).

30. Accessible parking bays

Accessible parking bays shall be allocated to wheelchair accessible homes at 1:1 provision. Where spaces are in undercroft areas ceiling heights shall meet the recommended height of 2.6 metres above wheelchair accessible spaces, unless otherwise agreed. The maximum gradients for pedestrians and wheelchair users within the site should ideally be no more than 5%, with the maximum being 8%.

A minimum of 2 accessible parking bays should be provided for the commercial uses.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.8 and 7.2 of the London Plan (2016); Shaping Neighbourhoods Accessible London: Achieving an Inclusive Environment SPG October 2014 and Manual for Streets 2. To ensure that parking is provided and managed in line with the Local Planning Authority's standards in the interests of highway and pedestrian safety in accordance with Policies CS9 and DM17 of the Barnet Local Plan (2012).

31. Pedestrian and cycle routes

Before the development hereby is occupied; details to show entry and egress arrangements and pedestrian walkways / cycleways is to be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full in accordance with the approved details.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with Policies CS9 and DM17 of the Barnet Local Plan (2012).

32. Construction Environment Management Plan (CEMP)

Development will be carried out in accordance with the Construction Environmental Management Plan, approved under condition reference 18/0021/CON (as amended by application 18/6893/NMA) of the extant consent (Planning Ref 16/4545/FUL) unless otherwise agreed in by the Local Planning Authority. Any amendments to the approved CEMP shall include:

Construction site and works

i. Site information (including a site plan and management structure)

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

Construction management and procedures

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

Demolition and waste management

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

Construction traffic

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

Environmental Management

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

xxxii. Any other precautionary and mitigatory measures in relation to demolition and construction as identified in the ES and the EIA Mitigation Register

Biodiversity

xxxiii. Risk assessment of potentially damaging construction activities.

xxxiv. Identification of “biodiversity protection zones”, including a 20m buffer to the Folly Brook.

xxxv. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including, but not limited to badgers, amphibians, reptiles, White Letter Hairstreak butterflies, owls and lesser spotted woodpeckers.

xxxvi. The location and timing of sensitive works to avoid harm to biodiversity features.

xxxvii. The times during construction when specialist ecologists need to be present on site to oversee works.

xxxviii. Responsible persons and lines of communication.

xxxix. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

xxxx. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction

period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties, in the interests of highway and pedestrian safety and in the interests of protecting the environment and trees in accordance with policies CS9, CS13, CS14, DM01, DM04, DM16 and DM17 of the Barnet Local Plan (2012) and policies 5.3, 5.18, 7.14, 7.15, 7.21 and 5.21 of the London Plan (2016).

33. Delivery & Servicing Plan (DSP)

Before the permitted development is occupied a full Delivery and Servicing Plan (DSP) shall be submitted to and agreed by the Local Planning Authority.

All deliveries and servicing associated with the development shall be carried out only in accordance with the approved details.

Reason: In the interest of highway safety in accordance with Policies CS9 and DM17 of Barnet’s Local Plan (2012) and Policy 6.14 of the London Plan (2016).

34. Access

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

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

35. External lighting

Prior to the commencement of the development (other than for Demolition, Ground works and Site Preparation Works), a lighting design submission detailing philosophy, reasons and targeted achievements dealing with expectations, controls, light pollution, spillage must be submitted to and approved in writing by the Local Planning Authority. Lighting should be restricted to low intensity and directed away from potential Bat foraging and roosting habitat. Details to be submitted include:

- Details of all the equipment used, specific lamps, luminaires and columns with images;
- For each luminaire a full technical specifications (e.g. glare ratings, wattage, colour rating and e-class);
- Details of the light levels chosen and which guidelines have been referred to;
- Isolux diagrams of the report overlaid with the parking areas, public areas and the surrounding houses and roads showing as a minimum 3, 5 and 10 lux lines;
- Vertical illuminance calculations across the backs of all nearby neighbouring properties taken at 10 to 20 metre intervals;
- Details of all external lights if they affect the design area;
- Details of any ecological mitigation.

The Development shall thereafter be implemented in accordance with such details as so approved before the dwellings approved are occupied.

Reason: In the interest of highway safety and amenity in accordance with Policies DM01, DM16 and DM17 of the Barnet Local Plan (2012).

36. Commercial units

The commercial units hereby approved, shall be used for use class A3 or D1 and no other purpose 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.

37. Inclusive design

The development shall be implemented in full accordance with the submitted Access Statement (dated March 2020) and shall thereafter be retained.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.8 and 7.2 of the London Plan (2016) and Policy DM02 of the Barnet Local Plan (2012).

38. Energy Statement

The development shall be implemented in full accordance with the submitted Energy Statement (dated March 2020) and shall thereafter be retained. The communal

heating system shall be designed to permit a future connection to a District Heat Network should a feasible and viable connection become available in the future.

Reason: To ensure that the development is sustainable and in accordance with Policy DM01 of the Barnet Local Plan (2012) and Policies 5.2, 5.3 and 5.7 of the London Plan (2016).

39. Secured by Design

The development hereby approved shall be designed and constructed to Secured by Design Sections 2 and 3 Compliance.

Reason: To ensure that the proposed development meets the Police standards for the physical protection of the buildings and their occupants, and to comply with Policy 7.3 of the London Plan (2016) and Policy DM02 of the Barnet Local Plan (2012).

40. Accessible and adaptable dwellings

90% of residential units within the proposed development shall be designed to Part M4 (2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2015).

Reason: To ensure that the proposed development meets the Local Planning Authority's Standards in relation to the provision of wheelchair accessible homes and to comply with Policy DM02 of the Barnet Local Plan (2012) and Policy 3.8 of the London Plan (2016).

41. Wheelchair user dwellings

At 10% of the dwellings in the development shall be wheelchair accessible or easily adaptable for wheelchair use (Part M4 (3) 'wheelchair user dwellings' of the Building Regulations 2010 (as amended 2015)).

Reason: To ensure that the proposed development meets the Local Planning Authority's Standards in relation to the provision of wheelchair accessible homes and to comply with Policy DM02 of the Barnet Local Plan (2012) and Policy 3.8 of the London Plan (2016).

INFORMATIVE(S):

1: Sport England recommend that the drainage assessment and improvement/management scheme is undertaken by a specialist turf consultant.

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

i) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');

- ii) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- iii) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- iv) Guidance for the safe development of housing on land affected by contamination (2008) by NHBC, the EA and CIEH;
- v) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- vi) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

3: Refuse collection points should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Level 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. 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 to ensure Barnet Council's refuse collection department is consulted to agree a refuse collection arrangement.

4: The applicant must submit an application under Section 184 of the Highways Act (1980) for all the proposed vehicular accesses. The proposed access design details, construction and location will be reviewed by Barnet's Council's Authority Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of Barnet Council's Guidelines for Developers and an application form please contact: Traffic & Development Section –Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

5: For construction works adjacent to the public highways, the applicant must contact Barnet Council's First Contact on 0208 359 2000 for any necessary Highways Licenses.

6: Barnet 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 construction traffic movements. 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. The applicant is advised that photographic records should be kept of the public highway likely to be affected by the development proposal prior to commencement of any construction or demolition works on site.

7: The applicant is advised that any street furniture or lighting column affected by the proposed works would be relocated under a rechargeable works agreement by Barnet Council's term contractor for Highway Works. You may obtain an estimate for this work from Development & Regulatory Services, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

8: The applicant is advised that the proposed development may involve alterations to the existing on-street waiting and loading restrictions. Alterations to on-street waiting and loading restrictions will be subject to a statutory consultation period. The Local Planning Authority cannot prejudge the outcome of the consultation process.

9: Barnet Local Planning Authority's refuse vehicles will be required to enter the site and therefore the estate roads must be constructed to adoptable standards. Details of the materials and surface finishes that would be acceptable for use on the private roads will be undertaken and constructed to an adoptable standard. Details of the road construction requirements can be obtained from the Traffic and Development Section in Development & Regulatory Services, Barnet House, 1255 High Road, Whetstone, N20 0EJ.

10: The gradient for the proposed ramps leading to the underground parking areas should have a gradient not steeper than 1:10 or in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks 3rd Edition.

11: The costs of any associated works on the public highway, including reinstatement works, will be borne by the Applicant and Barnet Local Planning Authority will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.

12: The written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited heritage practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

13: No stopping up of highways is shown on the approved plans. Any highways to be stopped up under Section 247 of the Town and Country Planning Act will need to be agreed with Barnet Local Planning Authority.

14: Thames Water have reviewed the information provided and based on the understanding that piling/demolition works are carried out in accordance with the submitted drawing no. 71623_DWG_00_103 Rev B, no piling method details are required. Please advise Thames Water if these plans change so that they can re-assess the risk to their assets. Email: devcon.team@thameswater.co.uk, quoting "DTS Ref 49409."

15: Pre-commencement conditions:

The following pre-commencement conditions attached to this decision notice are considered necessary in order to safeguard the nature conservation interest of adjoining land, safeguard transport infrastructure and protect the amenities of existing residents, future occupiers and users of the proposed development and to

ensure that the proposed development results in a sustainable and well- designed scheme:

16. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'.

This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be

eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

Please visit

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

MATERIAL CONSIDERATIONS

1.1 Key Relevant Planning Policy

Introduction

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

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

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

National Planning Policy Framework (February 2019)

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

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

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

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

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

Context and Strategy

1.1 (Delivering the Strategic Vision and Objectives for London)

London's Places:

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

London's People:

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

London's Economy:

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

London's Response to Climate Change

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

London's Transport

6.1 (Strategic Approach); 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport); 6.3 (Assessing Effects of Development on Transport Capacity); 6.4 (Enhancing London's Transport Connectivity); 6.5 (Funding Crossrail and Other

Strategically Important Transport Infrastructure); 6.7 (Better Streets and Surface Transport); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing Traffic Flow and Tackling Congestion); 6.12 (Road Network Capacity); and 6.13 (Parking)

London's Living Places and Spaces

7.1 (Building London's Neighbourhoods and Communities); 7.2 (Inclusive Environment); 7.3 (Designing Out Crime); 7.4 (Local Character); 7.5 (Public Realm); 7.6 (Architecture); 7.7 (Location of Tall and Large Buildings); 7.13 (Safety, Security and Resilience to Emergency); 7.14 (Improving Air Quality); 7.15 (Reducing Noise) and 7.18 (Protecting Local Open Space and Addressing Local Deficiency).

Implementation, Monitoring and Review:

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

Draft Replacement London Plan 2017

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

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

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

Due to the advanced nature of the DLP increasing weight should be attached to those policies which the Inspector's report considered sound and those policies which the Secretary of State did not raise objections to. Nevertheless the London Plan 2016 remains the statutory development plan until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2016 London Plan, while noting that account needs to be taken of emerging policies.

Mayoral Supplementary Guidance

Sustainable Design and Construction (April 2014)

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

Accessible London: Achieving an Inclusive Environment (October 2014)

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

Planning for Equality and Diversity in London (October 2007)

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

All London Green Grid (March 2012)

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

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

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

Play and Informal Recreation (September 2012)

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

Housing (March 2016)

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

Affordable Housing and Viability (August 2017)

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

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

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

Mayor's Transport Strategy (2018)

This Strategy outlines some of the key transport challenges in London such as poor quality public transport and high volumes of cars on some roads. 3.5.2 The Strategy places an emphasis on reducing car dependency and encouraging an increased use of walking, cycling and public transport use. To help encourage this modal shift, the Strategy has adopted the Healthy Streets Approach, which aims to improve and enhance the overall street environment. 3.5.3 In outer London, it is highlighted that streets are often dominated with cars and that significant transport improvements will be required to reduce this dependency. It encourages a more integrated approach to planning transport and housing. Within Outer London, new or enhanced bus services will be introduced to reduce car dependency and support growth, particularly around Elizabeth line stations and in areas where housing growth is expected, including Colindale. 3.5.4 In addition, the strategy also focuses on delivering new homes and jobs on transport land and by 2020/21 aims to start on working on property development sites that will deliver 10,000 new homes.

Relevant Local Plan (2012) Policies

The development plan documents in the Barnet Local Plan constitute the development plan in terms of local planning policy for the purposes of the Planning and Compulsory Purchase Act (2004). The relevant documents comprise the Core

Strategy and Development Management Policies documents, which were both adopted in September 2012. The Local Plan development plan policies of most relevance to the determination of this application are:

Core Strategy (Adopted 2012):

CS NPPF (National Planning Policy Framework – Presumption in favour of sustainable development)

CS1 (Barnet's Place Shaping Strategy – Protection, enhancement and consolidated growth

– The three strands approach)

CS3 (Distribution of growth in meeting housing aspirations)

CS4 (Providing quality homes and housing choice in Barnet)

CS5 (Protecting and enhancing Barnet's character to create high quality places)

CS6 (Promoting Barnet's Town Centres)

CS7 (Enhancing and protecting Barnet's open spaces)

CS8 (Promoting a strong and prosperous Barnet)

CS9 (Providing safe, effective and efficient travel)

CS10 (Enabling inclusive and integrated community facilities and uses)

CS11 (Improving health and well-being in Barnet)

CS12 (Making Barnet a safer place)

CS13 (Ensuring the efficient use of natural resources)

CS14 (Dealing with our waste)

CS15 (Delivering the Core Strategy)

Development Management Policies (Adopted 2012):

DM01 (Protecting Barnet's character and amenity)

DM02 (Development standards)

DM03 (Accessibility and inclusive design)

DM04 (Environmental considerations for development)

DM05 (Tall Buildings)

DM06 (Barnet's Heritage and Conservation)

DM08 (Ensuring a variety of sizes of new homes to meet housing need)

DM10 (Affordable housing contributions)

DM11 (Development principles for Barnet's town centres)

DM13 (Community and education uses)

DM14 (New and existing employment space)

DM15 (Green belt and open spaces)

DM16 (Biodiversity)

DM17 (Travel impact and parking standards)

Barnet's Local Plan (Reg 18) 2020

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

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to

be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

Supplementary Planning Guidance and Documents:

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

Local Supplementary Planning Documents:

Sustainable Design and Construction (October 2016)
Residential Design Guidance (April 2013)
Planning Obligations (April 2013)
Affordable Housing (February 2007 with updates in August 2010)
Strategic Supplementary Planning Documents and Guidance: Accessible London: Achieving an Inclusive Environment (April 2004)
Sustainable Design and Construction (May 2006)
Health Issues in Planning (June 2007)
Wheelchair Accessible Housing (September 2007)
Planning for Equality and Diversity in London (October 2007)
All London Green Grid (March 2012)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
Housing (November 2012)

Supplementary Planning Documents and Guidance

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

Local Supplementary Planning Documents:

Affordable Housing (February 2008)
Sustainable Design and Construction (October 2016)
Planning Obligations (April 2013)
Delivering Skills, Employment, Enterprise and Training from Development through S106 (October 2014)
Sustainable Design and Construction (October 2016)
Residential Design Guidance (October 2016)
Green Infrastructure (October 2017)

National Institute of Medical Research Planning Brief 2016

This brief was adopted in March 2016 and provided the planning framework which informed the development of the original planning application 16/4545/FUL.

Changes to the Policy Framework

Since hybrid planning permission 16/4545/FUL was granted, while there has been some changes to the wording of the NPPF, there are no implications from this revised document which would materially affect the current application. The draft London Plan

was adopted post the original decision however as explained above this document has limited material weight at the current stage. In any event the changes in the draft London Plan i.e. increasing housing targets would be supportive of the proposed changes. This is reflected in the GLA comments which advise that the development is broadly in accordance with the new London Plan. No changes have been made to the Barnet Local Plan subsequent to the original decision.

1.2 Key Relevant Planning History

Planning application reference 16/4545/FUL was granted Planning Permission on the 22nd December 2017. The description of the approved development is as follows:

'Redevelopment of the site to provide 460 new residential units following demolition of all existing buildings. New residential accommodation to consist of 448 self-contained flats within 19 blocks ranging from three to nine storeys with basement car parking levels and 12 two storey houses with lower ground floor levels. Associated car and cycle parking spaces to be provided. Provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible cafe (A3). Reconfiguration of the site access and internal road arrangements and provision of new publicly accessible outdoor amenity space. New associated refuse and recycling arrangements.'

The Original Consent has been subsequently varied via five non-material amendment applications which are summarised below:

- The first amendment related to internal amendments to Blocks E1, E2, D1, D2, F1, F2 and F3 (Phases One and Two) as well as changes to the elevations, design, rationalisation of gardens and amendments in materials to Plots H1 – H12. This was approved 4th September 2018 (Ref. 18/4753/NMA);
- The second amendment related to an alteration to the construction traffic route in the Construction Environmental Management Plan (CEMP), and was approved 28th January 2019 (Ref. 18/6893/NMA);
- The third amendment related to the redistribution of four wheelchair units from the ground floor of Blocks E1 and E2 into blocks K2 and J3, along with minor alterations to the stair core within these blocks; allowing for a better internal layout. This application was approved on 17th April 2019 (Ref. 19/0435/NMA);
- The fourth amendment related to an alteration to the wording of Condition 26 (Play Equipment) to allow for details to be submitted on a phase by phase basis. This application was approved on 23rd March 2020 (Ref. 19/4455/NMA); and
- The fifth amendment related to amendments to the internal layouts and elevations of the approved unit types within Blocks D1, D2, E1, E2 and F1-F3 as well as rationalisation of the landscaping following detailed design. This application was approved on 23rd March 2020 (Ref. 19/5441/NMA).

A S73 application 19/3208/S73 was resolved to be granted planning permission on the 10th October 2019 Planning Committee meeting. The description of development was as follows:

'Minor Material Amendment to condition 2 (Approved Plans), Condition 26 (Play Equipment), Condition 32 (Car Parking), Condition 44 (Inclusive Design), Condition 45 (Energy Statement) and Condition 49 (Accessible Units) of Planning Permission for 16/4545/FUL dated 22/12/2017, to provide for the following design changes. Amendments to the approved floor plans of Blocks A, B and C to allow for the provision of 52 additional homes (within the same building mass of the original approved scheme, with no change to above-ground building volume or floorspace). Amendments to the basement floor plan of the Cruciform Cluster (Blocks A-C) to enlarge the basement, in order to provide a pro-rata increase in the provision of car parking spaces (52 additional spaces). Associated floor plan amendments to Blocks A-C and basement to accommodate pro-rata changes to cycle parking, refuse storage, private amenity space etc. Minor changes to elevations of Blocks A-C as a result of floor plan amendments. Pro-rata increase in the provision of affordable housing (to maintain 35% by habitable rooms) and Minor alterations to the floor plans of Blocks J1 and J2, to allow for an increase in M4(3) wheelchair adaptable units within these blocks'

As mentioned in the Planning Summary above, due to the 'Finney Judgement' on the 6th November 2019 it has not been possible to determine the planning application in accordance with the Committee resolution, as the application was reliant on amending the description of development, and therefore the application currently remains undetermined.

1.3 Pre-application Consultation by the Applicant

Prior to the submission of the previous S73 application (which is functionally identical to the current application), the applicant undertook pre application discussions with both the London Borough of Barnet and the Greater London Authority. Targeting pre application local consultation also took place, including with local ward councilors, the Mill Hill Neighbouring Forum and the Mill Hill Preservation Society. As a result of these discussions amendments were made to the design of the amended scheme to address comments made by the Preservation Society.

For this slot-in application, the applicant consulted both the London Borough of Barnet and the Greater London Authority, prior to submission, to discuss and agree the application type, red line boundary, deliverables and scope of the proposed development.

1.4 Public Consultations by the Council and Views Expressed

Public Consultation

Letters were sent out to 103 addresses on the 14th May 2020. The application was also advertised by site notice on the 21st May 2020 and by press notice on the 21st May 2020.

As a result of this consultation, 18 letters of representation received, of which 17 were in objection to the proposal along with 1 representation neither objecting or supporting the Planning Application.

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

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

- Applicant fails to take account of surrounding businesses in planning documents and as such have failed to take impact on them into a result
- Overflow and run off from rain has previously caused damage to Finchley Nurseries
- Barratts should be prevented from new applications until these matters resolved.
- Rural peace of area ruined by development
- Inadequate original traffic survey should be re-run.
- Inadequate parking as public transport non existent
- Water in Dollis Valley brook has changed and must not be contaminated as haven for wildlife
- Barretts have failed to protect nature areas or the Conservation area
- Development would represent large increase in units, developers should not be allowed to alter permissions post permission
- Construction would damage wildlife and fish in Finchley nursery
- Surrounding infrastructure (schools, doctors and trains) at breaking point and can not take additional units
- Barratts have not used local supply chains
- Non compliance with previous conditions concerning contamination, dust, noise etc;
- Previous noise and disturbance caused by the Special Boat Service
- Disturbance from construction including builders private vehicles
- Development is ugly
- Building containing contaminants and asbestos was knocked down next to a school.
- Lack of family housing as a result of changes

Summary of representations neither objecting or supporting the proposal

Seems to be no difference to previous application; main concerns potential loss of trees and inadequate parking.

Officer Comments

It is noted that the current application is identical S73 application which was considered in full and considered acceptable by Council members last year.

Nevertheless, in terms of the response to objections these are set out below.

In relation to complaints regarding current enforcement breaches, it is noted that Scientific Services and Planning Enforcement have visited the site following complaints and have in the main been satisfied that the development is acting in

compliance with the approved Construction Management Plan and other Environmental requirements. In any event this is of no relevance to the slot-in application as it is the impact of the changes which need to be assessed on its own merits.

The Construction Environmental Management Plan (CEMP) was amended following the initial grant of planning permission to alter the agreed construction route to run to the south to Bittacy Hill circus rather than north through Mill Hill village. While the comment from the resident wishing the CEMP to be amended to include reference to Finchley Nurseries, it is noted that monitoring equipment is already in situ on this site following a request from the Council's Scientific Services Officer. Furthermore, this comment is of no relevance to the slot-in application.

In relation to parking, additional parking is being provided at the same ratio as the original application approved by the mayor. The provision of 1 space for 1 and 2 bedroom flats is also in accordance with Policy DM17. The increased number of spaces is still lower than that considered by Barnet's Planning Committee in February 2017 and as such should not result in any undue impact upon surrounding roads.

In relation to the impact upon Public transport it is noted that the original application made significant contributions towards improving public transport and cycling and walking in the borough. These contributions included £300,000 towards the provision of step free access to Mill Hill Station, £200,000 of contributions towards improving the cycling and pedestrian network and £138,000 to the travel plan incentives fund.

In relation to the impact on services, the application will make CIL contributions which will be used to offset any impact from the proposal on local services. Significant S106 contributions were also received as part of the original application.

Elected Representatives.

Andrew Dismore

I am writing to object to the above application in my capacity as London Assembly Member for Barnet and Camden.

I am disappointed, but not in the least bit surprised that yet another developer, who already has permission for a large application that has led to a substantial overdevelopment of this site, has applied for permission for even more development. This application represents the continuing salami slicing of all the protections agreed to in the original application. The original permission was the maximum permissible development, and therefore by logic any subsequent application to add more development goes well over the limits. Therefore many of the reasons for objection to this scheme are in line with those of the already agreed to scheme.

This application represents an even worse overdevelopment in the Green Belt, with building designs not conducive to the Conservation Area (with the exception of the competition result for the cruciform building), too many flats with inappropriate housing mix, inadequate parking provision and transport challenges related to The Ridgeway,

On the compromised views from the Totteridge Valley and construction impact on the surrounding area, I believe that the requirements of NPPF have not been met

and that there is a significant increase in the built floor space that constitutes overdevelopment without any explanation of exceptional circumstances in support of this. The views into the site, the bulk of the buildings and the traffic issues all add support to my view that this Green Belt site is being overdeveloped. In addition, the design of some of the blocks is poor and unsympathetic to the needs of the Conservation Area.

The proposal to increase the density of flats on the development is unacceptable. This proposal is only made possible by changing the housing mix that already included too many smaller flats. The original plans for blocks A/A1, B1/B2 and C1/C2 comprised:

40 x 1-bedroom units
80 x 2-bedroom units
17 x 3-bedroom units
0 x 4 and 5-bedroom units
Total: 137 units

What is proposed now for these blocks makes the following changes:

+ 28 x 1-bedroom units
+ 29 x 2-bedroom units
- 5 x 3-bedroom units

Total: 52 extra units in addition to the 137 above.

Policy HOU02 'Housing Mix' of the Barnet Draft Local Plan (Reg 18) January 2020 sets down priorities for dwelling sizes. The highest priority listed for market homes for sale or rent is 3-bedroom properties with 2 or 4-bedroom dwellings as a medium priority; 2-bedroom flats (with four bed-spaces) are the highest priority for Affordable Rent and Low Cost Home

Ownership dwellings. Policy HOU01 'Affordable Homes' refers back to policy HOU02 in terms of housing mix. Therefore it is unacceptable to increase the number of 1-bedroom units at the expense of having fewer 3-bedroom flats. What is the point of having local policies if the Council does enforce them at planning stage?

The main variation on the front elevation is that of the decorated brick panels.

Ground and

1st floor levels are similar to the approved scheme (planning permission 16/4545/FUL) as are

6th and 7th floors. However in the original design there were five decorated vertical brick

panels at 4th and 5th floor levels, four of which extended down through the 2nd and 3rd floors. On the current design these have been reduced to three decorative panels, only two of which extend down to 2nd and 3rd floors. The effect is that the design does not have the impact of the original proposal.

On balance the current cruciform elevational design is a reasonable proposal and whilst it will change the mix, this will not overpower the previously approved scheme. The cruciform building should be built correctly, to the design standards set out in the previous approval 16/4545/FUL that had a wealth of detail included that I would not like to lose. Maintaining the copper roof design of the cruciform building is important.

On Blocks B1/B2 and C1/C2, To solve the additional parking required the application proposes enlarging the basement of the Cruciform Cluster (Blocks A - C) to provide

52 additional car parking spaces and pro-rata increase in affordable housing, cycle parking, and refuse storage. The increase in the size of the basement extension (1724 sq. m) would be up by a third, more than normally acceptable in the Green Belt. The buildings as proposed are materially larger than the buildings they are replacing. This is contrary to National Planning Policy Framework (NPPF). Changes to the floor plans in Blocks B–C would disturb the integrity of the external elevations of the original design in terms of fenestration.

With regard to traffic and transport, the proposal would add to the density of the development and because of its relative isolation would lead to additional traffic whose exit from the site would be onto The Ridgeway, which we know is already notoriously busy. Any access from the site onto Burtonhole Lane should in no circumstances be allowed. The proposal also does nothing to address the poor provision of parking for residents on the site that will lead to overspill parking on surrounding lanes. I have raised the fact that the site is on a hill that would be classed as a category 1 climb on the Tour de France, with a minimal bus service that leads down to an already congested station with minimal service and capacity.

Finally, I would like to ask for confirmation that all necessary tests for asbestos and chemical contamination had been correctly carried out on the earlier parts of the project and correctly signed off. There has been considerable concern about these issues amongst local residents and businesses.

To conclude, the proposal represents inappropriate development and is harmful to the Green Belt. The NPPF states... “As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” In this application as no very special circumstances have been demonstrated the application is therefore contrary to the NPPF and on this basis alone should be refused. I believe the application is driven by the need to meet market demands and not by planning issues. The density of the site is too high for the locality and the addition of extra flats adds further to the weight of previous arguments and submissions. The loss of 3-bedroom units is something that I cannot support. The building designs are not sufficiently sensitive to the needs of the Conservation area.

Consultation responses from neighbouring associations other non-statutory bodies.

Mill Hill Preservation Society

1.0 Introduction: This application is essentially for the provision of 52 additional homes in Blocks A, B and C, but within the same building mass of the originally approved scheme. The Committee of the Mill Hill Preservation Society (MHPS) has examined the application on the LBB planning website. We have previously met the developer’s design team in committee in February 2019 in respect of application 19/3208/S73, and due to the coronavirus outbreak we did not do so again in 2020 to discuss the current application. This application is not for the variation of previously approved buildings, but for five new blocks to replace the originally proposed blocks.

The application relates to Block A, the replacement cruciform building, Blocks B1/B2 and C1/C2. Our comments given below relate to the current application.

2.0 Overview: When MHPS commented on the original application in our letters 22nd August and 7th September 2016 we raised many objections related to overdevelopment in the Green Belt, building designs not conducive to the Conservation Area (with the exception of the competition result for the cruciform building), too many flats with inappropriate housing mix, inadequate parking provision and transport challenges related to The Ridgeway, compromised views from the Totteridge Valley and construction impact on the surrounding area. We still believe that our main conclusions (see below) are appropriate to refer to again:

The Society firmly believes that the requirements of NPPF have not been met and that there is a significant increase in the built floor space that constitutes overdevelopment without any explanation of exceptional circumstances in support of this. The views into the site, the bulk of the buildings and the traffic issues all add support to our view that this Green Belt site is being overdeveloped. The fact that the site boundary encompasses areas that are green space in the Green Belt that have never been built upon has no bearing on the level of density that should be allowed. Alongside these points MHPS feel that the design of some of the blocks is poor and unsympathetic to the needs of the Conservation Area. MHPS, whilst not being against the development of this site following the retreat of the NIMR, does feel that the best possible proposal has not yet been put forward. This summary is not meant to dilute the other points that we have made, simply we do not wish to repeat every issue.

3.0 Density and Housing Mix: MHPS feel the proposal to increase the density of flats on the development is unacceptable. This proposal is only made possible by changing the housing mix that already included too many smaller flats. The original plans for blocks A/A1, B1/B2 and C1/C2 comprised...

40 x 1-bedroom units

80 x 2-bedroom units

17 x 3-bedroom units

0 x 4 and 5-bedroom units

Total: 137 units

What is proposed now for these blocks makes the following changes:

+ 28 x 1-bedroom units

+ 29 x 2-bedroom units

- 5 x 3-bedroom units

Total: 52 extra units in addition to the 137 above.

Policy HOU02 'Housing Mix' of the Barnet Draft Local Plan (Reg 18) January 2020 sets down priorities for dwelling sizes. The highest priority listed for market homes for sale or rent is 3-bedroom properties with 2 or 4-bedroom dwellings as a medium priority; 2-bedroom flats (with four bed-spaces) are the highest priority for Affordable Rent and Low Cost Home Ownership dwellings. Policy HOU01 'Affordable Homes' refers back to policy HOU02 in term of housing mix. Therefore the Society sees it as unacceptable to increase the number of 1- bedroom units at the expense of having fewer 3-bedroom flats. What is the point of having local policies if the Council does enforce them at planning stage?

4.0 On balance the current cruciform elevational design is a reasonable proposal and whilst it will change the mix, this will not overpower the previously approved scheme. We are very concerned that the cruciform building is built correctly to the

design standards set out in the previous approval 16/4545/FUL that had a wealth of detail included that we would not like to lose. Maintaining the copper roof design of the cruciform building is important. The Society would not wish to be obstructive over minor changes to the south elevation which, on balance, seem acceptable.

5.0 Blocks B1/B2 and C1/C2: To solve the additional parking required the application proposes enlarging the basement of the Cruciform Cluster (Blocks A - C) to provide 52 additional car parking spaces and pro-rata increase in affordable housing, cycle parking, and refuse storage. MHPS has a number of concerns around this proposal, namely the increase in the size of the basement extension (1724 sq. m) would be up by a third, more than normally acceptable in the Green Belt. In our letter 7th September 2016 we noted that the general increase in floorspace being proposed was an unacceptable 38% over and above the original buildings, and now the larger basement area increases the over-building still further. The buildings as proposed are materially larger than the buildings they are replacing. This is contrary to National Planning Policy Framework (NPPF).

Changes to the floor plans in Blocks B–C would disturb the integrity of the external elevations of the original design in terms of fenestration.

6.0 Traffic and Transport: the proposal would add to the density of the development and because of its relative isolation would lead to additional traffic whose exit from the

The Society believes that an access from the site onto Burtonhole Lane should in no circumstances be allowed. The proposal also does nothing to address the poor provision of parking for residents on the site that will lead to overspill parking on surrounding lanes.

7.0 Contamination: The opportunity to comment on this application prompts us to ask for confirmation that all necessary tests for asbestos and chemical contamination had been correctly carried out on the earlier parts of the project and correctly signed off. There has been considerable concern about these issues amongst local residents and businesses.

8.0 Conclusions: On the basis of the above, the proposal represents inappropriate development and is harmful to the Green Belt. The NPPF states... “As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” In this application as no very special circumstances have been demonstrated the application is therefore contrary to the NPPF and on this basis alone should be refused. We believe the application is driven by the need to meet market demands and not by planning issues. As set out in previous letters, to which we refer, the density of the site is too high for the locality and the addition of extra flats adds further to the weight of our previous arguments. The loss of 3-bedroom units is something that we cannot support. The building designs are not sufficiently sensitive to the needs of the Conservation Area.

We trust the planning authority will take these crucial points into consideration when evaluating the scheme and recommend refusal.

Officer Comment

There is no functional change over the earlier S73 approval. It is noted that the MHPS do not object to the design changes. The comments in relation to the planning merits of additional units and the comment about the unit mix are noted and are discussed

below. In relation to the green belt implications of parking, while this would apply to additional surface car parking, as the additional car parking provision is all at basement level it is not considered that this will materially affect the green belt.

Consultation Responses from Statutory Consultees

Greater London Authority GLA

I refer to your letter received by the GLA on 14 May 2020 consulting the Mayor of London on the above planning application, under the terms of the Mayor of London Order 2008.

The applicant proposes: Full Planning Application for the construction of 5 buildings of between 5 – 8 storeys in height, with associated basement, comprising up to 189 residential units and provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible café (A3). Associated car and cycle parking, refuse storage and amenity space.

I have assessed the details of the application. I note that the GLA recently provided comments on a similar proposal, ref 19/3208/S73 (GLA refs: GLA/3967a/01 and GLA/3967a/02). Given the similarity of the proposals, the current application does not give rise to any new strategic planning issues. You should, however, ensure that the same conditions and obligations are secured for this application as those for application reference 19/3208/S73, and as detailed in the GLA Stage 1 and 2 reports (references GLA/3967a/01 and GLA/3967a/02) and appended to this letter.

Therefore, under article 5(2) of the above Order the Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA. I will be grateful, however, if you would send me a copy of any decision notice and section 106 agreement.

Thames Water

Waste Comments

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

yourdevelopment/ Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at Thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Water Comments

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.

Internal Consultation responses

Drainage

No objections raised

Urban Design

No objections raised.

Transport and Regeneration

No objections raised.

Environmental Health

No Objections raised. No changes to previous EH comments in relation to application 16/4545/FUL

1. Background, Description of the Site and Proposed Development

Background

Original Application 16/4545/FUL

The original planning application (Planning Reference 16/4545/FUL) was submitted in July 2016 for the following development.

“Redevelopment of the site to provide 460 new residential units following demolition of all existing buildings. New residential accommodation to consist of 448 self-contained flats within 19 blocks ranging from three to nine storeys with basement car parking levels and 12 two storey houses with lower ground floor levels. Associated car and cycle parking spaces to be provided. Provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible café (A3). Reconfiguration of the site access and internal road arrangements and provision of new publicly accessible outdoor amenity space. New associated refuse and recycling arrangements.”

The application was reported to the Planning Committee of the 22nd February 2017 with an officer recommendation to Approve. The Officer recommendation was not

agreed by members and it was the Committee's resolution that planning permission be refused due to concerns relating to the design of the proposal and the impact of the proposal on trees.

The application concerning a scheme of strategic importance under the terms of the Mayor of London Direction Order 2008 was subsequently referred to the Mayor of London who subsequently issued a directive to call in the application for his determination.

Several amendments were made to the scheme subsequent to call in. In short these concerned:

- An increase in the affordable housing provision to 35% of total units (it was 20% in the initial scheme)
- A reduction in the level of car parking from 613 to 535 spaces.
- A reduction in the number of tree removals from 507 to 388 and an increase in new tree planting from 748 to 839.
- Minor design changes

A Mayoral representation hearing was subsequently held on the 6th October 2017, where the Mayor resolved to grant planning permission subject to the completion of the S106. The S106 was subsequently completed on the 22nd December 2017 and the planning decision was issued.

The S73 Application

An application was submitted in 2019 (Planning Reference 19/3208/S73) under Section 73 of the Town and Country Planning Act 1990 (as amended).

The amendments proposed under this application were as follows:

- Amendments to the approved floorplans plans of Blocks A, B and C to allow for the provision of 52 additional homes (+20 units in Block A, + 22 units in Block B, and + 10 units in Block C). Refer to housing mix table at Appendix B. These additional homes are accommodated within the same building mass of the original approved scheme, with no change to above-ground building volume or floorspace;
- Additional balconies are added to Blocks B and C (and amendments proposed to the location of approved balconies) to reflect the internal floorplan changes;
- Changes to elevations of Blocks A-C as a result of floorplan amendments;
- Amendments to the basement floorplan of the Cruciform Cluster (Blocks A-C) to enlarge the basement area from approx. 4,913sqm (as approved) to approx. 6,638sqm (an increase of approx. 1,724sqm). This allows a pro-rata increase in the provision of car parking spaces within this basement from 175 to 227 spaces (52 additional spaces). It also accommodates an increase of 39 cycle parking spaces (amended site wide total of 886 spaces) and an increase in bin-store capacity;
- Pro-rata increase in the provision of affordable housing (to maintain 35% by habitable rooms); and

- Minor alterations to the floorplans of Blocks J1 and J2, to allow for an increase in M4(3) wheelchair adaptable units within these blocks.

Barnet's Planning Committee resolved at the Planning Committee meeting of 10th October 2019 to grant planning permission for this development subject to no direction being received from the Mayor of London and a deed of variation being completed.

While a Stage 2 approval was subsequently granted by the Mayor of London, there was a court of appeal judgement on the 6th November 2019 (The Finney Judgement) which ruled that the S73 procedure could not be used to vary the wording of a planning application description, which this application did. As such the applicant was advised that the Council could not issue a decision notwithstanding the earlier Committee resolution.

Description of the Site

The site extends to 0.9ha. It comprises a main area extending to 0.85ha and three satellite areas extending to 0.05ha. It comprises part of the former NIMR site (now known as Ridgeway Views), which is in the process of being redeveloped pursuant to planning permission 16/4545/FUL.

The wider NIMR site comprises an area of approximately 19 hectares and is located in Mill Hill Ward within the Borough. The site is located within the Metropolitan Green Belt and part of the site is located within the Mill Hill Conservation Area. The southern part of the site previously contained the main National Institute cruciform building which was a prominent 9 storey building with copper roof. This building along with other buildings on the site have now been demolished.

Description of Development

The applicant submitted the current application on the 20th April 2020 which is a full application effectively for the same development proposed under the earlier S73 application, with the exception of the minor changes proposed to blocks J1 and J2 which are subject to a separate and concurrent non material planning application.

The current description of development is for:

'Full Planning Application for the construction of 5 buildings of between 5 - 8 storeys in height, with associated basement, comprising up to 189 residential units and provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible café (A3). Associated car and cycle parking, refuse storage and amenity space'

The reason why the current application is for 189 units, is due to the need for the applicant to apply for all of the units within the Cruciform Cluster (Blocks A, B1, B2, C1 & C2) and the application is effectively for an additional 52 units over and above the extant 16/4545/FUL approval, exactly as proposed under the earlier S73 proposals, which the Planning Committee resolved to approve at the Planning Committee Meeting of the 10th October 2019.

The full description of the changes from the extant approval 16/4545/FUL are as follows:

- The provision of 52 additional homes (+20 units in Block A, + 22 units in Block B1 & B2, and + 10 units in Blocks C1 & C2) to provide 189 homes in total. These additional homes are accommodated within the same building mass of the original approved scheme, with no change to above-ground building volume or floorspace;
- Additional balconies are added to Blocks B and C (and amendments proposed to the location of approved balconies) to reflect the internal floorplan changes;
- Changes to elevations of Blocks A-C as a result of floorplan amendments;
- Amendments to the basement floorplan of the Cruciform Cluster (Blocks A-C) to enlarge the basement area from approx. 4,913sqm (as approved) to approx. 6,638sqm (an increase of approx. 1,724sqm). This allows a pro-rata increase in the provision of car parking spaces within this basement from 175 to 227 spaces (52 additional spaces);
- The enlarged basement also provides an increase of 39 cycle parking spaces (amended site wide total of 886 spaces) and an increase in bin-store capacity; and
- The proposals for the three satellite plots involve the replacement of 17 standard car parking spaces with 17 blue badge spaces.'

2. PLANNING APPRAISAL

Principle of Development

The basic principle of the development of the site for residential purposes was established by planning application 16/4545/FUL approved the National Institute of Medical Research development on 22nd December 2017.

As this planning application is extant and currently under construction, this planning permission is a significant material planning consideration and it is reasonable to assess the proposal based on the acceptability of the changes to this baseline permission. It is also a material consideration that the Planning Committee resolved to grant planning permission in October last year to S73 application 16/5050/S73 to a development which is identical to the current application.

Assessment of Proposed Amendments

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

- Urban Design
- Residential Mix
- Affordable Housing Provision
- Density
- Daylight and Sunlight
- Residential Quality
- Car Parking Provision
- Construction Impacts
- Cumulative Effect of Amendments

Each of these is discussed in turn below.

Urban Design

The proposed design changes are considered minor in nature and overall while subjective, officer opinion is that the proposed design changes to the main Cruciform block represent a visual improvement over the approved consent. It is noted that no objections have been received concerning design and it is noted that the MHPS while preferring the visual appearance of the original scheme raise no objections on design grounds to the proposal.

Residential Mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan Policy 3.8, and Barnet Development Management Policies DPD policy DM08). The Council's Local Plan documents (Core Strategy and Development Management Policies DPD) identify 3 and 4 bedroom units as the highest priority types of market housing for the borough. Although, this should not be interpreted as implying that there is not a need for a full range of unit sizes.

Proposed Residential Mix

As can be seen from the table below the slot-in application would result in a sitewide increase in the number of 1 bed units by 28 units, the number of two bed units by 29 and decrease the number of 3 bed units by 5. However the proposal would still provide 77 three bed units, 4 four bed units and 8 five bed units. In addition to this an increase in the number of larger three bed affordable units is proposed. As such it is still considered that the proposal will continue to provide a good mix of units sizes in accordance with Policy DM08.

Table A.2: Proposed Amendments

Tenure	Unit Size	Units No.		Hab Rooms		Hab Room % (Total)
		No.	%	No.	%	
Private	1B	72	23.15%	144	15.06%	
	2B	164	52.73%	492	51.46%	
	3B	63	20.26%	252	26.36%	
	4B	4	1.29%	20	2.09%	
	5B	8	2.57%	48	5.02%	
Total		311		956		65.0%
Shared Ownership	1B	67	50.0%	134	39.5%	
	2B	63	47.0%	189	55.8%	
	3B	4	3.0%	16	4.7%	
Total		134		339		23.0%
Affordable Rent	1B	35	52.2%	70	39.8%	
	2B	22	32.8%	66	37.5%	
	3B	10	14.9%	40	22.7%	
Total		67		173		12.0%
Site Wide Total		512		1471		

Affordable Housing Provision

The provision of 35% affordable housing will be provided within the wider scheme, with none proposed within the red line boundary of the 'slot-in' application. Instead, the sitewide S106 will control both the original application and the drop-in application to ensure a site wide delivery of 35.01% affordable as per the accepted S73 application. This approach has been confirmed as being acceptable by both the London Borough of Barnet and the Greater London Authority.

Therefore, the applicant has provided a pro rate uplift in the number of affordable units with 16 additional affordable units being provided of which 13 are rented units which represents 35% of the uplift. This uplift is welcomed and will provide much needed affordable housing.

Density

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

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

The Site has an existing PTAL rating of Level1b. In accordance with Table 3.2 of the London Plan, the Site is located within a suburban setting. Given the Site’s PTAL rating and suburban locality, the London Plan seeks to provide residential densities of between 150-200 habitable rooms per hectare.

The Proposed Development, as part of the wider NIMR Development, would result in an average density of 156 habitable rooms per hectare (only including the 9.4 hectares on the southern part of the site), as opposed to 144 habitable rooms per hectare in the extant scheme, which is within the indicative range within the London Plan. The proposed density is therefore considered acceptable in accordance with Policy.

Daylight and Sunlight Admission

A Sunlight/Daylight report has been submitted with the application. This report concludes that the proposed revised scheme will continue to provide policy compliant levels of daylight and sunlight amenity to future occupants. Neighbouring properties are not affected by the changes proposed.

Residential Quality

The revised scheme accords with all Mayoral and borough level policies and guidance regarding housing quality, particularly in respect to the Mayor’s Housing SPG and draft London Plan Policy D4, other than in respect to private amenity space.

A small number of homes within Block A do not benefit from direct access to their own private amenity space due to the adverse impact this would have on the design quality of the southern elevation of this building that has been identified as being of local significance for neighbours. Occupiers will, however, have an increase in floorspace over and above the Mayor’s Housing SPG and will have easy access to the scheme’s high quality shared communal gardens ensuring that outdoor amenity needs are catered for. This is the result of a balanced judgement between amenity and design in order to not adversely affect the visual appearance of this prominent

building. All other homes benefit from private balconies/terraces in line with the Mayor's standards and the overall quantum of outdoor amenity space in the scheme far exceeds the standards set out in the Barnet Local Plan.

Car Parking Provision

The proposed development would result in an increase of 52 car parking spaces over the extant permission, which are proposed to be accommodated in an increased underground basement. The provision of 1 space per unit would accord with Barnet Policy DM17 and it is considered that satisfactory parking provision has been provided for the additional units.

In relation to the impact of additional cars on surrounding roads, it is noted that the original scheme considered at the Planning Committee meeting of the 22nd February 2017 proposed a higher level of car parking provision than that currently proposed under the current application and the road layout and junctions were built to accommodate this higher number of cars. No objections were raised to this higher car parking level by either Council Officers or Members. As such it is not considered by officers that this increase will result in any significant increased congestion on surrounding roads.

Construction Impacts

Numerous objectors raised concerns regarding the impact of construction and construction vehicles, including contractor parking on the quality of life of neighbouring residents. Notwithstanding the merits of the complaints raised, each planning proposal needs to be assessed on its own individual merits. The majority of construction disturbance is caused by the more major construction activities, i.e. demolition of buildings, ground levelling and reprofiling and the construction of the external fabric of the buildings rather than the internal fitout of the buildings. Given that the additional units are within the existing building envelope it is not considered that the proposed uplift in the number of units would add significantly to construction disturbance to local residents.

Cumulative Effect of Amendments

Although the proposals are for a slot-in application, when considered as a whole, the cumulative effects of the proposed changes to the approved development are minor in scale and nature, and will not result in a development that is substantively different to that already approved.

Environmental Impact Assessment

The Original Consent was accompanied by an Environmental Statement (ES) (and associated addendums).

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

In this instance an ES Addendum has been submitted in support of this application, prepared in accordance with the Environmental Impact Assessment Regulations 2017.

The ES Addendum builds on the analysis and assessments presented in the original ES to provide information necessary to assess the likely significant effects of not only the proposed amendments in isolation, but also the amended proposed development as a whole (i.e. the complete amended proposed development with all design changes incorporated).

The scope of the addendum covers topic areas that have the potential to be affected by the proposed amendments only, as follows:

- Traffic and transport;
- Noise and vibration;
- Air quality;
- Socio-economics; and
- Heritage, townscape/landscape and visual impact.

The following topics were scoped into the original ES but the assessments are not affected by the proposed amendments, and therefore have been scoped out of the ES Addendum:

- Cultural heritage; and
- Ecology and nature conservation.

The conclusion of the ES Addendum is that the proposed amendments do not materially change the outcomes and conclusions of the Consented ES, with the only change to significant effects occurring in relation to socio economics, in respect to local expenditure (a beneficial effect). No new or altered effects, whether significant or not, occur due to the Proposed Amendments.

Having reviewed this document and other supporting documents, the Local Planning Authority agree that there is not likely to be any significant environmental impact as a result of the proposed changes.

Planning Obligations

The original planning permission is subject to a Section 106 Agreement. This agreement will be carried over to this planning permission sought and linked via means of a deed of modification. In addition the following sections need to be amended and updated to reflect the changes proposed under this application.

- Payment of £72,576 towards Carbon Offset Payments
- Interpretation – Amended definition of ‘Residential Travel Plan Incentives Fund’ to increase the contribution from £138,000 to £153,000;
- Schedule 1 – Revised Affordable Housing Plans;
- Schedule 3 (Affordable Housing) – Part 1 to be updated to account for revised affordable housing

- commitments, in terms of the number of each unit size and tenure;
 - Appendix 1 – Revised Affordable Housing Delivery Schedule; and
- Appendix 2 – Revised Affordable Housing Accommodation Schedule

Community Infrastructure Levy

The proposed increase in the size of the basement and increase in the amount of affordable housing will alter the amount of Chargeable Development for the purposes of the CIL Regulations. Updated CIL forms have been submitted with the application to account for this. The revised scheme will continue to be implemented on a phased basis with each phase representing a separate Chargeable Development for the purposes of the CIL Regulations.

5. EQUALITIES AND DIVERSITY ISSUES

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

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

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

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

Officers have in considering this application and preparing this report had regard to the requirements of this section, and have concluded that a decision to grant planning permission for this proposed development will comply with the Council’s statutory duty under this important legislation.

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

6. CONCLUSION

The current application seeks full planning permission for the construction of 5 buildings of between 5 - 8 storeys in height, with associated basement, comprising up to 189 residential units and provision of new office (B1a) and leisure (D2) floorspace and a new publicly accessible café (A3). Associated car and cycle parking, refuse storage and amenity space.

The application is effectively an amendment to the extant planning permission H/04753/14 allowing for minor design alterations and the addition of 52 extra residential units and 52 car parking spaces over an above this approved scheme. Functionally in content the application is also identical to an early S73 application 16/5050/S73 which officers and Planning Committee members considered acceptable.

The amendments proposed have been assessed and are considered acceptable in land use terms and do not raise any significant design, neighbouring amenity or highway implications. The proposed amendments generally and taken overall accord with the relevant development plan policies.

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

SITE LOCATION PLAN: National Institute of Medical Research

REFERENCE: 20/1893/FUL

